

**22/00471/RMM**

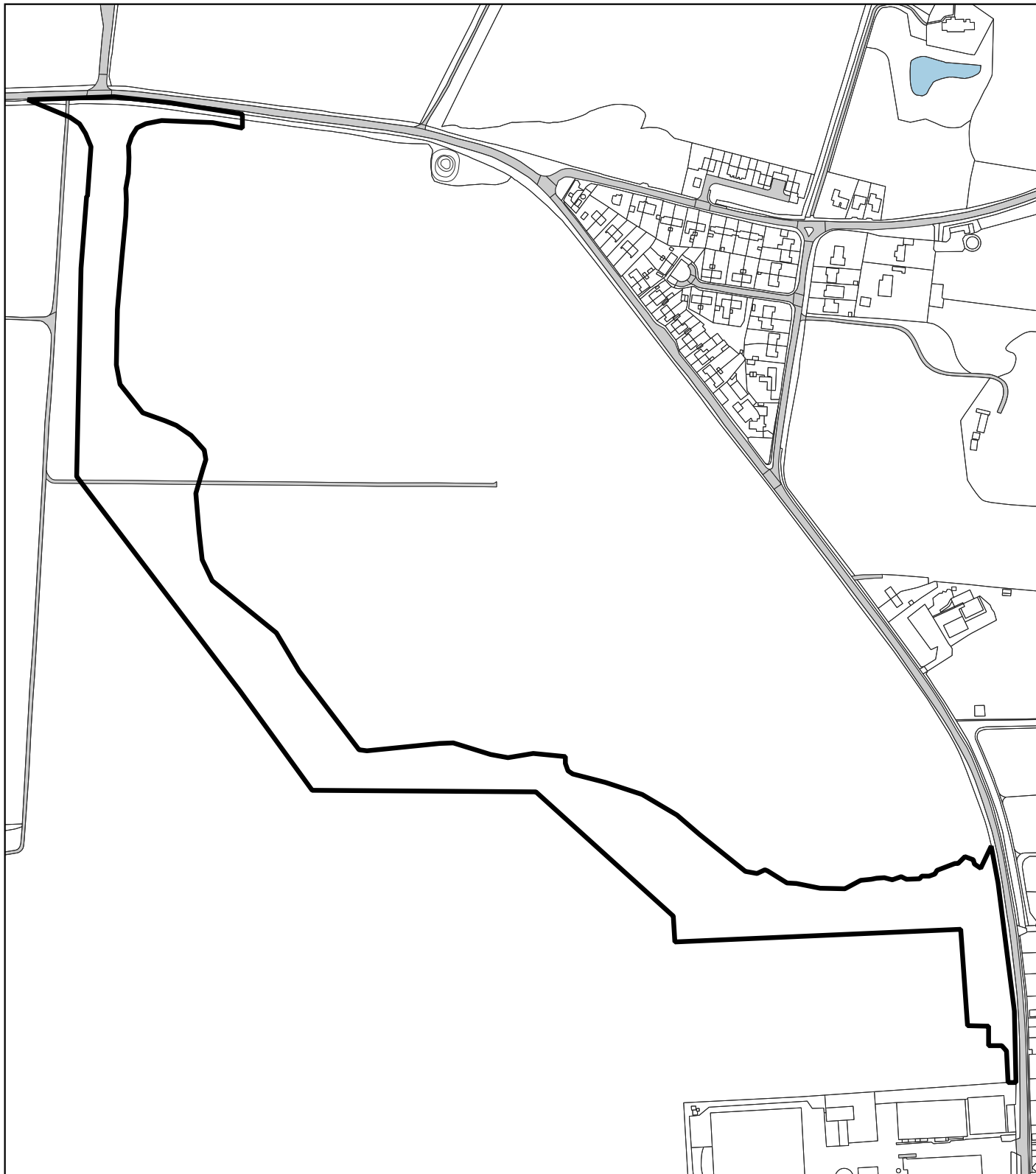
Phase 1A (Perimeter Road)  
Kennett Garden Village  
Land Southwest Of 98 To 138  
Station Road  
Kennett  
Suffolk

Reserved matters pursuant to outline planning permission 18/00752/ESO, to create perimeter road around the south and west sides of the site, linking the approved roundabout junctions to deliver the by-pass to the village and the main access to Kennett Garden Village

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=RALDN6GGFTA00>





22/00471/RMM

Phase 1A (Perimeter Road)  
Kennett Garden Village  
Land Southwest Of 98 To 138  
Station Road  
Kennett



East Cambridgeshire  
District Council

Date: 11/11/2022  
Scale: 1:4,900



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**22/00471/RMM Committee Report**

**Reference No:** 22/00471/RMM

**Proposal:** Reserved matters pursuant to outline planning permission 18/00752/ESO, to create perimeter road around the south and west sides of the site, linking the approved roundabout junctions to deliver the by-pass to the village and the main access to Kennett Garden Village

**Site Address:** Phase 1A (Perimeter Road) Kennett Garden Village Land Southwest Of 98 To 138 Station Road Kennett Suffolk

**Applicant:** Bellway Homes Limited (Eastern Counties)

**Case Officer:** Anne James Planning Consultant

**Parish:** Kennett

**Ward:** Fordham And Isleham  
Ward Councillor/s: Julia Huffer  
Joshua Schumann

**Date Received:** 29 April 2022      **Expiry Date:** 9<sup>th</sup> December 2022  
**Report Number [X124]**

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**1.0 RECOMMENDATION**

1.1 Members are recommended to APPROVE subject to the recommended conditions below: A summary of the conditions is listed below and can be read in full on the attached Appendix 1.

1. Approved Plans
2. Time Limit
3. Construction Traffic Management Plan
4. Perimeter Road constructed to finished standard
5. Cycle Infrastructure
6. Roads, footways and cycleways
7. Adoptable standard of highway
8. Details of Hard Landscaping
9. Details of Public Realm
10. Details of Tree planting

**2.0 SUMMARY OF APPLICATION**

2.1 An outline planning application (18/00752/ESO), in respect of a Sustainable 'Garden Village' extension to Kennett was considered by the Council on 24<sup>th</sup> April

2019 and approved subject to the satisfactory signing of the S106 Agreement. The outline application comprised a residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping.

- 2.2 The outline application was accompanied by an Environmental Statement and considered access only, with the Reserved Matters of appearance, landscaping, layout and scale to be considered at a later stage. A number of conditions imposed on the outline permission, required details to be submitted prior to or with the submission of the first of the reserved matters application or prior to commencement of development within a relevant phase. These comprise a site-wide Phasing Plan (Condition 9), a site-wide Green Infrastructure Strategy (Condition 10), Green Infrastructure relating to a particular phase (Condition 11), a site-wide Biodiversity Strategy (Condition 12), a Drainage Strategy (Condition 21), Noise Management Plan (Condition 29) an Energy and Sustainability Strategy (Condition 32) and a Connectivity Strategy (Condition 43). Details submitted with any reserved matters application would also be required to demonstrate how the application accords with the approved Design Code (Condition 6) refers. Condition 9 relating to the Phasing Plan has already been discharged.
- 2.3 The application to be considered by Committee represents the reserved matters application for Phase 1a (Perimeter Road) of the outline planning application 18/00752/ESO. The Perimeter Road forms the principal entrance into the site and creates access through the development from the north of the site in Dane Hill Road through to the south in Station Road. A number of amendments have been made to the scheme under advisement of the Local Highways Authority (LHA). These amendments relate to increasing the speed of the road from Roundabout 1 taken from Dane Hill Road to Roundabout 2 which is to be set at 60mph. This section will be referenced within the report as the 'northern section'. To the south of Roundabout 2 up to Roundabout 3, in Station Road, the speed of traffic on the new road would be 30mph and this area is referenced as the 'southern section'. Other amendments to highway and roundabout alignment as well as footpath, field accesses and surface water run-off were resolved with the assistance of the LHA.
- 2.4 The following documents have been submitted with the application, namely:
- Planning, Design and Access Statement
  - Connectivity Strategy
  - Green Infrastructure Strategy
  - Statement of Community Involvement
  - Noise Assessment and Mitigation Strategy
  - Site Wide Biodiversity Strategy
  - Flood Risk Assessment, Drainage Strategy and Addendum V1.
  - Road Safety Audit 1
  - Road Safety Audit Response Sheet
- 2.5 The application is being considered by Committee due to the size and scale of the development and as a matter of public interest.

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

22/00472/RMM	Reserved matters pursuant to outline planning permission 18/00752/ESO, to construct 324no. one, two, three and four bedroom dwellings, 15no. plots for self-build and custom housing, CLT office, associated infrastructure and public open space as the first phase of the residential development at Kennett Garden Village	Pending Consideration	
18/00752/DISA	Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping.	Discharged	15.09.2022
18/00752/DISB	To discharge Condition 17 (Archaeology) of decision dated 15.04.2020 for 18/00752/ESO Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping.		
18/00752/NMAA	Non material amendment to previously approved 18/00949/ESO for	Approved	22.11.2022

18/00752/ESO	Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping	Approved	24.04.2019
18/00186/SCOPE	Sustainable 'Garden Village' extension to Kennett - residential-led development with associated employment and community uses (including care home and/or sheltered housing) and a new primary school with a pre-school (nursery) facilities, supporting infrastructure and open space/landscaping. SCOPING OPINION - Residential-led development with associated employment and community uses (including care home and/or extra care units) and new primary school with pre-school (nursery) facilities, playing fields, supporting infrastructure and open space/landscaping.	Opinion Issued	27.03.2018

**4.0 THE SITE AND ITS ENVIRONMENT**

- 4.1 The whole of the Kennett Garden Village application site comprises an irregular shaped area of arable land measuring 40 hectares (99 acres) which falls within a similar character area of open large scale geometric arable farmland.
- 4.2 The site abuts Dane Hill Road to the north with Station Road abutting its eastern boundary which is bounded by a mature hedgerow. To the south of the site is an industrial estate and beyond this is Kennett Railway Station. The A14 runs in parallel with the railway line also to the south. Open farmland abuts its western edge. Kennett Village comprises sporadic groups of housing along the Station Road boundary.
- 4.3 There are no buildings on the site which is relatively level with a fall of approximately 4m from east to west. The Howe Hill Tumulus Scheduled Ancient

Monument (SAM) is located to the north-east of the site and this mound is screened by trees which are growing on and around the SAM.

4.4 The settlements of Kentford lies 500m (1640ft) to the south-east of the site with Red Lodge 2km (1.242 miles) to the north-east and Newmarket 6km (3.72 miles) to the south-west of the site.

4.5 The site lies within Flood Zone 1.

## 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 Authorities**

**Kennett Parish** - No Comments Received

**Kennett Ward Councillors** - No Comments Received

**Moulton Parish Council** - No Comments Received

### **Newmarket Town Council – 09.09.2022 - Objects**

The Development & Planning Committee of Newmarket Town Council strongly objects to this application with no additional services being provided on the development. The Committee requested a meeting with East Cambs to discuss the impact of the development and details of services to be located in the village rather than residents using the oversubscribed services in Newmarket, which will add to the traffic grid lock and to request that Section 106 monies be allocated to provide services in the village and to improve the infrastructure of Newmarket.

17.05.2022 The Committee of Newmarket Town Council noted that this development would place a further burden on the already over- stretched infrastructure of the neighbouring Town of Newmarket and therefore seeks a significant contribution for support from the developers to improve the infrastructure.

**Red Lodge Parish Council** - No Comments Received

### **Suffolk County Council Highways – 26<sup>th</sup> May 2022 – No objection**

We note this development is a short distance beyond the county boundary and, as far as I have been able to ascertain, will not require any highway works on highway maintained by SCC. We note the recommended conditions and that a speed change TRO is deemed necessary. We will look forward to being consulted on that order when made.

### **West Suffolk District Council –**

No Comments Received

**Kentford Parish Council - No Comments Received**

**Mildenhall Parish Council - No Comments Received**

**Outside Organisations**

**Anglian Water Services Ltd - No Comments Received**

**Civil Aviation Authority - No Comments Received**

**Cadent Gas Ltd - 4 May 2022**

A site plan highlighting the extent of works will need to be provided following the request from the relevant network.

Please ensure that you include all relevant information regarding your works on your request to enable us to make an accurate assessment.

Please do not commence with any works until you have received authorisation and guidance.

**Cambs Wildlife Trust – 11<sup>th</sup> November 2022**

The Green Infrastructure Strategy covers the on-site green infrastructure but has not addressed the off-site requirements required by condition 10. The submitted documents therefore do not provide the information to fully discharge this condition. The additional information required to discharge Condition 10 must be submitted to and approved by ECDC in writing ideally prior to construction of the first phase of the development but certainly prior to first occupation of any new dwellings.

The Biodiversity Strategy is generally sound. Section 2 of the strategy covers principles, which are mostly acceptable. However, in section 2.8, it is suggested that the on-site green infrastructure (GI) is sufficient to avoid recreational impacts on the nearby Red Lodge SSSI. The amount of space and length of walking routes are insufficient to do this so the statement is incorrect, as the on-site GI will only partially contribute to GI requirements and will need to be supplemented with additional off-site measures as required by Condition 10. However, these off-site measures have not been provided and are still outstanding. The text in section 2.8 should be amended to be fully accurate.

Section 3 covers the measures required to avoid and mitigate impacts on protected species and on-site retained habitats. These are also summarised in Table 3. These are broadly acceptable, including the proposed off-site measures for skylark, corn bunting or yellow wagtail. However, the strategy doesn't clearly state precisely where these measures will be delivered off-site or how they will be secured? This needs to be addressed and set out in the Strategy before it is approved. Section 3.20 covers the on-site design principles for GI to help mitigate recreational pressures on nearby designated nature conservation sites. While the measures set out are acceptable, they are insufficient in themselves without the additional off-site measures. The proposed information to be included in the welcome packs for new residents will also need to include details of the off-site provision and walking routes.



Section 4 sets out the main ecological features within the scope of the long-term management & monitoring plan for the site, which are listed in Table 2 and include, woodland / scrub (including hedgerows & orchard), grasslands (wildflower & amenity), bats and birds, badgers, amphibians and reptiles and finally hedgehogs. These form a sound basis on which to focus habitat design and long-term management.

Section 5 sets out the conservation objectives for the on-site GI and landscaping scheme as well as the management prescriptions for both the establishment and long-term management phases.

The establishment phase and long-term management prescriptions are also summarised in Section 8, Table 4 and Table 5 respectively. These generally appear to follow standard landscape management practice and I therefore have no comment to make on the majority of this section. I do however have the following observations: • While the species of orchard trees are specified, it would be better to specify a list of varieties to be planted including a good proportion of traditional local East Anglian orchard tree varieties. • The management of wildflower grasslands in years 2 & 3, as set out in paragraphs 5.33 & 5.34 does not appear to be correct and does not tally with Table 4. The annual hay cutting management should commence in year 2, though there might be a need for additional targeted weed control as set out in 5.33 / 5.34. • The number of bird boxes are extremely low and there would appear to be no reason why there could not be a much higher proportion of the dwellings provided with suitable nest boxes including a much higher number of swift and sparrow boxes. • It would also be better to have a higher number of bat boxes, particularly integrated bat bricks on new dwellings in suitable locations. • Hedgerow cutting should be delayed to Jan / Feb where possible to allow the fruit to be available as winter food to birds. This also needs to be included in Tables 4 & 5. Section 6 sets out the monitoring requirements and we welcome the intention to supply biological records to CPERC. Section 7 sets out responsibility for management and section 8 provides a works schedule including Tables, 3, 4 & 5 previously referred to. The works schedules are appropriate.

**C P R E** - No Comments Received

**Defence Infrastructure Organisation Safeguarding (Wind Turb) – 25<sup>th</sup> July 2022**

In principle, the MOD has no safeguarding objections to dwellinghouses being erected at this location. The MOD should be consulted on any further applications to ensure that the capacity of any new structures to impact on the capability and operation of safeguarded sites and assets is not compromised. After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal.

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

**Environment Agency - 9 May 2022**

We have no comments to make on the reserved matters

**National Air Traffic Services Ltd - 4 May 2022**

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

**NHS England - No Comments Received**

**The National Trust - No Comments Received**

**Natural England - 19 May 2022**

Natural England has no comments to make on this reserved matters application.

**Network Rail - No Comments Received**

**Planning Casework Unit - No Comments Received**

**Ramblers Association South - No Comments Received**

**Suffolk Preservation Society - No Comments Received**

**Sport England - No Comments Received**

**Rural Development Service - No Comments Received**

**Technical Officer Access - No Comments Received**

**Highways England - 20 May 2022**

Offers no objection. The principle of development was established with the grant of outline planning permission, 18/00752/ESO. The reserved matters addressed within this application relate to the perimeter road and are considered unlikely to have a material impact on the SRN. Consequently, we offer no objection to this application.

**Historic England - 23 May 2022**

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

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

**UK Power Networks – 10<sup>th</sup> May 2022**

No objection to the proposed works.

**Cambridgeshire County Council**

**Asset Information Definitive Map Team - No Comments Received**

**Archaeology - No Comments Received**

**Design Out Crime Officers - No Comments Received**

**Education - No Comments Received**

**Fire And Rescue Service - No Comments Received**

**Growth & Development - No Comments Received**

**Local Highways Authority - 18<sup>th</sup> October 2022 – No Objection**

Following extensive dialogue, meetings, and site visits with the applicant, I can confirm that I can remove any remaining objection to this application. The maintenance provision on the three roundabout circulatory islands is however unacceptable as it encourages vehicle overrun, overtaking on the circulatory and see-through type risks. From subsequent dialogue with the applicant and CCC Highway Maintenance, I understand these areas are to be removed. While preferable to have all applicable planning drawings updated in reflection of this change, I am also content that the matter can be resolved during the S278 / S38 process if needed. The adoption of perimeter road will be subject to a Section 38 Agreement of the Highway Act 1980 and comments made within this response are done so on a without prejudice basis to any such agreement taking place. In the interest of avoiding any abortive construction works, I strongly advised that should the applicant be granted planning approval, no construction works take place for proposed adoptable highway prior to the applicant entering into a Section 38 Agreement with the Local Highway Authority. Below is a response / update to my previously outstanding comments. Roundabout 1 The position of roundabout 1, as shown on drawing 18963-KENN-400-27 Rev A, in the north of the scheme has been set so that a minimum spacing between the roundabout circulatory and highway boundary across the private track of 5m is achievable. In many cases the spacing is

greater and the gates are currently set back again. This is sufficient to mitigate the risk of a vehicle overhanging the roundabout while opening or closing the gates. This roundabout positioning is such that the necessary visibility splays can be contained within the highway boundary on approach from the west and the construction is within highway land, albeit there is little margin for error. Roundabout 3 The vehicle tracking provided on drawing 18963-KENN-400-72, demonstrates that the roundabout will not prohibit access to the stud. Large vehicles which may enter or exit the existing access will continue to be able to do so in a similar manner. While this may utilise the opposing side of the carriageway, this is no different to the current arrangement. Road 1 Field accesses have been re-introduced and are acceptable. Road 2 The footway west of Road 26, on the south side of Road 2 has been upgraded to a shared use path in response to my previous comments, thus enabling cycle journeys between the residential development and commercial land. Station Road between Roundabout 3 and Kennett Station Following on from an on-site meeting, it is apparent that there is insufficient highway to provide a 3m shared path between the development and Kennett Station. In some instances, the full highway verge width cannot be utilised due to tie-in constraints with the neighbouring boundary. As such, a shared use path will in places reduce to 2.5m and possibly further to 2m at some pinch points. While not ideal, these narrow widths will be kept to a minimum and are still preferable to either no cycle infrastructure or an on-carriageway transition for a very short length. It is still unclear how the highway works are to be drained but the applicant is aware of the challenge and LHA requirements. I have not yet had sight of a viable scheme, but I will defer to the LPA as to whether this is needed now or is it as the applicant states, a matter outside the scope of this application, noting we can only enter into a S278 Agreement for that which has planning permission. I am unsure if the outline consent gives sufficient permission for the cycle infrastructure, noting the approved parameters plans show an indicative shared use route devoid of dimensions. I will need to seek LPA advice on this matter. If the shared use path is outside the scope of this application, drawings which show the path should be omitted from the approved list as it is unclear at this time if the works they show are feasible. For the record, my preference is that a proposal be submitted for planning approval now or as a separate reserved matters application to provide the opportunity for public commentary as public engagement does not form part of the S278 process. If the applicant is minded to prepare a submission now, the cycle crossing of the allotments access needs to be updated to remove the pedestrian and cycle priority across the carriageway.

### **16<sup>th</sup> August 2022 – objects**

I can confirm acceptance of the submitted Road Safety Audit. But there are still comments outstanding from my response dated 1st August which must be addressed and until such time as they are I object to the application. For convenience, I have repeated the outstanding actions / comments below, noting that some of my previous questions have been resolved in subsequent email correspondence with the applicant's consultants. Roundabout 1 I previously stated that by moving the roundabout offline to the south, the skew of forward visibility to the roundabout circulatory increases so the applicant needed to demonstrate that forward visibility to the roundabout give-way line from the west, can be fully contained within land under their control or within the public highway. The applicant has subsequently demonstrated to me that the forward visibility passes through

third party land for which they have landowner consent. This arrangement is insufficient as it does not provide certainty that the splay will be retained free from obstruction. All highway works, including necessary visibility splays, must be fully contained within either the existing public highway or the application redline boundary with notice served on any impacted landowner. Such a visibility splay in any case needs to be included in land which is to be dedicated to the LHA. If the application boundary cannot be amended, then the roundabout location needs to be revisited. The applicant should include the highway boundary on this and other submission drawings. Roundabout 3 The vehicle tracking for Roundabout 3 is acceptable but as per my previous response, vehicle tracking is also needed for the stud access immediately south of the roundabout. Road 1 I note that the previously proposed field accesses to the west have been omitted from the latest scheme. If they are still required, they should be included in the revised drawings inclusive of geometry and inter-vehicle visibility. Road 2 I recommend that the island immediately east of Road 26 be upgraded to an uncontrolled pedestrian and cyclist crossing, or alternatively the footway west of Road 26 be upgraded to a shared use path. Otherwise, cyclists travelling between the residential development and the commercial land would need to divert to Roundabout 3 which is off their desire line. Station Road between Roundabout 3 and Kennett Station As per my previous comments, where a 3m path is being provided between the commercial development access and the Station, in absence of an overlaid highway boundary it is unclear if sufficient highway verge is available for the construction. At present, I do not have confidence the cycle track is deliverable as proposed. While I note it does not form a basis for objection, I strongly advise that the applicant give consideration at this stage, to the drainage of Station Road where the shared use path will remove any opportunity for over edge drainage. Otherwise a solution will need to be explored during the S278 which may be prohibitively costly. The applicant will need to demonstrate appropriate inter-vehicular visibility for a 40mph stopping sight distance at the proposed vehicular access to the allotments.

### **1<sup>st</sup> August 2022 – objects**

The revised scheme, submitted 25th July 2022, is a substantial betterment of the original proposals. But while this revision addresses many of my previous comments, some items remain unanswered. As per my previous comments, for all junctions and highway links, I would like to request a plan/table which demonstrates how the design complies with the relevant standards. While the revision includes (some) visibility splays and cross sections, the drawings should also detail items such as circulatory widths, entry/exit radii, right turn lane lengths/ taper lengths/ direct taper/ turning length, inter-vehicle visibility, entry path radius etc. In other words, the drawings should be suitable annotated and dimensioned. As per my previous comments, the proposals for Roundabout 1, Roundabout 3 and other works along Station Road, need to show the proposals in context of the existing highway boundary, otherwise it is unclear if the works are deliverable.

### **9<sup>th</sup> June 2022 - objects**

For all junctions and highway links, I would like to request a plan/table which demonstrates how the design complies with the relevant standards, which will be Design Manual for Road and Bridges for most of the scheme. This should include items such as lane widths, circulatory widths, entry/exit radii, visibility, right turn lane

lengths/ taper lengths/ direct taper/ turning length, entry path radius, deflection etc. Otherwise, I am unable to undertake a meaningful review of the proposals. The proposals for Roundabout 1, Roundabout 3 and other works along Station Road, need to show the proposals in context of the existing highway boundary, otherwise it is unclear if the works are deliverable. The applicant will need to procure a copy of the detailed highway boundary from CCC's Searches team and plot the boundary on the submission. The boundary can be procured by following the instructions at the link below. All works need to be fully contained within the application boundary or the public highway.

### **Lead Local Flood Authority – 6<sup>th</sup> August 2022 – no objection**

We have reviewed the following documents: • Flood Risk Compliance Report and Maintenance Plan, Woods Hardwick, Ref: 18963/FRA\_C, Dated: 18 March 2022 • Drainage Strategy RMA 1 – Sheet 1, Woods Hardwick, Ref: 18963-KENN-100-40, Dated: February 2022 • Drainage Strategy RMA 1 – Sheet 2, Woods Hardwick, Ref: 18963-KENN-100-41, Dated: February 2022 • Drainage Strategy RMA 1 – Sheet 3, Woods Hardwick, Ref: 18963-KENN-100-42, Dated: February 2022 • FRA-C Addendum v1.1, Woods Hardwick, Dated: July 2022 Based on these, as Lead Local Flood Authority (LLFA) we are able to remove our objection to the reserved matters application. The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving, geocellular attenuation, and infiltration basins. Surface water will infiltrate to groundwater in order to discharge from the site.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a watercourse. Infiltrations also provides multiple benefits to the development, including surface water treatment, biodiversity and amenity impacts. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

### **17<sup>th</sup> June 2022**

At present we maintain our objection to the grant of planning permission for the following reasons: 1. Flood Routing It is acknowledged that additional information has been submitted to provide explanation for the surcharging that is modelled to occur within the system, and it is stated that Appendix G has been included that provides the flood routing plan. However, it appears that Appendix G has not been included within the supplied drainage strategy. Until flood routing details are provided, the LLFA is unable to support this application. 2. Basin Details It is proposed that attenuation basins will be used throughout the site, and this is supported by the LLFA as they provide surface water treatment, amenity, and biodiversity benefits in addition to their attenuation capacity. However, as stated in our previous response, the details of these basins have not been provided and so the LLFA is unable to assess the performance and safety of the features. It is therefore required that the dimensions, and cross sections of the proposed basins are provided in order for the LLFA to support this application.

**25<sup>th</sup> May 2022**

Object for the following reasons:

1. Incomplete Documents A document has been submitted, and is shown on the planning portal as 18963 - FRA-C AND MAINTENANCE PLAN\_PART2. However, Part 1 of this document cannot be seen, and therefore the bulk of the report cannot currently be reviewed by the LLFA. Until the full document is submitted, the LLFA is unable to support this application. 2. Hydraulic Calculations Hydraulic calculations have been submitted that demonstrate the performance of the drainage system with regards to discharge rates, attenuation volumes, and peak discharge volumes for rainfall events up to and including the 1% Annual Exceedance Probability (AEP) event +40% climate change. The following is currently predicted: Storm network 1: Surcharging in 50% AEP event, and flooding throughout the system in the 1% AEP event; Storm network 2: Flooding in 1% AEP event; Storm network 3: Surcharging in 50% AEP event, and flooding throughout the system in the 1% AEP event; Storm network 4: Surcharging in 50% AEP event. There should be no surcharging in the 50% AEP storm. If there is any exceedance within the 1% AEP storm + 40% allowance for climate change, this must be managed within the red line boundary without increasing the risk of flooding to any surrounding land or property. Finished floor levels of any properties near exceedance routes should be raised to 300mm above surrounding ground levels to protect them from internal flooding. Until the above is demonstrated by the submitted hydraulic calculations, the LLFA is unable to support this application. 3. Additional Details The details of the outfall from the site are currently unclear. The location, and properties of all outfalls from the site should be clearly shown on the submitted drainage layout, to enable the LLFA to assess the potential impacts on the receiving waters. Such details are required in order for the LLFA to support this application. It is proposed that attenuation basins will be used throughout the site, and this is supported by the LLFA as they provide surface water treatment, amenity, and biodiversity benefits in addition to their attenuation capacity. However, the details of these basins have not been provided and so the LLFA is unable to assess the performance and safety of the features. It is therefore required that the dimensions, and cross sections of the proposed basins are provided in order for the LLFA to support this application.

**Minerals And Waste Development Control Team –**

No Comments Received

**East Cambridgeshire District Council**

**Conservation Officer - No Comments Received**

**Economic Development - No Comments Received**

**Environmental Health – 17<sup>th</sup> August 2022**

I understand that the speed limit on the northern section of the perimeter road is to be raised from 40mph to 60mph and that this will have an impact on phase 2 of the development. The report advises that noise levels within the central part of the perimeter road adjacent to Phase 2, will increase by up to 3 dB(A) and that “With

this level of increase, the mitigation strategy outlined within our report may not be sufficient to ensure an acceptable noise environment within the properties". The report advises that in order to address this increase, the layout of Phase 2 within this part of the development will be amended to address the increase in noise. I have no issues to raise with this and will await further information from the applicant when the application for Phase 2 is submitted.

6 May 2022

I have no issues to raise with regard to sound levels in external amenity spaces.

With regard to internal sound levels the report advises that a number of plots (Figures 3 and 4 for the day and night-time periods respectively) will have noise levels which would be considered to be unacceptable with an open window. Habitable rooms within the identified properties (which have windows opening onto the road) are proposed to have assisted ventilation provided. The report advises that this would allow the occupants to maintain windows closed should they choose, ensuring a satisfactory noise environment is maintained.

This is in line with national guidance and so I would not wish to raise any objections but I am aware that the LPA usually seek for internal sound levels to be achieved with a partially open window. As the initial permission was granted some time ago you may wish to discuss this element with me further which I'd be happy to do.

### **Strategic Planning - No Comments Received**

#### **Trees Team – 23<sup>rd</sup> November 2022**

Agrees to condition the consent subject to details of tree planting on the the western side of the perimeter road at its northern end and would except it as not needing to be pre commencement but with a time limit of 8 weeks from commencement of construction related activities for example.

17<sup>th</sup> June 2022

With the attenuation basins adjacent to the village centre and between roundabouts 1 and 2 these should include Willow trees on their margins either as small groups or a single trees. The planting of willow species that are native to the locality such as Crack Willow , White Willow, Goat Willow, Grey Willow and common Osier) this would soften the man made appearance of the pond. Guidance for the design of SUDS states that SUDS including attenuation ponds should look to create new habitats enhancing nature conservation and amenity space. The use of native Willow trees should be considered as part of the design as they have an important ecological role that relates to their affiliation with wet areas. Willows have a high wildlife value, providing rich habitat and food for a diverse range of organisms. There is evidence of up to 450 species of insect associated with Willows and 160 Lichen species. Willows aid fast stabilization of chemically degraded land surfaces and the re-establishment of a biologically active soil can be achieved using Willow species, which possess the major requirements for plant survival in environmentally disrupted areas such as development sites. Tolerance of soil chemical contamination is an important requirement for survival in many situations and Willow trees potential can be emphasized by the fact that, of the seven most important



metal contaminants in soil, Willow has been reported to have tolerance to at least four (cadmium, copper, zinc, lead). Willows ability to sequester heavy metals and other contaminants in their root systems, halting their circulation within the environment, can be of great practical use when dealing with water runoff. Willows dense root system and high transpiration rates provide efficient control of soil water and high filtering capacity for pollutants, along with continuous growth of some species during the whole growing season, create an efficient dehydration plant that locks up the pollutants. The fast growth of willow can sequester more carbon than softwoods within a single growing season which could prove invaluable in the pursuit of being carbon neutral. The size of the trees can be easily managed by pollarding or coppicing. The cutting rotation cycle depends on species and growing conditions, and ranges from 3–5 years. Pollarding/Coppicing, minimizes wind damage, enhances branching appearance of willows and supports a higher density of breeding birds. There appears to be a distinct lack of tree planting between boundary of the site and the road with some sections having no trees at all, this seems to be a missed opportunity for planting a few large scale trees natives such as oak, Hornbeam and Beech as well as some more exotic/ornamental tree such as Ginkgo biloba, Platanus × acerifolia, Quercus palustris, one of the resistant Elm species or even a Redwood these could become the landscape features of the future.

**Waste Strategy - 16 May 2022**

No comment as this relates to the perimeter road and not waste and recycling collections.

**Parks And Open Space - No Comments Received**

**Strategic Planning - No Comments Received**

**Housing Section - 9 May 2022**

The Strategic Housing Team has no comment with regards to the above application as the Reserved matters pursuant to outline planning permission 18/00752/ESO, is to create perimeter road around the south and west sides of the site, linking the approved roundabout junctions to deliver the by-pass to the village and the main access to Kennett Garden Village and therefore doesn't discuss the provision of affordable housing.

- 5.2 A site notice was displayed near the site on 10 May 2022 and a press advert was published in the Cambridge Evening News on 12 May 2022.
- 5.3 Neighbours – 110 neighbouring properties were notified and the responses received are summarised below. Two letters of representation have been received raising the following concerns. A full copy of the responses is available on the Council's website.
- Active Travel includes the equestrian user. This development has omitted to include equestrian PROW within the design, and thus the PROW network in the locality used by local equestrians has not been considered. The development accommodates many active travel strands, but is discriminatory to the equestrian. The British Horse Society representatives have been active

regarding discussions about provision within the development - and are rather surprised that design elements discussed, and in principal agreed, have been omitted in the final design;

- The owners of Longstone Stud object to the roundabout layout and consider the Safety Audit fails to address the every evident safety issues of the Longstones access which is significantly deficient in this respect. They ask that the layout is changed to allow safe access and egress to the Stud

## **6.0 THE PLANNING POLICY CONTEXT**

### 6.1 East Cambridgeshire Local Plan 2015

- GROWTH 2 Locational Strategy
- GROWTH 3 Infrastructure requirements
- GROWTH 4 Delivery of growth
- GROWTH 5 Presumption in favour of sustainable development
- GROWTH 6 Community-led development
- ENV1 Landscape and settlement character
- ENV2 Design
- ENV4 Energy efficiency and renewable energy in construction
- ENV7 Biodiversity and geology
- ENV8 Flood risk
- ENV9 Pollution
- ENV14 Sites of Archaeological interest
- COM5 Strategic Green Infrastructure
- COM7 Transport Impact

### 6.2 Supplementary Planning Documents

Contaminated Land  
Developer Contributions and Planning Obligations  
Community Led Development  
Design Guide  
Flood and Water  
Natural Environment  
Climate Change  
Self-Build

### 6.3 National Planning Policy Framework 2021 (NPPF)

Section 2 – Achieving Sustainable Development  
Section 5 – Delivering a sufficient supply of homes  
Section 6 – Building a strong, competitive economy  
Section 8 - Promoting health and safe communities  
Section 9 - Promoting sustainable transport  
Section 12 – Achieving well-designed places  
Section 14 – Meeting the challenge of climate change, flooding and coastal change  
Section 15 - Conserving and enhancing the natural environment  
Section 16 – Conserving and enhancing the historic environment

## 6.4 Planning Practice Guidance (PPG) & National Design Guide (NDG)

Due regard has been had to the PPG and the NDG.

## 7.0 **PLANNING COMMENTS**

7.1 The key issues are considered to be:

- Principle of development;
- Residential Amenity;
- Visual Amenity;
- Highways and Access;
- Ecology and Biodiversity;
- Historic Environment;
- Drainage and Flood Risk;
- Other Issues.

## 7.2 **Principle of Development**

7.2.1 The starting point is whether the development proposed complies with the Development Plan considered as a whole. Legislation specifically requires the decision maker must have regard to the development plan and other material considerations and that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and (Section 38(6) of the Planning and Compulsory Purchase Act 2004. The Development Plan against which the application falls to be considered is the East Cambridgeshire Local Plan 2015.

7.2.2 At the time the outline planning application was approved in 2019, the application site had not been allocated in the adopted Local Plan 2015. The Council also did not benefit from a 5 year land supply and therefore, as set out in the NPPF, the presumption in favour of sustainable development applied.

7.2.3 The outline scheme was submitted on behalf of the Kennett Community Land Trust and Policy GROWTH 6 of the adopted Local Plan 2015 relates to Community led development where the 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”. The Community Led Development SPD sets out the Council’s planning policy approach and is aimed at local communities, parish council and landowners. Kennett Garden Village is a community-led development established by the Kennett Community Land Trust (KCLT) a Community Benefit Society with Charitable objectives in November 2016. The KCLT would have a long term stewardship role owning and managing homes, community facilities and land for both existing and future generations of the Kennett Garden Village. The perimeter road formed part of the overarching objectives of this development to alleviate traffic on Dane Hill Road and Station Road.

- 7.2.4 The principle of development of this site, considering access, has therefore been established by the outline permission 18/00752/ESO. The current application seeks approval for the first reserved matters dealing with layout, appearance, scale and landscaping.
- 7.2.5 It was approved at outline that Phase I would include a total of 240 homes with the following infrastructure:
- The main principal road creates access through the Development and provides the main entrance;
  - The southern part of the primary street with allocation of a proposed bus stop;
  - The local centre which includes; the CLT office, pub, restaurant, café, health care building, food store and apartments;
  - Custom build area;
  - Primary school;
  - The Village Green with a children's play area and doorstep green (including play areas);
  - Community orchards;
  - Herbal walk and allotments; and
  - Sustainable drainage ponds.
- 7.2.6 This reserved matters application relates to Phase 1a, forming the principal road, and referred to throughout this report as the Perimeter Road. It has been designed to take heavy goods vehicles away from Station Road, the school and playing fields and designed to convey traffic at speeds of between 30mph – 60mph in order to improve highway and pedestrian safety along the B1085. A range of traffic calming measures on Dane Hill Road and Station Road (B1085) as well as junction improvements at the Bell Inn junction and the introduction of a signalised pedestrian crossing at the railway overbridge have all been set out within the S106 Agreement pertaining to 18/00752/ESO.
- 7.2.7 A further reserved matters application relating to Phase 1b is currently 'pending consideration' dealing with 328 dwellings, the CLT office, self-build plots, the Village Green, Village Square and doorstep greens.
- 7.2.8 Cambridgeshire County Council are also in consultation with East Cambridgeshire District Council to bring forward the Primary School and it is anticipated that an application by Cambridgeshire County Council will be submitted shortly.
- 7.2.9 Further reserved matters applications are anticipated in due course for the other phases of the scheme, relating to the Local Centre (including retail, café, pub, health care building), commercial areas, children day care and train station car park, care home/sheltered housing facilities and housing.
- 7.2.10 It is worth reminding Members of the community benefits of the Kennett Garden Village scheme which includes:
- Village centre buildings (healthcare eg GP surgery, pharmacy, and/or dentist, food store, café )

- Village School (application to be submitted shortly)
- Affordable and market housing for local people
- Mains drainage and good broadband services
- Dedicated play facilities for children and young people
- 12.5 ha (30.8 acres) of greenspace (including playgrounds, footpaths and cycle tracks to be gifted to the CLT for all Kennett residents to enjoy in perpetuity)
- Enhancement of and access to a scheduled ancient monument (Howe Hill)
- Dedicated green space (play areas, woodland, open space and a 1.5 acre village green)
- A comprehensive solution to congestion at the Bell Inn crossroads
- An upgraded train service between Kennett, Cambridge and Ipswich from December 2019

7.2.11 Further benefits would include the creation of full and part-time jobs, to boost the local economy, as well as Community Infrastructure payments via the original S106 Agreement, CIL and by conditions on the outline consent.

7.2.12 Following engagement with the Local Highways Authority, modifications to the speed limit and therefore the alignment of the road have been made to their satisfaction.

7.2.13 A landscaping scheme has been proposed which would ameliorate the integration of the scheme within the existing countryside. A satisfactory distance has been retained from the perimeter road and any new occupiers of the future housing proposed.

7.2.14 A Green Infrastructure Strategy, Biodiversity Strategy and Connectivity Strategy have been submitted in support of Conditions 10, 12 and 43 and these promote and enhance biodiversity interests on the site as well as permeability and legibility through the development and easy connection to existing public rights of way.

7.2.15 The scheme follows the principles established at outline and no issues have been identified such that the principle of development of this site is no longer acceptable.

7.2.16 The scheme is therefore considered acceptable in principle.

### 7.3 **Residential Amenity**

7.3.1 The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy ENV2 of the Local Plan requires development to respect the residential amenity of existing and future occupiers.

7.3.2 Whilst there would be noise and general disturbance to existing occupiers in Dane Hill Road and parts of Station Road during the construction of the Perimeter Road, however, post construction the amenity of existing occupiers would be considerably improved as this would alleviate the heavy traffic using Dane Hill Road and Station Road and thus the noise and general disturbance presently suffered. As no dwellings are proposed within Phase 1a, this matter cannot be assessed in any great detail. However, the Design Code, which accompanied the outline scheme, developed a frontage character which refers to the relationship between the fronts of dwellings and the adjacent street or green space. In this instance, in a later phase of the scheme

there would be two residential land parcels abutting the perimeter road to the north of the site. As no details have been submitted to indicate the design, layout, and external appearance, these issues would need to be assessed at a later stage when the reserved matters application is submitted.

7.3.3 To the south of the site Phase 1B of the scheme, a separate planning application has been submitted in tandem with this application, which is currently 'pending consideration'. The impact on the residential amenity of these future occupiers will be comprehensively assessed and dealt with in a further report to Committee.

7.3.4 A Noise Assessment and Mitigation Scheme (NAMS) [LFAcoustics dated March 2022] has been submitted with the application and is to be considered in conjunction with Condition 29 of 18/00752/ESO. This condition requires:

*[Con 29] Development in a particular phase approved pursuant to condition 9 shall not commence until a Noise Management Plan (NMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. NMPs shall set out proposed mitigation measures for the end use (operational use) of development in that phase, including measures relating to road traffic noise, rail noise, and noise from permitted uses in the Local Centre. All fixed plant shall achieve a noise rating level of 5dB below the background level noise (to be approved by the Local Planning Authority) at noise sensitive properties when undertaken in accordance with BS4142:1997.*

7.3.5 An assessment of the noise levels against the requirements of BS8233 and the NAMS has been made which indicates that a number of properties have been identified, where noise levels would be considered to be unacceptable and these properties would need assisted ventilation. A comprehensive assessment of noise from the Perimeter Road would be undertaken when assessing the residential phases of the scheme, however, the Perimeter Road would run through a 'green corridor, with an open landscape character and reduced speed limit to the southern section of the site.

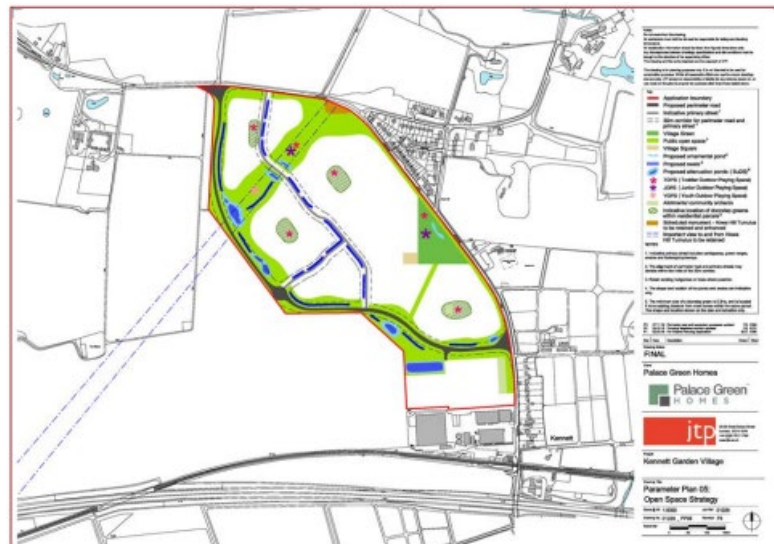
7.3.6 The Environmental Health Officer has raised no objection to the increased speed limit now proposed to the northern section of the perimeter road as a comprehensive assessment would be undertaken when evaluating the impact on residential amenity in phases containing residential development.

7.3.7 In this respect the scheme would comply with Policy ENV2 of the adopted Local Plan 2015 and meet with the requirements of Condition 29 of 18/00752/ESO and is considered acceptable.

## **7.4 Visual Amenity**

7.4.1 Policy ENV1 of the Local Plan 2015 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV2 of the Local Plan 2015 requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas.

7.4.2 Bearing in mind this is an undeveloped area of land on the edge of Kennett, the impact on the visual amenities of the area were assessed at the outline stage and therefore landscaping plays a significant role in both ameliorating the development within the context of its landscape setting and by providing green infrastructure corridors within the site to connect to areas outside of the site. Condition 10 requires that a Green Infrastructure Strategy (GIS) be submitted as part of or prior to the submission of the first Reserved Matters application, in accordance with Parameter Plan 05: Open Space Strategy, which was submitted at outline. The Open Space Parameter Plan is indicated below:



7.4.3 Condition 10 requires that:

- a) Details of complementary measures including provision of Suitable Alternative Natural Greenspaces (SANGs), promotion of walking routes of different lengths and how information will be displayed on nearby protected sites and how to use/not use them;
- b) Details of public access and how that is to be achieved including access points, fencing and surface finishes;
- c) The timescale for the implementation of each aspect of Green Infrastructure within each phase of development approved pursuant to condition 9. (Site wide phasing plan)
- d) Details of long term management.

7.4.4 A Green Infrastructure Strategy has been submitted (JCN dated March 2022) and has been considered by the Wildlife Trust who were instrumental in requesting this condition initially, as it had reservations over the increase in population to Kennett and the impact that human activity would have on existing, particularly sensitive areas of nature conservation interest, ie nearby SSSI. A contribution to the nearby Suitable Alternative Natural Greenspace (SANG) at the Half Moon Plantation County Wildlife Site (CWS) was therefore requested and this is contained within the S106. The promotion of walking routes and how members of the public would have access to different walking routes and how these areas would be accessed would also be considered. However, work on the completion of the CWS is still ongoing and therefore parts a) and b) of Condition 10 cannot be dealt with as yet. It is therefore considered appropriate, and agreed with the Wildlife Trust, the GIS be amended and

submitted prior to commencement of development. This provides the applicant with an opportunity re-submit the GIS when further details of the Half Moon Plantation County Wildlife Site is known.

- 7.4.5 During the assessment of the application in outline, it was acknowledged that the development would alter the character of the application site from one of open farmland to garden village, expanding Kennett from a small village into a large village. It was also considered that the proposed development would extend the village into open countryside but as the site was fairly well contained being bounded on the eastern boundary by existing development, views of the development and its impact on the wider countryside would be curtailed to the west and south by the existing A11 and A14. Views across open countryside to the west would be seen against the backdrop of the existing built development comprising the village such that it was not considered to appear overly intrusive. Given the degree of physical containment provided by the existing development surrounding the site, it was considered the proposal would not appear as a significant intrusion into the open countryside.
- 7.4.6 The Design Code required a range of mitigation measures in the form of hedge height management bordering Station Road, advance planting along the cycleway/pedestrian corridor along Station Road as well as strengthening of existing landscaping and implementing garden vegetation, a green corridor and site levelling.
- 7.4.7 The Perimeter Road would run the entire length of the site from north to south adjacent to the western boundary of the site. According to the Design Code, at the Northern roundabout, the landscaping treatment would comprise a 'Woodland Edge' with the aim of extending the existing wooded character represented in Dane Hill Road into the site "to create a vertical element to the Northern Gateway" which would allow views into the "more open landscape beyond". Planting here with Pine and Broadleaf trees as well as some shrub planting softening the hard edges of the new road network and to act as a barrier between the perimeter road and the housing proposed in future phases. As required by the Design Code the Woodland Edge would extend further into the site and ameliorate the transition from Dane Hill Road into the Garden Village.
- 7.4.8 The 'Wetland Edge' also within this part of the site, comprises a series of attenuation basins which would also act as a gateway and wildlife corridor into the site. This area extends along either side of the Perimeter Road corridor all the way to the southern roundabout where it meets Station Road.
- 7.4.9 Again the Design Code required a degree of landscaping within the Wetland Edge comprising random groups of canopy trees as well as wildflower meadows.
- 7.4.10 In the southern section of the site where perimeter road meets the third roundabout and Station Road there is an area of 16 allotments of varying sizes. This area has been set aside for residents who wish to grow their own food as well as a community orchard which is to be located to the south of the site adjacent to the Enterprise Park. Again this concept contributes to the health and wellbeing of communities with access to open space and exercise and accords with both local and national policy. This area is set back from Station Road by a continuous cycle/footpath. Most of the landscaping here is amenity grass land with small pockets of trees and shrubs.



- 7.4.11 The landscaping proposals have been considered by the Council's Tree Officer who has been negotiating with the applicants on species and size of tree planting with the agreement that further details can be agreed by condition.
- 7.4.12 It is acknowledged that the proposed development would extend the village into open countryside. The landscaping measures proposed would sufficiently ameliorate the development into the surrounding agricultural setting by judicious planting of trees and shrubs. These measures would also integrate the scheme into the existing village such that the proposal complies with Policies ENV1 and ENV2 of the adopted Local Plan 2015 and the Design Code.

## **7.5 Highways and Access**

- 7.5.1 Policy COM7 of the Local Plan also requires development to be designed in order to reduce the need to travel, particularly by car, and to promote sustainable forms of transport appropriate to its particular location.
- 7.5.2 Highway and pedestrian safety were repeatedly raised initially when the scheme was considered at outline stage. A major priority for the Council then was to reduce the speed and the volume of traffic on the B1085 and reduce the speed within Kennett village to improve the safety of residents.
- 7.5.3 The B1085 is a designated HGV route providing a conduit for a high volume of traffic accessing either the A11 or the A14 and as such there has always been a high proportion of HGVs using Dane Hill Road and Station Road to access the strategic highway routes. In particular the location of the Station overbridge, which is a single lane carriageway width controlled by traffic signals, is a major restriction due to its position outside of the site boundary.
- 7.5.4 The Perimeter Road would therefore attract users off of the B1085 and divert traffic away from Station Road. Further traffic calming measures would be proposed to Station Road to slow the speed of traffic thus making it an unattractive option. In terms of the volume of traffic, this subject was raised by existing residents concerning the additional amount of traffic generated by the creation of a garden village. A huge emphasis has therefore been placed on the sustainability credentials of the garden village. The ability of residents to access services, infrastructure and facilities either within walking distance or attainable by sustainable means of transport. The close proximity of the Station, the new school, as well as shopping and entertainment venues, and the commercial area would provide employment opportunities for new residents and would avoid out-commuting. The inclusion of six bus stops would provide an opportunity for the diversion of the existing bus route through the garden village.
- 7.5.5 As the first reserved matter of the outline consent granted in 2019, the Perimeter Road is the key to unlocking the site and providing access to construction vehicles. The design of the Perimeter Road would follow a similar orientation as agreed at outline stage and proposes 3 new roundabouts. Roundabout 1 is located to the north of the site in Dane Hill Road, which currently benefits from a 60mph speed limit. Following negotiation with the Local Highways Authority, the speed of traffic would need to be set at 60mph until the second roundabout, located in the centre of the site. This was a requirement of the Cambridgeshire Constabulary as they would only enforce speed

limits on new roads where they would be self-enforcing. As the northern section did not meet this criterion it had to be designed for de-restricted speeds of 60mph. However, from Roundabout 2 the speed limit would reduce to 30mph until the roundabout with Station Road. This speed limit will tie in with the 40mph limit currently operating on Station Road.

- 7.5.6 Two new ghost island junctions will be provided between Roundabouts 2 and 3 and two new field accesses for low volume agricultural use will be provided between Roundabouts 1 and 2.

#### Pedestrian and cycle connectivity

- 7.5.7 A 3m ( ft) shared use footway/cycleway adjacent to the Perimeter Road would be provided from Dane Hill Road to Station Road. These would also criss-cross the wider site area and will be considered in successive phases coming forward.
- 7.5.8 The majority of these footway/cycleways would be in full compliance with LTN 1/20, however, insufficient width is available from the development to Kennett Station and as such a shared use path would need to be reduced to 2.5m or even 2m at some pinch points. The Local Highways Authority has commented that “some dedication of land as highway will be required so that the path can be holistically maintained as it would otherwise be partially public highway and partially private”. Bearing in mind that a shared pathway is desirable between the development and Kennett Station in this instance, the reduced width is acceptable.
- 7.5.9 A number of matters were highlighted within the RSA Stage 1 dated 26<sup>th</sup> July 2022 and the applicants were invited to provide a road safety audit response report. This has duly been submitted by Woods Hardwick on 1<sup>st</sup> August 2022.
- 7.5.10 The Local Highways Authority has worked closely with the applicants in trying to resolve issues of tracking for service vehicles, realignment of footpaths/cyclepaths so that pedestrians and cyclist would be encouraged to use these foot/cycle paths along the Perimeter Road. Inter-vehicle visibility and the design of pedestrian crossings have also been adapted. The LHA have confirmed acceptance of the RSA Stage 1 Audit and the adoption of the Perimeter Road will be subject to a Section 38 Agreement of the Highway Act 1980 and that no construction works take place prior to entering into this agreement with the LHA.
- 7.5.11 At the junction with Station Road and the new perimeter road, discussions have taken place with the owners of Longstone Stud who have continued to express concern regarding the location of the roundabout and its proximity to the entrance into Longstone Stud. They consider that insufficient space exists for large vehicles to access and egress their site after leaving the roundabout. However, plans have been submitted to indicate that whilst the introduction of the Garden Village would present a greater volume of traffic using the roundabout the entrance would still be able to operate in the same fashion as it does presently. Vehicle tracking diagrams have been submitted to indicate HGVs and buses can manoeuvre safely at these junctions to the satisfaction of the LHA.

### Connectivity Strategy

- 7.5.12 A Connectivity Strategy has been submitted in support of this scheme [JCN dated March 2022] which aims to enhance existing or the create new links to the existing PROW network of footpaths, bridleways and cycle routes. Condition 43 of 18/00752/ESO refers.
- 7.5.13 When considering the scheme in outline, the Ramblers Association and the County Public Rights' of Way Officer required the scheme to improve the local rights of way network.
- 7.5.14 There is an existing PROW located to the north of the site which leads to Red Lodge. It is proposed to provide a footpath within the application site which would provide a direct connection to this Right of Way. A further PROW to the east of the site gained from Church Lane would also be accessible from the site.
- 7.5.15 In any event, the applicants are liaising with County to progress this document and this would be finalised prior to any development taking place on the site.
- 7.5.16 Concerns have also been raised by the British Horse Society as there are no bridleways proposed adjacent to the Perimeter Road. This is intentional, as the speed of traffic along the Perimeter Road would be hazardous to horse-riders. It is anticipated that once the Perimeter Road is operational and through traffic is no longer using the B1085, then this road would be a quieter and safer option for horse riders.

### Lighting

- 7.5.17 A Light Management Plan would be submitted prior to any above ground construction work in any particular phase of development in accordance with Condition 16 of 18/00752/ESO and require details of proposed permanent external lighting of external spaces in that phase, including street, open spaces, playground and sports pitches.

### Parking

- 7.5.18 There would be no parking provision within this phase of the site as it purely deals with the trajectory of the perimeter road and the design of main junctions.

### Bus Route

- 7.5.19 The bus route would run through the Garden Village and enter the perimeter road at the 2<sup>nd</sup> roundabout and leave the site via Roundabout 3. Equally, buses would enter the site via Roundabout 3 and continue into the Garden Village via Roundabout 2.
- 7.5.20 The information submitted with the application indicates that the design of the perimeter road and its three junctions would be safe and accessible for vehicles, pedestrians and cyclists to use and would attract users off of the B1085 and divert traffic away from Station Road. Further traffic calming measures would be proposed to Station Road to slow the speed traffic thus making it an unattractive option. The

proposal would comply with the aims and objectives of Policy COM 7 of the adopted Local Plan 2015.

## **7.6 Ecology**

- 7.6.1 A Preliminary Ecological Appraisal (PEA) and desk study was submitted at outline stage and these identified the nature conservation designations of protected sites and legally protected species recorded within a 2km radius. As part of the PEA a number of surveys were also undertaken (Phase 1 Habitat Survey, Breeding bird and protected species scoping survey). Natural England had raised no objection, subject to appropriate mitigation, through the implementation and long-term management of a Green Infrastructure Strategy for the site, being secured through planning conditions. As such NE was satisfied that the proposed development would be unlikely to have any adverse impact on designated sites including the Red Lodge Heath SSSI.
- 7.6.2 In commenting on the outline scheme, the Wildlife Trust supported the integration of green infrastructure and the aspirations to support wildlife habitats. A contribution towards a SANG at the Half Moon Plantation Pit had been suggested as a potential site which could fulfil this function and is opposite the application site and likely to be completed with 4-5 years, which would bring the occupation of Kennett Garden Village in line with progress on the CWS. A contribution has been allocated within the S106 Agreement. However, as mentioned previously the CWS has not been completed yet.
- 7.6.3 A Site Wide Biodiversity Strategy [SES dated March 2022] in accordance with Condition 12 of 18/00752/ESO, has been submitted with the application and this document provides details of the habitat and species surveys required and where necessary appropriate mitigation measures; identification of habitats and species worthy of management and enhancement; a summary work schedule and monitoring for all ecological features associated with the site and provide an ongoing 25 year management programme.
- 7.6.4 The following broad principles have been identified in relation to the baseline protected species and habitats onsite:
- Significant areas of interconnected onsite recreational space designed to avoid increases on recreational pressure on nearby designated sites including Red Lodge Heath SSSI.
  - Continue to manage the site in an unsuitable condition for amphibians prior to construction and other species that might benefit from successional change.
  - Works to habitats onsite to avoid periods of the year that could impact nesting birds, reptiles and mammals.
  - Provide offsite mitigation for skylark, corn bunting and yellow wagtail. • Provide habitat features for bat, bird, reptile and hedgehog.
  - Design an appropriate lighting strategy to retain dark corridors across the site.

- Manage the site with measures to protect notable and other protected species that include: hedgehog, polecat, toad, harvest mouse and brown hare.
- Avoid and protect existing trees onsite and enhance the area with increased tree planting.
- Create wider flower rich margins along the boundary features of the existing site. • Provide open water features to attract invertebrates, providing a food source for other species.

7.6.5 The Wildlife Trust have commented that the Strategy is “sound” but have also made some recommendations which would need to be incorporated into the Site Wide Biodiversity Strategy.

7.6.6 It is considered the information submitted with the application provides a sound basis for the management and enhancement of habitats and species across the site. As such, amendments can be submitted post decision in order to discharge Condition 12 prior to the commencement of development.

## **7.7 Historic Environment**

7.7.1 Policy ENV14 of the adopted Local Plan sets out the criteria for development proposals at or affecting sites of known or potential archaeological interest.

7.7.2 The application site contains the Howe Hill Barrow (SAM). To the north-east is a Grade II Listed School House and a Grade II\* Listed Church. The Kennett End Crossroads lies to the south of the site within the medieval roadside settlement of Kennett.

7.7.3 The scheme was comprehensively assessed initially and advice taken from Historic England. Historic England has declined to comment on the reserved matters application for the perimeter road, advising instead to seek comments from the respective Archaeological and Conservation experts. Bearing in mind Condition 17 of 18/00752/ESO requires a Written Scheme of Investigation to be submitted prior to the commencement of development in any phase of the development, it is considered any impacts can be managed by the existing Condition.

7.7.4 The location of the perimeter road is sufficiently distant from the SAM and Grade II Listed School House and a Grade II\* Listed Church and is not considered to affect the setting of these heritage assets.

7.7.5 The proposal would comply with Policy ENV14 of the adopted Local Plan 2015.

## **7.8 Flood Risk and Drainage**

7.8.1 Flooding and drainage was considered at outline where it was recorded that the existing site is 100% greenfield and therefore the development would result in an increased impermeable area as a result of hardstanding. As such there would be an increase in surface water runoff elsewhere. The surface water drainage strategy agreed at the outline sought to convey runoff via a number of swales and piped systems into infiltration basins located in areas of public open space. The

sustainable drainage features had been sized to accommodate the 1% annual exceedance probability (AEP) rainfall event inclusive of a 40% allowance for climate change and a half drain time of 1440 minutes.

- 7.8.2 A Flood Risk Compliance Report and Maintenance Plan [Woods Hardwick dated March 2022], Assessment as well as Drainage Strategy and FRA-C Addendum v1.1 [Woods Hardwick dated July 2022] have been submitted with the application, in which surface water to infiltration devices would be feasible at the site, but additional storage capacity would be needed in areas where the rates were slower.
- 7.8.3 During the assessment of the scheme a number of amendments were necessary at the request of the Local Highways Authority who requested that all swales taking only highway drainage were replaced with infiltration trenches. As such the calculations had to be re-run with the increased catchments included. The revised calculations showed there would be no significant differences from those calculations previously provided.
- 7.8.4 The Environment Agency has no comments to make on the FRA/Drainage Strategy and the Lead Local Flood Authority (LLHA) has raised no objection to the amended scheme as the FRA and Drainage Strategy demonstrated that surface water from the proposed development could be managed through the use of permeable paving, geo-cellular attenuation and infiltration basins. The LLHA is supportive of the use of permeable paving as “in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a water course. Infiltrations also provides multiple benefits to the development including surface water treatment, biodiversity and amenity impacts”
- 7.8.5 Whilst the Design Code supports SUDs features in the form of swales and attenuation basins, at the request of the LHA, the swale features taking only highway drainage have been replaced with infiltration trenches, and this is considered acceptable.

## 7.9 **Other Material Matters**

- 7.9.1 In line with Condition 21 of the outline planning application an Energy and Sustainability Strategy has been submitted with the tandem application for Phase 1b (22/00472/RMM).
- 7.9.2 A Statement of Community Involvement [Connect dated March 2022] has been submitted with the application and this provides details of the various community engagement activities undertaken by the applicants.

## 8 **PLANNING BALANCE**

- 8.1 This application has been evaluated against the extant Development Plan which is the starting point for all decision making. The Development Plan comprises the East Cambridgeshire Local Plan 2015.
- 8.2 Kennett Garden Village is a community-led development established by the Kennett Community Land Trust (KCLT) a Community Benefit Society with Charitable objectives in November 2016. The KCLT would have a long term stewardship role

owning and managing homes, community facilities and land for both existing and future generations of the Kennett Garden Village. The perimeter road formed part of the overarching objectives of this development to alleviate traffic on Dane Hill Road and Station Road

- 8.3 The principle of development of this site, considering access, has therefore been established by the outline permission 18/00752/ESO. The current application seeks approval for the first reserved matters dealing with layout, appearance, scale and landscaping.
- 8.4 Following engagement with the Local Highways Authority, modifications to the speed limit and therefore the alignment of the road have been made to their satisfaction. The scheme promotes the principles of legibility and permeability including links to existing highway and footpaths.
- 8.5 A landscaping scheme has been proposed which would ameliorate the integration of the scheme within the existing countryside.
- 8.6 As this phase does not include dwellings, the impact of the scheme on future occupiers has not been assessed. The scheme would improve the residential amenity of existing residents adjacent to the site.
- 8.7 A Green Infrastructure Strategy, Biodiversity Strategy and Connectivity Strategy have been submitted and these promote and enhance biodiversity interests on the site as well as permeability and legibility through the development and easy connection to existing public rights of way.
- 8.8 The scheme accords with both national and local planning policy and is considered to meet with the aims and objectives of the Design Code such that it represents sustainable development, and there are no material considerations that indicate permission should not be granted in this instance.
- 8.9 The application is therefore recommended for APPROVAL subject to conditions.

## **9 COSTS**

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

costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

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

The development is not in conflict with GROWTH6 of the adopted Local Plan 2015.

## 10 **APPENDICES**

10.1 Appendix 1 Conditions

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
22/00471/RMM 18/00752/ESO	Anne James Room No. 011 The Grange Ely	Anne James Planning Consultant 01353 665555 anne.james@eastcambs.gov.uk

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.eastcambs.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 Ref	Version No	Date received
Technical Note - Noise		11th August 2022
Road Safety Audit Stage 1		11th August 2022
Road Safety Audit Response Sheet		11th August 2022
18963-KENN-400-31	D	18th October 2022
GL1698 17	Allotment proposals	19th April 2022
GL1698 08E		21st November 2022
GL1698 09E		21st November 2022
GL1698 10E		21st November 2022
18963-KENN-200-15	B	20th September 2022
18963-KENN-200-13	B	20th September 2022
18963-KENN-200-17	B	20th September 2022
18963-KENN-200-18	B	20th September 2022
18963-KENN-400-58	B	20th September 2022
18963 FRA Part 1	C	19th April 2022
18963 FRA Part 2	C	19th April 2022
Noise Assessment & Mitigation		19th April 2022
Addendum FRA-C	V1.1	26th July 2022
18963-KENN-200-14	A	25th July 2022
18963-KENN-200-16	A	25th July 2022
18963-KENN-400-57	A	25th July 2022

- 1 Reason: To define the scope and extent of this permission.
- 2 The first phase of development to which this permission relates (and approved pursuant to Condition 9 of 18/00752/ES0) shall be begun not later than the expiration of 3 years from the date of the grant of the outline permission.

- 2 Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended) and to allow for the progressive process of approvals to enable the development to commence as soon as reasonably practicable and within a realistic timetable.
- 3 No development shall take place until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:  
Construction traffic management plan.
- 3 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 4 Prior to the first occupation of any dwelling, the length of perimeter road used for access of that dwelling shall be constructed to a finished standard as defined by Cambridgeshire County Council Housing Estate Road Construction Specification
- 4 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 5 All necessary off site cycle infrastructure between the development and Kennet Railway Station (off-carriageway cycle track of no less than 2.5m width - 3m where possible - plus associated drainage infrastructure) required by the Highway Authority through the S278 agreement process associated with this development shall be implemented in full and be fully operational within the public highway prior to the occupation of the 100th dwelling of the development hereby permitted.
- 5 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 6 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 18963-KENN-400-31 D (northern roundabout); 18963-KENN-200-13 B; 18963-KENN-200-14 A; 18963-KENN-200-15 B (middle roundabout); 18963-KENN-200-16 A; 18963-KENN-200-17 B; 18963-KENN-200-18 B; 18963-KENN-400-57 A (southern roundabout); 18963-KENN-400-58 B in writing by the Local Planning Authority.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Notwithstanding the plans, hereby approved, prior to the commencement of hard landscaping of the development the subject of this reserved matters application as shown on plans 18963-KENN-400-31 D (northern roundabout); 18963-KENN-200-13 B; 18963-KENN-200-14 A; 18963-KENN-200-15 B (middle roundabout); 18963-KENN-200-16 A; 18963-KENN-200-17 B; 18963-KENN-200-18 B; 18963-KENN-400-57 A (southern roundabout); 18963-KENN-400-58 B (allotments access) precise details of the hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping shall thereafter be carried out in full accordance with the approved details.

- 8 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 9 Notwithstanding the plans, hereby approved, Drawing Nos: GL1698 08E; GL1698 09E; GL1698 10E and GL1698 17 further details of the design of public realm including timber bridges, seats or litter bins, the subject of this phase of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling. All works shall thereafter be carried out in full accordance with the approved details.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 Notwithstanding the plans hereby approved GL1698 08E; GL1698 09E; GL1698 10E and GL1698 17 details of tree planting and tree protection/safeguarding planting plans within the north-western edge of the site and within the SUDs basins shall be submitted within 8 weeks of any construction works taking place on the perimeter road.
- 10 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

