

21/01136/RMM

Land North Of 22 Marroway Lane

Witchford

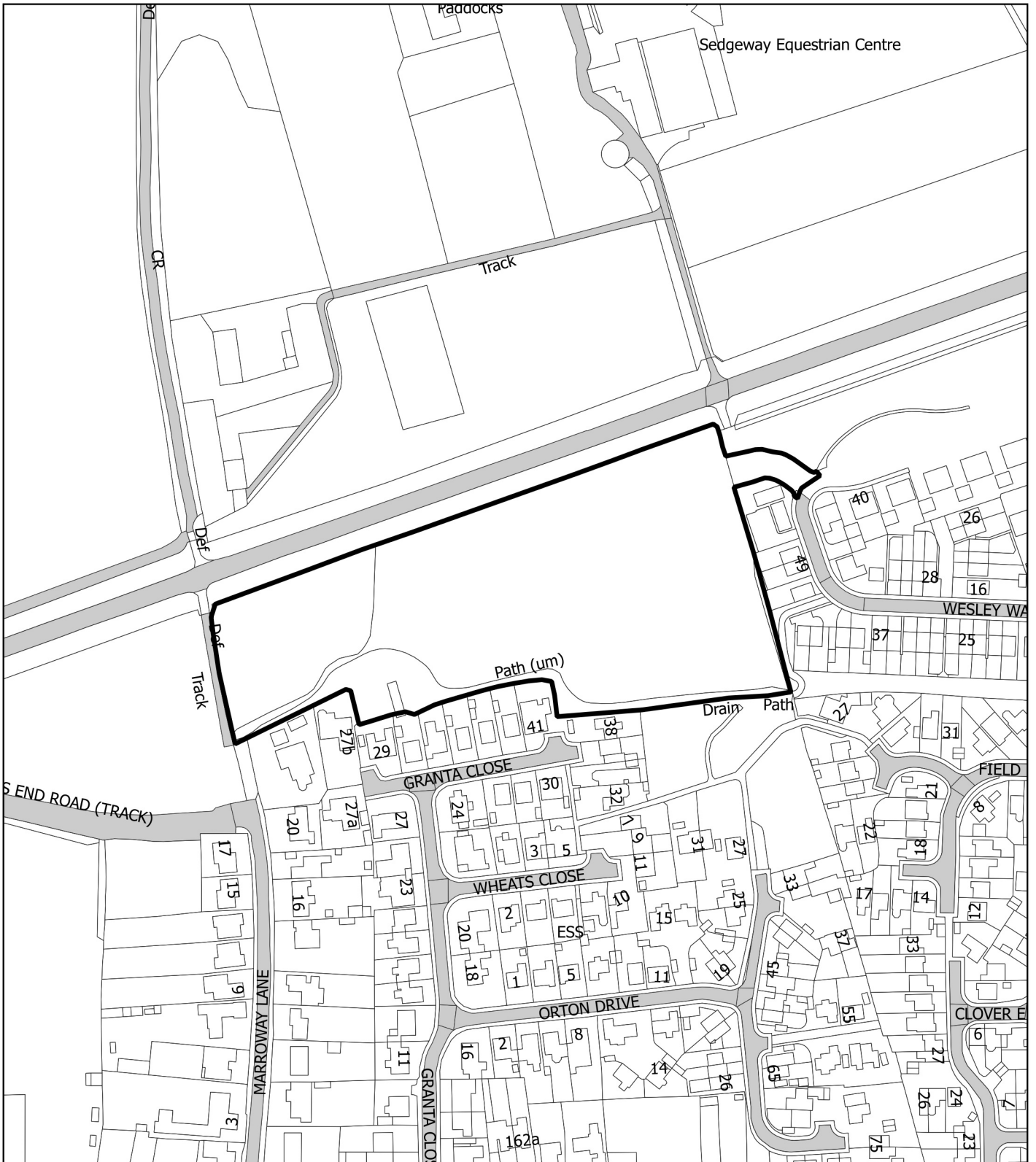
Cambridgeshire

Reserved matters for demolition of dilapidated farm buildings and erection of 40 dwellings, ancillary infrastructure, public open space and drainage infrastructure, of previously approved 18/00778/OUM for the outline planning application for demolition of dilapidated farm buildings and erection of up to 40 dwellings, ancillary infrastructure (including noise mitigating barrier) public open space, SuDs drainage with all matters reserved.

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=QX7VKPGGLSA00>





21/01136/RMM

Land North of 22 Marroway Lane
Witchford



East Cambridgeshire
District Council

Date: 17/05/2022
Scale: 1:2,500



© Crown copyright.
All rights reserved 100023279 (2022)

MAIN CASE

Reference No: 21/01136/RMM

Proposal: Reserved matters for Demolition of dilapidated farm buildings and erection of 40 dwellings, ancillary infrastructure, public open space and drainage infrastructure, of previously approved 18/00778/OUM for the Outline planning application for demolition of dilapidated farm buildings and erection of up to 40 dwellings, ancillary infrastructure (including noise mitigating barrier) public open space, SuDs drainage with all matters reserved.

Site Address: Land North Of 22 Marroway Lane Witchford Cambridgeshire

Applicant: Minster Property Group

Case Officer: Toni Hylton Senior Planning Officer

Parish: Witchford

Ward: Stretham

Ward Councillor/s: Bill Hunt
Lisa Stubbs

Date Received: 19 August 2021

Expiry Date:
10th June
2022

Report Number X8

1.0 **RECOMMENDATION**

1.1 Members are recommended to Approve the application subject to the conditions summarised below. The full conditions can be seen in Appendix 1.

1. Approved Plans
2. Time Limit (2 years)
3. Materials to be agreed
4. Binder course
5. Parking and Turning
6. Future management and maintenance of the proposed streets
7. Arboricultural Impact Assessment
8. Arboricultural Method Statement
9. Obscure Windows
10. Restrict additional windows
11. Details of the cycle stores
12. Soft and hard landscaping scheme

13. Boundary Treatment details

2.0 SUMMARY OF APPLICATION

2.1 The application is made as a reserved matters following the approval of an outline planning application in 2019. Outline planning permission 18/00778/OUM was granted for up to 40 dwellings following the demolition of dilapidated farm buildings with all matters reserved.

2.2 In August 2021 this application was submitted to the Local Planning Authority and has been amended and updated 4 times since its original submission to address consultee comments.

2.3 The application proposes in brief the following:

- Erection of 40 dwellings all of which are affordable dwellings, consisting of the following as shown in the table below:

Plot Numbers	Height	width	Depth	Bedrooms	Dwelling type
1 & 2	9.5 (31.1)	12 (39.3)	9 (29.5)	3	Semi detached dwellings with gardens in excess of 50 square metres (538)
3,4,13,14,17,18,19,20,27 28,33,34,35,36	9.5 (31.1)	11.6 (38)	9 (29.5)	3	
5 & 6	10 (32.8)	12.2 (40)	10.5 (34.4)	4	
7, 8, 9, 10, 11,12, 15, 16, 25, 26, 29, 30	9.5 (31.1)	10.3 (33.7)	9 (29.5)	2	
21, 22, 31, 32	9.6 (31.4)	10.2 (33.4)	9 (29.5)	2	
23, 24	8.9 (29.1)	11.6 (38)	9 (29.5)	3	
37, 38, 39, 40	10 (32.8)	13.8 (45.2)	9.3 (30.5)	1	Maisonettes with shared garden space 216 square metres (2325)

N.b The figures in brackets are measured in feet and inches

- Access from the adjacent Bovis site currently under development, with emergency access onto the A142
- Provision of a 3-metre-high bund (9.8 feet) and 2.4 metre high (7.8 feet) acoustic fence to the boundary with the A142
- Provision of a cycle path to the north of the site
- Retention of permissive path to the south of the site with maintenance access
- Landscaping and retention of existing trees
- 80 car parking spaces
- Balancing pond and offline attenuation basin

- Mix of materials using buff facing bricks; terracotta roof tiles; slate grey roof tile; buff multi facing bricks; white colour through render; white UPVC windows and doors with black UPVC rainwater goods.

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

2.5 The application is brought to planning committee at the request of councillor Bill Hunt as the application has caused a lot of local interest and should be debated by the planning committee.

3.0 PLANNING HISTORY

3.1

18/00778/OUM	Outline planning application for demolition of dilapidated farm buildings and erection of up to 40 dwellings, ancillary infrastructure (including noise mitigating barrier) public open space, SuDs drainage with all matters reserved.	Approved	01.03.2019
--------------	---	----------	------------

Adjacent Site 'Bovis Site'

18/00782/RMM	Reserved matters for 128 dwellings	Approved	20.12.2018
--------------	------------------------------------	----------	------------

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The main section of the site is located between Granta Close/Orton Drove public open space (to the south) and the A142 (to the north). The western boundary is the Public Right of Way that links onto Marroway Lane and to the east is the boundary with the outline consent (which the access runs through) of 15/01100/VARM. A mixture of trees and other vegetation are located on all the boundaries, though the biggest gaps are along the northern boundary. To the eastern boundary is a Tree Preservation Order (E/09/17) for 2 groups of Ash Trees.

4.2 Outline planning consent was granted in March 2019 for 40 dwellings under Ref: 18/00778/OUM, and this application is the reserved matters detailing the appearance; access; layout; landscaping and scale.

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.

Witchford Parish Council - 5 May 2022

States "Witchford Parish Council considered this amended application at its meeting on 4th May 2022. The Parish Council objects to this amended application as it does

not comply with Witchford Neighbourhood Plan Policy WFD H1B housing allocation at Marroway Lane to provide a cycle and pedestrian route around the southern side of the development site. Witchford Neighbourhood Plan is the development plan for Witchford Parish, adopted by ECDC on 21st May 2020. The Parish Council is of the view that the width left behind plots 36 and 37-40 is inadequate.”

Witchford Parish Council (following amendments) - 3 March 2022

States “Witchford Parish Council objects to the proposed amendments to application 21/01136/RMM.

The amendments do not comply with the requirement in Witchford Neighbourhood Plan Policy WFDH18 to provide an east-west cycleway along the southern side of the site. The amendments do not comply with Witchford Neighbourhood Plan Policy IC4 to use SUDS principles as default unless demonstrably unfeasible. The Parish Council supports the comments of the ECDC Trees Office in their email of 21st December 2021. The Parish Council expects ECDC to implement Policies WFDH18 and WFDIC4 as the Witchford Neighbourhood Plan is the current Development Plan for the parish of Witchford.”

Witchford Parish Council (Following further amendments)- 2 September 2021

States “The Parish Council objected to this application. The proposed site layout is in contravention of Policy WFDH1B of the Witchford Neighbourhood Plan (WNP), which was adopted by ECDC on 21st May 2020. The WNP is therefore fully part of the Local Development Plan for Witchford and must be used by ECDC in making decision on planning applications in the Neighbourhood Plan Area.

Policy WFDH1B is as follows:

'Housing Proposal WNP WFDH1B

Land is proposed for housing development off Marroway Lane for up to 40 homes. The following site-specific considerations and requirements will apply to reserved matter applications and any future applications on this site:

- o The retention of landscape buffer between the village edge and the A142 as a way of maintaining separation
- o An identified need for streetscape improvements through tree planting.
- o A requirement to set aside land for the delivery of a west-east pedestrian and cycle spine route from Marroway Lane to Common Road through the southern part of the site.
- o Incorporation of a surface water drainage scheme for the site based on sustainable drainage principles and which delivers biodiversity benefits.

Delivery of the section of the west-east pedestrian and cycle spine route from Marroway Lane eastward to Field End.'

The site layout as currently proposed does not set aside land for the delivery of a west-east pedestrian and cycle spine route as required by Policy WFDH1B. The layout of the housing plots should be altered to ensure that a strip of land is provided as a through route along the southern part of the site linking into Marroway Lane and the Orton Drive Open Space. This through route should be set out to an appropriate standard for use as a pedestrian and cycle route.

The proposal to use impermeable membrane for the swale and balancing pond goes against normal practice, where permeable surfaces and vegetative systems are used to enable water run-off and dispersal. The surface water drainage system for the site is against Policy WFDH1B, and should be redesigned accordingly in line with accepted sustainable drainage principles and to deliver biodiversity benefits.

The Parish Council is concerned about the air quality on the site given the proximity to dwellings to the A142 Witchford Bypass, which will compromise the residential amenity of the dwellings.

The Parish Council is concerned about the impact of noise levels from the A142 Witchford Bypass on the residential amenity of the dwellings on this development. The Noise Impact Assessment submitted by the applicant clearly states at 6.2.2, 6.2.3 and elsewhere in sections 6 and 7 that mechanical ventilation will be required to bring noise levels to within WHO standards. The Parish Council does not consider this to be acceptable and the site layout should be redesigned to ensure that all dwellings are within the WHO standards without the need for mechanical ventilation.

A condition should be placed on the planning permission that no percussion piling may take place during construction works.”

Ward Member – Cllr Hunt - 13 April 2022

Councillor Bill Hunt has requested the application is presented to the Planning Committee as the application has raised a lot of issues locally and should be discussed in full.

Cambridgeshire Archaeology - 24 August 2021

States “The archaeological interest of this site is secured against the condition (6) attached to associated Outline planning reference 18/00778/OUM. We recommend that the extant archaeological condition be carried over to any application intended to supersede the existing permission.”

Cambridgeshire Fire And Rescue Service - 16 March 2022

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.”

Cambridgeshire Fire And Rescue Service (Following amendments) - 7 October 2021

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.”

Local Highways Authority (following amendments) – 20 May 2022

States “The revised site plan (drawing 0102 P10) addresses my previous comments regarding turning for delivery vehicles, I therefore do not object to the proposed layout. However, I strongly advise that you seek comment from ECDC’s waste team regarding the refuse vehicle tracking (drawing 063-JCE-00-SI-SK-C-8042 Revision P01) as this is based on a vehicle which I understand to be smaller than those used

in the current fleet. Otherwise, there is risk that the development will not be serviceable by the waste collection team.

I do not object to this application but would like to re-iterate the below comments for clarity.

- The re-alignment of the emergency access from the A142 is welcome but the works are outside of the application redline. The LPA should therefore be satisfied that this can be secured. The works should be implemented prior to any occupation.
- The 0.5m maintenance strip to the north of the main east-west road should be between the carriageway and the visitor parking, not around the rear of parking. If the applicant wishes for the roads to be adoptable, this detail needs to be amended but it can be done post-planning.

The adoption of proposed highway 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.

Please append the following conditions to any permission granted:

HW2A: 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 the drawing 0102 Revision P10 in writing by the Local Planning Authority.

H14A: Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

HW23A: No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established)."

Local Highways Authority - 1 April 2022

States "The re-alignment of the emergency access from the A142 is welcome however, I note that these works would be outside of the application redline.

The 0.5m maintenance strip to the north of the main east-west road should be between the carriageway and the visitor parking, not around the rear of parking. This is however a minor detail which can be addressed post planning but will need to be amended as part of any adoption agreement. CCC will not adopt visitor parking spaces, irrespective of what is shown on drawing 063-JCE-00-SI-SK-C-9030 P02.

The revised refuse vehicle tracking utilises a larger vehicle (10.22m length) but my understanding is that ECDC have vehicles in their fleet in excess of 11m. I suggest you consult with the waste team regarding the vehicle specifications used. If the waste team are content with the vehicle, then the tracking is satisfactory.

Turning is suitable for domestic vehicles but I do not consider the turning provision sufficient for anything larger than a car. Given recent changes in lifestyles home deliveries (parcels and groceries) are becoming increasingly common so turning for modest delivery vehicles should be provided throughout.

- o Private road serving Plots 01-12 - The manoeuvre is reliant on the occupants of Plots 08 & 09 fully parking within their allotted space with zero encroachment onto the shared road. It also requires the body of the vehicle to overhang a footway which is a safety risk for passing pedestrians.

- o Private road serving Plots 17-24 - The turning requires a five-point turn which is only possible if all surrounding cars are parked very considerately. There is no margin for error. Realistically I would instead expect drivers to reverse the length of the private road onto the highway proposed for adoption.

- o Private road fronting Plots 34-36 - Turning is possible with a five-point turn but the vehicle body overhangs the opposing green space so no barrier (knee rail, hedging etc.) can be used to delineate the green space. While possible I would point out that wheels of turning vehicles may on occasion cross over the green spaces causing some damage to the landscape.

The above comments can be addressed with the inclusion of T shaped turning heads at the end of private roads.”

Local Highways Authority (following further amendments) - 3 March 2022

States “Subject to the following comments and recommendations:

Access

There is an existing emergency access from the A142 to the adjacent development along the alignment of the proposed new road. This emergency access needs to be maintained and it should be re-aligned so that is it perpendicular to the new carriageway to allow for the construction of a vehicular crossover of the footway.

Layout

Broadly the layout for the proposed adoptable roads is acceptable. However, the turning head in the west of the site (which also provides access to Plots 31 and 32) has corner radii of 7.5m and 9m. CCC only accept curved kerbs on radii up to 12.5m and will not accept straight kerbs laid in segments to make up a corner radius. The applicant may find that they are unable to procure HB2 kerbs with 7.5m or 9m radii as they are usually supplied as 6m, 8m or 10m.

A 0.5m wide paved maintenance strip is needed to the north of the main east-west road. The submitted plans appear to show this as being grassed. However, this is a minor detail which can be addressed post planning.

Another detailed matter which can be considered post planning is the delineation of visitor parking. CCC will not adopt visitor parking bays so such proposed spaces should be separated from the carriageway by a BN kerb with 25mm upstand and be drained separately from the adoptable highway.

Turning areas have been shown at the ends of all private shared roads. However, such turning areas are not suitable for a modest sized delivery vehicles (see vehicle tracking comments below).

Parking for Plots 33 and 34 should be relocated as the current layout will result in a lengthy and continuous dropped kerb between the priority junction to the east and the start of the private shared space road to the west.

I note that the applicant has not included any bin collection points along the private roads as per my previous comments.

Vehicle Tracking

The refuse vehicle which has been used for the vehicle tracking is small (7.9m long) and I do not believe it is reflective of the vehicle which would be used by ECDC Waste Team. I would advise that the applicant seek confirmation from the Waste Team regarding the specifications for the vehicle they use.

The tracking of the turning areas for a 7.2m panel van demonstrates that the manoeuvre is only possible with excessive turning. I would expect most drivers to instead reverse the long distance onto the highway proposed for adoption. I recommend that the applicant amend the design of the turning areas so that they are reflective of a more traditional turning head shape/size.

Visibility

2.4m x 25m inter-vehicle visibility splays should also be demonstrated for the shared private accesses where they join the main east-west road proposed for adoption. Otherwise, the visibility demonstrated is acceptable.

Surface Water Drainage

As previously stated, the LHA does not accept permeable paving as a suitable means of surface water drainage and additional measures are required at all interfaces of the adoptable highway and private roads/driveway to prevent private surface water discharging to the adoptable highway. This can comprise of surface water interception or appropriate gradients to achieve positive drainage. In the event that surface water from private impermeable areas drains to the highway proposed for adoption, such adoption may not be possible.

Conclusion

I would like to invite the applicant to address the above comments. Please inform me when a response has been received so that I can provide further comment or recommend any relevant conditions.”

Local Highways Authority (following further amendments) - 30 September 2021
States “Subject to the following comments and recommendations:

Access The main access is proposed to provide a connection to the adjacent development. For me to determine if this access is appropriate, the applicant should provide annotated geometries (see below for further detail) and inter-vehicle visibility splays of 2.4m x 25m. The applicant should also provide vehicle tracking of a large car entering and exiting the access at the same time (both directions). There is an existing emergency access from the A142 to the adjacent development along the alignment of the proposed new road. This emergency access needs to be maintained and it should be re-aligned so that it is perpendicular to the new carriageway. I have no comment relating to additional pedestrian access points.

Layout The submitted documents do not provide sufficient detail to allow me to determine if the proposed adoptable highway layout aligns with CCC’s specification. It would be beneficial if the applicant could provide details relating to highway geometry, noting that our standard requirements are as follows:

- Carriageway: 5.0m – 5.5m
- Footways: 2m

- Adoptable shared space streets: 6m with a 0.5m paved maintenance strip on either side
- Private shared space streets: 5m wide for the first 8m (minimum)
- Corner radii: 6m (unless otherwise required by vehicle tracking) All new housing estate roads should be self-enforcing of a 20mph design speed.

To achieve this, the carriageway centreline alignment should change at least every 80m, either vertically or horizontally. The straight stretch of road between Plot 12 and Plot 34 is not compliant with this requirement and the long straight alignment will allow for higher vehicle speeds. The four proposed private shared cul-de-sacs lack any turning areas. A turning head should be provided to allow domestic vehicles and a modest sized delivery vehicle (e.g. panel van) to turn around and re-enter the adoptable highway in a forward gear. The design of turning heads should be accompanied by vehicle tracking. Private driveways for Plots 02, 16, 25, 30 and 33 should be relocated so that they do not join the adoptable highway on the corner radius. Furthermore, parking for Plots 33 and 34 should be relocated as the current layout will result in a lengthy and continuous dropped kerb between the priority junction to the east and the start of the private shared space road to the west.

For waste collection along private roads, bin collection points should be placed at locations which do not obstruct either the private road or the adoptable highway to facilitate waste collection. ECDC waste team should confirm if they accept the proposed collection points but as a general guide, the applicant should in the first instance refer to Manual for Streets guidance regarding bin collection points.

Vehicle Tracking

I will require a vehicle tracking plan demonstrating that a refuse vehicle (to ECDC waste team specifications) can serve the entire site. The tracking should show that the refuse vehicle can turn in all proposed adoptable turning heads. Where possible the lengths of proposed adoptable highway approaching the shared private drives should be reduced as much as practicable, taking into account the point noted above. A plan showing vehicle tracking for a Fire Tender serving the entire site should be provided.

Visibility

The applicant should provide a plan demonstrating that suitable visibility within the layout and at the access to the adjacent site are achievable. A 2.4m x 25m inter_vehicle visibility splay should be provided at all priority junctions where all land which falls within the visibility splay is included in the proposed adoptable area. The LHAs preference is for all land within the visibility splay to be paved. The visibility plan should also demonstrate that a 2m x 2m pedestrian splay is achievable each side of private driveways which front onto adoptable highway, measured to the nearside of the footway. Such splays will need to be maintained free from obstruction from at least a height of 0.6m.

Surface Water Drainage Permeable paving is proposed for private driveways and private shared roads. The LHA does not accept permeable paving as a suitable means of surface water drainage and additional measures (are required at all interfaces of adoptable highway / private road to prevent private surface water discharging to the adoptable highway. This can comprise of surface water interception of appropriate gradients to achieve positive drainage. In any event the

Preliminary Drainage Strategy indicates that infiltration is poor at this site meaning that the effectiveness of permeable paving is questionable.

The Drainage Strategy indicates that in some scenarios above ground flooding is likely to occur. The applicant should submit a plan showing the area of flooding to determine if such areas lie within the adoptable highway. Any exceedance routes should be shown, noting that it is not acceptable to route flood water from adoptable highway to private roads and it is not acceptable to route flood water via adoptable shared surface streets. It is unclear from the submitted plans if the swale which runs along the frontage of Plot 07 – 11 is for attenuation only or will act as a water conduit. If the swale is to be piped underneath the adoptable highway, it will need to be placed below formation and if under 1.2m depth, have 150mm concrete bed and surround. Highway drains will only be considered for adoption where they comply with the LHA's detailed requirements as outlined in CCC's Housing Estate Road Construction Specification and they only drain the adoptable highway. Other drains will need to be adopted by Anglian Water as surface water sewers.

Adoption Highway adoption will be agreed by means of a Section 38 Agreement of the Highways Act 1980. Adoption will only be considered for new highway where it complies with the requirements set out within Cambridgeshire County Council's Housing Estate Road Construction Specification.

The above comments are made on a without prejudice basis to any future S38 Agreement. Detailed engineering matters will be agreed during a Section 38 process. This includes but is not limited to construction specifications, highway surfacing, gradients, highway drainage and kerbing.

Should the applicant receive any approval I strongly advise that they do not carry out any construction for the adoptable highway until they have entered into a Section 38 with the Local Highway Authority to avoid any abortive construction work. The applicant should also be made aware that some matters of engineering detail can result in changes to the planning layout. Any future adoption cannot take place until the adjacent development is completed and accepted into adoption. All third-party adoptable drainage features for this site must first be adopted prior to any highway adoption taking place.

Below is a list of considerations specific to this application which may impact on the LHA's ability to adopt any highway.

- No fruit trees should be located within 5m of adoptable highway as when fruit falls it can become a slip hazard. Any tree located within 5m of adoptable highway should be planted within a tree pit with appropriate root protection so as not to undermine highway infrastructure.
- If the proposed linear swale is piped underneath the proposed adoptable highway, the highway can only be considered for adoption if the piped section is first adopted by Anglian Water or ECDC. Otherwise, it will be considered as private apparatus in the highway.

Conclusion I would like to invite the applicant to address the above comments. Please inform me when a response has been received so that I can provide further comment or recommend any relevant conditions.”

ECDC Trees Team – 16 May 2022

The proposed acoustic buffer/bund appears to be located within the root protection areas of the retained tree bordering Marroway Lane this could be potentially harmful to the trees as increasing the soil level over tree roots alters gaseous exchange and water percolation which can lead to root death. The dimensions of the bund and associated fence make it likely that the retained trees on Marroway Lane will also require some substantial pruning to allow room for the construction. No up to date Arboricultural Impact Assessment (AIA) has been submitted in support of this application and layout therefore the submission of an Arboricultural Method Statement that also details the method of construction for the bund in proximity to the retained trees should be provided this can be done via condition if the application is successful.

ECDC Trees Team - 1 April 2022

States “The revised soft landscaping scheme is acceptable and the Hedgerow and Woodland / Tree Management and Creation Scheme is generally acceptable though there is no mention with in it of any significant maintenance relating to the Willows being planted in particular those included with in the Thicket mix (Willow) which I would expect to require a form of cyclical maintenance/thinning such as pollarding or coppicing this would not only maintain the trees size and prevent the trees natural desire to laydown/fail so as to spread but would also aid in developing the habitat, as pollarding and coppicing creates deadwood habitat as well as holes and cavities with the trees developing veteran tree characteristics without the need for them to reach a great age. I would expect for example that coppicing and pollard creation begin around year 5 after planting with 20% of the Willows receiving this treatment in year five another 20% in year 6 etcetera and leaving 20% of the Willows being left untouched thus the pollarded/ coppiced trees entering into a 4year repeat pruning cycle. Other species of trees and shrubs could also be included in this cyclical pruning regime such as Hazel, Dog woods and Elder. This pruning would help to retain an understory within the planting areas so as to retain their screening capabilities and provide a mixture of habitats.”

ECDC Trees Team (following amendments) - 21 December 2021

States “The SUDS area to the north of the site doesn't include any tree planting which is a missed opportunity as this area would be suitable for and benefit from the use of Willows trees that are native to the locality Crack Willow, White Willow, Goat Willow, Grey Willow and common Osier). The other attenuation pond to the south of the site could also benefit from planting Willows in its margin as this would soften the man-made appearance of the feature. 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 wetlands such as found in fenland 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. 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 tree 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.

The use of Cherry trees in proximity to footpaths any roadways will necessitate the use of root barriers as these trees are well known for the damage their roots can cause to nearby hard surfaces. The tree planting pits should only be backfilled with the top soil compost mix so as to match the existing soil profile. Top soil and compost contain organic matter and if located below the correct depth the decomposition that occurs naturally can produce an anaerobic environment that is hostile/toxic to trees and plant roots effecting growth and establishment this can lead to the death of a tree. An example of a suitable specification for the tree planting such as follows would be more appropriate:

Tree pits to be excavated to a minimum size of 600mm larger than the container, rootball or bareroot stock and shall be square so as to avoid root girdling issues.
Tree pits to be excavated to a minimum size of 600mm larger than the container, rootball or bareroot stock and shall be square so as to avoid root girdling issues.
The base of the tree pit shall be slightly domed and only 'broken' up in the event of inadequate drainage

Backfill tree pit with subsoil up to ~400mm depth from ground surface and with topsoil above ~400mm depth from ground surface or to match the existing soil profiles. Watering 'dishes' to be created around the base of each tree, to hold water directly over rootball during watering 1m diameter mulched dish for Standard trees/3.0m in height or smaller Bare root, root ball or container multi-stem trees shall be single staked as a minimum double staked as required, fixed with suitable tree ties (biodegradable if available and suitable) Trees to be mulched with minimum 50mm settled depth, medium grade ornamental wood mulch

Planting to be undertaken in the first planting season (October to February) after completion of development activities.

The current British Standard that is relevant to planting operations that landscaping contractors should be complying with is BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations.

As part of the soft landscaping scheme a Hedgerow and Woodland/tree Management and Creation Scheme should be produced and submitted for approval. The Woodland

Management and Creation Scheme (hereafter referred to as HWMCS) is required to contain details on the following:

- 1) The areas of woodland and hedgerows to be retained and/or enhanced;
- 2) Areas where new woodland planting including public open spaces planting and hedgerows will be established;
- 3) The methodology for the establishment of new areas of native woodland, public open spaces planting and hedgerows;
- 4) Management of existing and proposed woodland, public open spaces planting and hedgerows to enhance their amenity and ecological value;
- 5) Details of responsibility for the future management of the woodland areas, public open spaces and hedgerows.
- 6) Details to cover a period of no less than 20 years or until decommission of the development"

Environmental Health (following amendments) - 22 April 2022

States "Thank you for reconsulting us on the above application with regard to:

1. Plots 1 and 2 re-oriented in line with Plots 3 and 4;
2. Plots 11 and 12 re-oriented in line with Plots 9 and 10;
3. Noise Assessment updated to revision 3;
4. Emergency access now shown perpendicular to the site access with a vehicular crossover (the access itself is outside of the site boundary);
5. All turning heads amended with radii to reflect the Highways recommendation (e.g. 8m radii where previously 7.5m was proposed, etc);
6. 0.5m paved maintenance strip now shown to the north of the main access road;
7. Specification of visitor parking agreed - the details will be shown at postplanning stage;
8. Turning areas increased throughout the site with updated tracking demonstrating suitable manoeuvring for refuse vehicles and delivery vehicles;
9. Visibility splays now shown at interface between private drives and main east-west road;
10. Drainage strategy now specifies that porous paving surface falls must either fall away from the highway, or have an overflow positive drainage system such as a ACO channel at the private/highway interface to be included.

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

I have read V3.0 of the NIA dated March 2022 which concludes by stating -

"8.1.9 During the night-time, the majority of dwellings are also able to meet the Condition 13 internal guideline noise levels, with standard thermal double glazing and ventilation provided via an open window.

8.1.10 However, at four of the dwellings, internal levels within bedrooms overlooking the A142, will require mitigation measures in the form of an alternative means of ventilation, to allow windows to remain closed while achieving suitable ventilation.

8.1.11 For these bedroom areas, normal 4/16/4 glazing together with alternative ventilation, has been suggested in order to achieve the internal noise levels required by Condition 13 during the night-time.

8.1.12 It should be noted that of the affected dwellings, only the facades which overlook the A142 will require alternative ventilation, and bedrooms on the rear of these dwellings can still open windows while achieving the required noise levels."

These findings are the same as in the previous iterations and so my previous comments are still applicable -

"This is in line with national policy and guidance so I would not seek to object to this but I am aware that the LPA are unlikely to find this acceptable and will expect levels to be achieved with a partially open window."

I'd be happy to discuss this with you if necessary.

1. Re orientation of Plots 1 &2
2. Providing turning areas
3. Parking layout changed
4. Attenuation basin
5. Changes to plot elevations 3,4,13,14,17-20,27,28,33-36,1.2.21.22.31.32

I have read the revised NIA dated January 2022 and the findings are the same as in the previous iteration and so my previous comments are still applicable."

Environmental Health (following amendments) - 21 March 2022

States "I have read V3.0 of the NIA dated March 2022 which concludes by stating -

"8.1.9 During the night-time, the majority of dwellings are also able to meet the Condition 13 internal guideline noise levels, with standard thermal double glazing and ventilation provided via an open window.

8.1.10 However, at four of the dwellings, internal levels within bedrooms overlooking the A142, will require mitigation measures in the form of an alternative means of ventilation, to allow windows to remain closed while achieving suitable ventilation.

8.1.11 For these bedroom areas, normal 4/16/4 glazing together with alternative ventilation, has been suggested in order to achieve the internal noise levels required by Condition 13 during the night-time.

8.1.12 It should be noted that of the affected dwellings, only the facades which overlook the A142 will require alternative ventilation, and bedrooms on the rear of these dwellings can still open windows while achieving the required noise levels."

These findings are the same as in the previous iterations and so my previous comments are still applicable -

"This is in line with national policy and guidance so I would not seek to object to this but I am aware that the LPA are unlikely to find this acceptable and will expect levels to be achieved with a partially open window."

Environmental Health (following further amendments) - 28 February 2022

States "Thank you for reconsulting us on the above application with regard to:

1. Re orientation of Plots 1 &2

2. Providing turning areas
3. Parking layout changed
4. Attenuation basin
5. Changes to plot elevations 3,4,13,14,17-20,27,28,33-36,1.2.21.22.31.32

I have read the revised NIA dated January 2022 and the findings are the same as in the previous iteration and so my previous comments are still applicable.”

Environmental Health - 1 September 2021

States “I have read the NIA dated July 2021. The NIA relies on the following assumptions so if you have any issues with any of these it is likely that a revised NIA will be necessary -

" Proposed dwellings will be 8m high and comprise 2 storeys.

An open window provides approximately 15dB noise attenuation.

A 3m high noise barrier (i.e. 1m bund and 2m acoustic fence) will be constructed along the northern boundary of the site (as shown on Figure 01).

2.4m high wall/close bordered fence, around the garden areas of plots 1 to 6, and plots 37 to 40 (as shown on Figure 01)."

I have no issues to raise with external (garden) sound levels.

The report finds that at four of the dwellings, internal levels within bedrooms overlooking the A142, will require mitigation measures in the form of an alternative means of ventilation, to allow windows to remain closed while achieving suitable ventilation -

"6.2.3 The figures show the facades which require facade mitigation (labelled orange and red), in order to meet internal noise guideline levels for ground floor and first floor noise sensitive rooms (i.e. living rooms and bedrooms). The mitigation scheme is as follows:

Green facades - will meet internal noise guideline levels with standard thermal double glazing and ventilation provided by an open window.

Orange facades - 4/16/4 Glazing and Greenwood 5000EAW vent."

The report finds -

"7.1.8 During the daytime, all internal living areas are able to meet the Condition 13 internal noise levels, with standard thermal double glazing and ventilation provided via an open window.

7.1.9 During the night-time, the majority of dwellings are also able to meet the Condition 13 internal guideline noise levels, with standard thermal double glazing and ventilation provided via an open window.

7.1.10 However, at four of the dwellings, internal levels within bedrooms overlooking the A142, will require mitigation measures in the form of an alternative means of ventilation, to allow windows to remain closed while achieving suitable ventilation.

7.1.11 For these bedroom areas, normal 4/16/4 glazing together with alternative ventilation, has been suggested in order to achieve the internal noise levels required by Condition 13 during the night-time."

This is in line with national policy and guidance so I would not seek to object to this but I am aware that the LPA are unlikely to find this acceptable and will expect levels to be achieved with a partially open window”

Lead Local Flood Authority (following amendments) - 19 May 2022

States “While we previously had no objection in principle to the development proposals, we have concerns with revisions made to the previous drainage strategy. At present we now object to the grant of planning permission for the following reasons:

1. Hydraulic Calculations The offline attenuation basin area has not been accounted for within the most recent hydraulic calculations. The greenfield runoff rate calculations exclude this area, providing a conservative estimate of the allowable runoff rate for the proposals; however, as this basin attenuates water during the 1% and 1%+CC AEP events, this area will contribute runoff to the proposed drainage system during these events and should be included within the causeway flow calculations. As causeway flow calculations don’t include this contributing area, the pipe network and attenuation structures may be undersized and have insufficient capacity.

2. Discharge Rate The combined runoff rate for three flow control structures during the 1%+CC AEP event exceeds the maximum allowable greenfield runoff rate of 6.4 L/s.

3. Exceedance Flows Revised proposals show exceedance flows from the offline basin, and a large area of highways/adjoining impermeable area, to be directed to the drainage ditch along the eastern boundary. While this appears to be suitable, the exceedance flow plan shows this ditch to be bisected by property boundaries in several locations. It is unclear whether this ditch will be capable of conveying exceedance flows from the larger area or if the boundaries will obstruct flows.

4. Attenuation Capacity Our previous consultation letter noted discrepancies between illustrated areas and those modelled within the hydraulic calculations for one of the attenuation basins. While we had previously indicated that this could be addressed during the detailed design stage, there are now significant differences between the revised hydraulic calculations and illustrated basin areas and volumes. It is unclear whether the illustrated drainage layout will have sufficient capacity to manage runoff for the current site layout and the hydraulic calculations or drawings should be updated to match each other.”

Lead Local Flood Authority (following amendments) - 12 May 2022

States “as Lead Local Flood Authority (LLFA) we have no objection in principle to the Reserved Matters application for the proposed development for demolition of dilapidated farm buildings and erection of 40 dwellings, ancillary infrastructure, public open space and drainage infrastructure.

It’s noted that as a part of the previous outline planning approval granted on 1 March 2019 (ref: 18/00778/OUM), planning conditions were set, including condition 10 which relates to the provision of a detailed drainage strategy. A discharge of condition application will need to be submitted in due course, and once this has been submitted, we look forward to reviewing the detailed drainage strategy for the development.”

Lead Local Flood Authority - 6 October 2021

States “We have reviewed the following documents:

- Preliminary Drainage Strategy, Jackson Consulting Engineers, DR-REP-063, December 2020

- Proposed Drainage Strategy, Jackson Consulting Engineers, 063-JCE-00-SI-SK-C-9000, December 2020
- Proposed Impermeable Area Plan, Jackson Consulting Engineers, 063-JCE-00-SI-SK-C9010, December 2020
- Proposed Exceedance Routes, Jackson Consulting Engineers, 063-JCE-00-SI-SK-C-9020, December 2020
- Proposed MAP of Drainage Maintenance Features, Jackson Consulting Engineers, 063- JCE-00-SI-SK-C-9030, December 2020
- Existing Site Layout, Minster Property Group Ltd, 20022-0101-P02, July 2021
- Site Location Plan, Minster Property Group Ltd, 20022-0100-P02, July 2021
- Proposed Site Layout, Minster Property Group Ltd, 20022-0102-P02, July 2021

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the Reserved Matters application for the proposed development for demolition of dilapidated farm buildings and erection of 40 dwellings, ancillary infrastructure, public open space and drainage infrastructure.

It's noted that as a part of the previous outline planning approval granted on 1 March 2019 (ref: 18/00778/OUM), planning conditions were set, including condition 10 which relates to the provision of a detailed drainage strategy. A discharge of condition application will need to be submitted in due course, and once this has been submitted, we look forward to reviewing the detailed drainage strategy for the development.

Designing Out Crime Officers - 23 March 2022

States "Thank you for the opportunity to comment on this reserved matters application and the revised documents. I have reviewed the documents including the design and access statement (DAS) in relation to crime, disorder and the fear of crime. I have searched the constabulary crime and incident systems covering this location for the last 2 years. I would consider this to be an area of low risk to the vulnerability from crime at present.

Overall this new layout appears to be an acceptable in relation to crime prevention and the fear of crime providing reasonable levels of natural surveillance from neighbouring properties with many of the homes facing each other and or overlooking open space. Pedestrian and vehicle routes are aligned together, well overlooked and pedestrian safety has been considered. This should encourage some level of territoriality amongst residents. Most of the vehicle parking is in-curtilage between and to the sides of properties, many of the homes have back to back protected rear gardens which reduces the risk and vulnerability to crime and have been provided with some defensible space to their front.

I do have the following comments:

- Fencing - Plots 1-3 - the rear gardens for these properties backs onto a parking area for another development. I would recommend 300mm trellis be installed on top of the 1.8m fencing as an additional security measure.
- Lighting - It would be good to see an External lighting plan (adoptable and private) including calculations and lux levels when available. For the safety of people and their property our recommendation is that all adopted and un-adopted roads, private, shared drives and parking areas should be lit by columns to BS5489:1 2020. Bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads or parking areas, where they are also prone to damage. Care

should be taken in relation to the location of lighting columns with the entry method for the majority of dwelling burglary being via rear gardens. Lighting columns located next to rear/side garden walls and fences with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens. Home security lights both front and rear should be dusk to dawn bulkhead LED lights.

- Sheds for Cycle storage gardens - What provision will be considered for cycle storage? The design problems that we are trying to prevent are cycle hoops bolted into the ground; they need to be cemented 300mm into the floor or as a minimum sold secure gold ground anchors cemented into the floor. I would like to see a copy of the design for this structure when available.

- Pedestrian/cycle path - I note within the documentation that there will be a new footpath leading from the development into Field Close, Footpaths/Cycle paths should ideally be between 2 and 3 metres wide and straight with clear visibility, the drawings indicate that this will arc follow the line of the balancing pond, I would also like clarification that if there is any landscaping along this path that the tree crowns should be raised to 2m. The footpath should be lit by columns to BS5489-1:2020 and care should be taken not to place columns within 5m of trees to reduce conflict and damage, the plan also shows a footpath leading out from the development on to Marroway Lane, the same applies in relation to lighting.

I am supportive of the design and layout but clarification on the above comments would be appreciated. This has the potential to be a development where there is a strong commitment to community safety and reducing vulnerability to crime, I would encourage the applicant considers submitting a "Secured by Design" 2019 Homes application - this office would be pleased to work with them to attain this award."

Designing Out Crime Officers (following amendments) - 27 August 2021

States "Thank you for the opportunity to comment on the above Reserved Matters Application in regards to any concerns regarding community safety and vulnerability to crime with the proposed design and layout in my role as a designing out crime officer with Cambridgeshire Police.

The proposed layout should provide a good level of natural surveillance with pedestrian and vehicle routes aligned together, pedestrian safety has been considered, including surveillance across open space areas. Permeability is limited to essential areas/routes only, away from access to rear of properties and this will also (hopefully) provide high levels of territoriality amongst residents.

Vehicle parking is within curtilage to the front/sides of properties, allowing owners the ability to view their vehicles from inside their home from active windows.

I am happy to support the proposed design and layout for this development. Should the developer be considering a Secured by Design application I welcome the opportunity to work with them to ensure they receive a Gold accreditation standard.

No further comments at present"

Housing Section (following amendments) - 4 April 2022

States "The Strategic Housing Team has no further comment to make with regards to the amendments to the above application."

Housing Section (following amendments) - 7 March 2022

States "I have had a look at the housing mix submitted and I am happy that it will meet the housing needs of those in Witchford.

I note that the 2 and 3 bedroom houses are slightly below NDSS but both are within 10% of the recommendation levels Homes England suggest. Taking that into account and that we do not have a policy on Space Standards I wouldn't feel comfortable insisting that they meet this.

Housing Section - 23 August 2021

States "With regards to the above application I have noticed that the developer has not submitted a Design and Access statement with the Reserved Matters application or an affordable housing plan.

Could you please ask them to submit these so I am able to comment on the application.

Technical Officer Access - 3 September 2021

States "1) Shared surfaces between pedestrians and cars are not suitable for pedestrians, especially children, those in wheelchairs, people with learning difficulties, the visually impaired and guide dogs.

2) House type EE, drawing PO1, the flat block. The door to the toilet in the ground floor flat needs to open outwards for ease of usage and safety for someone in a wheelchair.

3) Without much information, it is difficult to tell what the level of street lighting is in this development, but there will need to be a good level of street lighting so blind and partially sighted people can navigate the development safely.

4) Again, without much information, it is difficult to know if there is provision for bins to be kept off pavements, but bins will need to have a designated area for collection that is not on pavements so vulnerable road users can navigate the site safely."

Environment Agency - 24 March 2022

States "There are no EA constraints associated with this site and we didn't comment on the outline. We therefore have no comments to make on the reserved matters."

The Ely Group Of Internal Drainage Board - 22 March 2022

States "This site is outside of the Littleport and Downham Internal Drainage District.

Providing the Lead Local Flood Authority has been consulted on this application and they approve the surface water scheme for the site, the Board will not have any objections."

Parks And Open Space – 6 May 2022

States "Parks and open Spaces comments on location of cycle and footpath next to awarded watercourse:

- The need to engineer a suitable cycle / footway path to enable heavy plant equipment to access and work from the path. The construction would need adoptable

roadway standard to be suitable, this would have huge costs, have greater environmental impact creating a massive carbon footprint.

- There is a need to spread the watercourse arisings, from the desilting across the brink and nearby grassed area. The arisings need to be left in situ to allow any wildlife that may have been removed during the process, to return to the water. The arisings need to be spread as thinly as possible to allow the grass to grow through the desilting as soon as possible. With a path near the watercourse this would not be possible.
- The maintenance for this watercourse needs to be carried out from the development side, there are properties for part of the length on the other side. Where there is open space, this has a complicated SuDS system, therefore we could not place the ditch arisings from the desilting on this area.
- For the cycle / footpath to be adopted by highways it would need to be lit, this could have an impact on wildlife living within the watercourse and the trees along side. ECDC would not wish to adopt a path in this location, due to the problems it would cause for maintenance. Therefore, its likely to go to a management company which rarely work after a few years.

Building Control – 20 May 2022

States “The sustainability report appears OK in principle. All proposed U-values are adequate, even with new regulations as of 15th June 2022. Design SAPs will be required before commencement. No adverse comments to make at this time.”

Waste Team – 24 May 2022

States “We don’t drive onto privately owned roads to collect refuse. For that reason, we would ask for 1 of 2 things for our side. Either that the bin collection points are moved up to the public highway for collections. Or for the developer to sign an indemnity agreement for the private roads, at which point we would be happy to drive on those locations.”

Asset Information Definitive Map Team - No Comments Received

Cambridgeshire County Council Education - No Comments Received

County Highways Transport Team - No Comments Received

Cambridge Ramblers Association - No Comments Received

Cambs Wildlife Trust - No Comments Received

5.2 4 site notices were displayed near the site on 30th September 2021 and a press advert was published in the Cambridge Evening News on 26 August 2021.

5.3 **Neighbours** – 87 neighbouring properties were notified and 14 letters of objections were received and are summarised in the table below. A full copy of the responses is available on the Council’s website.

Date	Address	Comments
27/08/21	36 Field End	No need for more houses Loss of habitats overdevelopment
29/08/21	33 Granary End	Increase in traffic Use of the 2 nd entrance to the Bovis site Lack of public transport Lack of respect from the developers
29/08/21	41 Granta Close	Overlooking Loss of wildlife More planting required Surface water and flooding issues
03/09/21	29 Orton Drive	Disturbance from piling Loss of the permissive path Lack of amenities in the village Increase in traffic Drainage issues Infringe on light and privacy
13/09/21	20 Elm Close	Use of the access road from the Bovis site Noise and disturbance Noise barrier will not be enough
13/09/21	35 Granta Close	Overdevelopment Lack of amenities Lack of public transport Lack of employment opportunities Loss of wildlife Loss of footpath Drainage issues Noise and disturbance during construction
18/02/22	1a Field End	Lack of infrastructure Impact on the wildlife Loss of pathway Loss of countryside There are enough dwellings in Witchford
23/02/22	41 Granta Close	Overlooking Loss of wildlife More planting required Surface water and flooding issues
22/03/22	31 Cathedral Park View	Cycle path is not acceptable and does not accord with the Witchford Neighbourhood Plan
22/03/22	41 Granta Close	Overlooking Loss of wildlife Potential flood risk Loss of trees Noise and disturbance
19/04/22	36 Field End	Poor public transport Overdevelopment Destroying habitats Too much development in Witchford
25/04/22	33 Granary End	Noise and disturbance

Date	Address	Comments
		Central collection point for bins Access only from Bovis site Can the site not be accessed from the A142
12/05/22	41 Granta Close	Overlooking

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
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
ENV14	Sites of Archaeological interest
COM 7	Transport impact
COM 8	Parking provision
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable Housing Provision

6.2 Witchford Neighbourhood Plan 2020

WNP WFDH1	Land north of Field End
WNP GI3	Development and biodiversity
WNP GI1	Public Rights of Way
WNP IC4	Flooding
WNP H1	Housing Mix
WNP H3	Housing Design

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 SPD
Climate Change SPD

6.4 National Planning Policy Framework 2021

2	Achieving sustainable development
5	Delivering a sufficient supply of homes
8	Promoting healthy and safe communities

- 9 Promoting sustainable transport
- 10 Supporting high quality communications
- 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 & enhancing the historic environment

7.0 PLANNING COMMENTS

7.1 **Principle of Development**

7.1.1 The site has been subject of an approved outline planning application (Application reference 18/00778/OUM) and the Witchford Neighbourhood Plan policy allocates this site for residential development as part of policy WFD.H1.B. and states "Land is proposed for housing development off Marroway Lane for up to 40 homes. The following site-specific considerations and requirements will apply to reserved matter applications and any future applications on this site:

- The retention of landscape buffer between the village edge and the A142 as a way of maintaining separation.
- An identified need for streetscape improvements through tree planting.
- A requirement to set aside land for the delivery of a west-east pedestrian and cycle spine route from Marroway Lane to Common Road through the southern part of the site.
- Incorporation of a surface water drainage scheme for the site based on sustainable drainage principles and which delivers biodiversity benefits.
- Delivery of the section of the west-east pedestrian and cycle spine route from Marroway Lane eastward to Field End.

7.1.2 It is considered that the overriding principle of development is acceptable as there is an extant outline consent and is an allocation within the Witchford Neighbourhood Plan.

7.2 **Residential Amenity**

7.2.1 The site is adjacent to existing established residential development and it is considered that the following dwellings that could be affected by the proposal.

Neighbour's amenities

7.2.2 22 Marroway Lane is a single storey dwelling that shares a boundary with the site. This part of the site will be used for access and open space. The proposal is therefore not considered to detract from the neighbours amenities by way of overlooking; being overbearing; loss of light and privacy.

7.2.3 27b Granta Close is a single storey dwelling which rear boundary is shared with the maintenance area and permissive path. The nearest dwelling is the maisonettes plots 37 to 40. The maisonettes are approximately 10 metres (32.8 feet) from the boundary of number 27b with no windows overlooking the neighbouring property. It is considered that the proposal is unlikely to cause demonstrable harm to the

neighbours amenities by way of overlooking; being overbearing; loss of privacy and light.

- 7.2.4 29 Granta Close is a single storey dwelling which shares a boundary with the permissive footpath. The nearest plots are 35 and 36 which are to the boundary approximately 12 metres (40 feet) with the dwellings being 25 metres (82 feet) apart. Due to the distances, which meet the criteria set with the Design Guide SPD it is considered that the amenities of this neighbour would not be significantly harmed by way of overlooking; being overbearing; loss of privacy and light.
- 7.2.5 31 Granta Close is a single storey dwelling which shares a boundary with the permissive path. The nearest plots are 33 and 34. From the boundary the dwellings are 20 metres (65.6 feet), and back to back there is a distance of 34 metres. (111.5 feet). It is considered that the distances are in excess of the Design Guide SPD and the neighbour's amenities would not be adversely affected by the proposed development by way of overlooking; being overbearing; loss of light and privacy.
- 7.2.6 33 and 35 Granta Close are single storey dwellings which share a boundary with the permissive path and the end of the cul-de-sac. It is considered that the neighbour will not experience significant harm to their amenities by way of overlooking; being overbearing; loss of light and privacy.
- 7.2.7 37 Granta Close is a single storey dwelling with the closet dwelling to the north plot 32, side on with a distance of 20 metres (65.6 feet). A window at first floor is proposed in the south elevation which is to a bathroom. A condition can be applied to ensure no further windows are installed to ensure the amenities of the neighbour are maintained and a condition to ensure the window is fixed with obscure glazing. With the conditions in place it is considered that the neighbour's amenities can be maintained without causing overlooking; being overbearing; loss of light and privacy.
- 7.2.8 39 Granta Close is a single storey dwelling which shares a boundary with the permissive path and the gardens of plots 23 and 32. It is not considered that the amenities of the neighbours will be significantly affected and will be maintained.
- 7.2.9 41 Granta Close is a single storey dwelling and is a corner plot which shares a boundary with the permissive path, end of the cul-de-sac and Plots 22 and 23. Plot 22 faces number 41 Granta Close however is approximately 25 metres (82 feet) from the proposed dwelling. This is in excess of the 20 metres required as part of the Design Guide SPD. Plot 23 at its nearest point is 17 metres (55.7 feet), however this sits side on to Number 41. It is considered that the appropriate use of conditions restricting windows and obscure glazing to the side bathroom window will not cause demonstrable harm to the neighbours.
- 7.2.10 38 Granta Close is a single storey dwelling which shares a boundary with the permissive path. There is a 10 metre (32.8 feet) gap between this property and plot 22 with established planting to the boundary. It is considered the amenities of the neighbours can be maintained.
- 7.2.11 The proposed layout ensures that the amenities of the adjoining neighbours are maintained and will not cause demonstrable harm by way of overlooking; being

overbearing; loss of light or privacy. Clearly the view of these neighbours will be affected and will no longer see an open field, however it has been designed to meet the standards set with the Councils adopted Design Guide and as such is considered to comply with policy ENV2 of the East Cambridgeshire District Council Local Plan 2015. Furthermore, loss of views is not a material planning consideration and therefore any such impacts cannot be considered as part of the determination of this application.

Noise

- 7.2.12 Concerns have been raised with regard to the noise and disturbance from the construction of the 40 dwellings. The noise and disturbance will be limited during construction and is temporary. There are conditions on the outline consent (18/00778/OUM) which restrict the working hours of the site (condition 9) as well as the requirement for the submission of a CEMP (Construction Environmental Management Plan) which can address these issues. (condition 8) These are managed by the Developer however if these are not complied with; can be enforced against by the Local Planning Authority if a breach is found. It is considered that the site can be effectively managed to minimise the disturbance during construction. On this basis the proposal is not considered to cause long term demonstrable harm to the neighbour amenities in accordance with policies ENV2 and ENV9 of the East Cambridgeshire District Council Local Plan 2015.
- 7.2.13 As part of the development there is a requirement for a noise barrier and this is shown as an acoustic fence approximately 2.4 metres high (7.8 feet) sat on top of a 3-metre-high bund (9.8 feet). A neighbour has raised a concern that this will not be an effective way of managing the noise from the A142. The application was supported by a Noise Impact Assessment as required by condition 13 of the approved outline consent (18/00778/OUM) this was subsequently assessed by the Environmental Health Officer. Whilst 4 plots would exceed the night time level and will require alternative forms of ventilation this has been considered as acceptable by the Environmental Health Officer.
- 7.2.14 With consideration given to the minor extent and level of external noise exceedance; the fact that the site has outline planning permission for up to 40 dwellings; the substantial benefits of the proposed development in providing a significant provision of affordable housing; and also as reasonable amendments have been made to the proposed development during the course of this application to minimise the noise impacts from the roads as far as is considered to be practically possible; it is considered that the minor level of harm in respect of external noise impacts would not outweigh other material planning considerations (outline planning permission) or the overall benefits of the proposed development (primarily the strong likelihood of the development being brought forwards as 100% affordable housing). It is considered that these material planning considerations outweigh the minor conflict with policy ENV 2 of the Local Plan in respect of residential amenity impacts.

Future Occupiers amenities

- 7.2.15 The amenities of the future occupiers are considered to meet the guidelines set out within the Design Guide SPD.
- All of the gardens meet the prescribed 50 square metres (538 square feet).
 - The back to back distances of the dwellings exceeds 20 metres (65 feet)

- The distances from existing dwellings to the proposed dwellings follows the Design Guide SPD
- Not all of the plots comply with the 300 square metres (984 square feet), however all of the garden space exceeds 2/3 of the overall plot size, therefore enabling adequate space in and around the dwellings.

7.2.16 It is considered that the proposal will ensure the amenities of future occupiers by way of ensuring no direct overlooking; being overbearing; loss of privacy and light in accordance with policy ENV2 of the East Cambridgeshire District Council Local Plan 2015.

7.2.17 On balance the proposal is considered to meet the requirements of the East Cambridgeshire District Council Local Plan 2015. Whilst there is a loss of view this is not a planning consideration and the adjoining neighbour's amenities can be managed during construction and maintained upon completion of the dwellings. Whilst 4 of the dwellings will not meet the Environmental Health Officer noise standards, this is a small number of dwellings and it is considered that the proposal is acceptable with regard to noise from the A142 on future occupiers. On this basis the proposal is considered to comply with policies ENV2 and ENV9 of the East Cambridgeshire District Council Local Plan 2015 and policy WNP H3 of the Witchford Neighbourhood Plan

7.3 Visual Amenity

7.3.1 The development proposes 7 different types of dwellings, ranging in height, styles and different combination of materials. The heights range from 10 metres (32.8) to 8.9 metres (29.1) and all of the dwellings are semi detached although there are 4 maisonettes. There are a mix of roof types including hipped and gable which are representative in the local area and examples of this mix can be seen along Field End to the rear of the application site.

Heights

7.3.2 Having assessed the adjoining developments and their respective roof heights, the proposed mix of heights is not dissimilar to the adjoining development along Field End which has heights of 7.5 metres (24.6 feet) and 7.9 metres (25.9 feet). The adjoining development on the Bovis site there are dwellings ranging in heights 8.8 metres (28.8 feet) and 10.2 metres (33.5 feet). In comparison with the proposed site the heights are comparable and in keeping with the character of the area.

Materials

7.3.3 There is a proposed mix of materials, however these have not detailed exactly and as such will require a condition detailing these. The proposed mix of terracotta and slate roof tiles, are seen along Field End is considered acceptable based upon the adjoining development, although full details will be required. The mix of buff and render materials, again is representative in the area particularly along Field End.

Design

7.3.4 The design of the dwellings is simple with a mix of materials sympathetic to the character of the area. There are details to the brickwork, such details above the windows and porches that add interest. There is a use of symmetry across the

design of the dwellings which keeps the proposal as a comprehensive identifiable good quality development.

- 7.3.5 The development provides space around all of the dwellings giving each dwelling identifiable front garden space and enclosed rear gardens for amenity. There is planting to soften the appearance and to add interest to the overall development.
- 7.3.6 Each plot has a cycle store, however the full details of these has not been provided. However, a condition can be applied to require these details prior to first occupation of the dwellings.
- 7.3.7 *Acoustic Fence*
As part of the development there is a requirement for a bund and fencing above it, in order to address noise from the A142. The adjoining site has an acoustic fence proposed where the Bovis site is being developed. This application proposes the mix of a bund and fencing. Whilst this is not characteristic in a rural area, the bund would be planted with hedging also to the lowest point of the bund. The provision of the bund and acoustic fencing will act as a noise barrier and with the provision of planting this will assimilate into its surroundings over time.
- 7.3.8 The National Design Guide SPD, seeks to secure good design and address 10 key aspects; context; identity; built form; movement; nature; public spaces; uses; homes and buildings; resources and lifespan.
- Context*
- 7.3.9 The context of the site is predominantly modern development on the edge of an existing village. The proposal has taken steers from existing developments to ensure that the development sits well into its surroundings.
- Identity*
- 7.3.10 The identity of the development offers a variation in heights and materials used on the roofs to give interest in the locality. These are also similar to existing developments.
- Built form and movement*
- 7.3.11 The built form enables cyclists and pedestrians to traverse within the site safely and to access existing routes to the village centre. The site plan shows an identified street plan which will identify this as its own development.
- Nature*
- 7.3.12 The proposals seek to maintain the Award ditch and the vegetation adjacent to it which will ensure the impact on the wildlife and ecology of this area is limited. There is a condition on the outline application that requires biodiversity improvements.
- Public space*
- 7.3.13 There is public space to the north and south of the site and the layout of the development ensures these spaces are all overlooked. These areas are considered to be safe and secure.

Uses

- 7.3.14 There is only one use on this site which is purely residential and that permission was granted in 2018 under the outline planning permission. However, the development is for 100% affordable housing and provides a mix of dwellings of 1 bed; 2 bed; 3 bed and 4 bed roomed dwellings.

Homes and buildings

- 7.3.15 The layout provides for public interaction and each dwelling having its own defensible space. The dwellings provide a good quality of accommodation and supported by the Councils Housing Manager.

Resources

- 7.3.16 The proposal is supported by an Energy and Sustainable Assessment and in consultation with Building Control, what is proposed meets the current and forthcoming standards from 15th June 2022.

Lifespan

- 7.3.17 The dwellings whilst are set layout there is scope for internal changes as required to meet the needs of the future occupants.

The overall design is considered to meet with policies ENV1 and ENV2 of the East Cambridgeshire District Council Local Plan 2015; and policies H1 and H3 of the Witchford Neighbourhood Plan and the design principles within the Design Guide SPD and the National Design Guide.

7.4 Historic Environment

- 7.4.1 The site is required to undertake a programme of archaeological work and is conditioned as part of the outline consent, condition 6. No details have yet been submitted as part of a discharge of condition, but this will need to be submitted and approved prior to the commencement of development. The proposal therefore complies with policy ENV14 of the East Cambridgeshire District Council Local Plan 2015.

7.5 Highway Safety and Parking Provision.

- 7.5.1 Policy COM 7 of the Local Plan requires development to be designed to reduce the need to travel, particularly by car, and should promote sustainable forms of transport appropriate to its particular location, and to maximise opportunities for increased permeability and connectivity to existing networks. Furthermore, policy COM7 requires development proposals to:

- a. Provide safe and convenient access to the highway network.
- b. Provide a comprehensive network of routes giving priority for walking and cycling.
- c. Protect existing rights of way or allow for agreed diversions in exceptional circumstances.
- d. Consider the travel and transport needs of people with disabilities.
- e. Accommodate the efficient delivery of goods, supplies and services.
- f. Be capable of accommodating the level/type of traffic generated without detriment to the local highway network and the amenity, character or appearance of the locality.

- g. Be accompanied by a Transport Statement where appropriate; or if the proposals are likely to result in significant transport implications, be accompanied by a Transport Assessment. The coverage and detail of this should reflect the scale of development and the extent of the transport implications.
- h. Be accompanied by a Travel Plan for residential and non-residential developments that are likely to generate significant amounts of traffic; and
- i. Within (g) and (h) indicate any steps to mitigate impacts relating to noise, pollution, amenity, health, safety and traffic.

7.5.2 The proposed dwellings are accessed from the development currently under construction referred to as the 'Bovis site' (18/00782/RMM). The Local Highway Authority have not raised any concerns with this link and the access fully accords with highway safety standards. The site layout has been amended to address the concerns raised by the Local Highway Authority and these concerns have now been met. This includes providing turning areas at the end of cul-de-sacs and improved parking layout.

7.5.3 Policy COM8 of the Local Plan requires proposals to provide sufficient car parking. The proposed development would provide 80 car parking spaces; 4 dwellings are 1-bedroom apartments. The apartments have 1 car parking space each and there are 4 visitor parking spaces across the site. It is considered that the proposal provides adequate car parking along with cycle storage for each plot, in accordance with Policy COM8 of the Local Plan, 2015.

Waste collection

7.5.4 The Local Highway Authority have raised a concern with regard to the accessibility of the waste carts. In consultation with the Council's waste team they have raised no objections but would require bins either to be located on the public highway or if it is private road the developer can sign an indemnity to allow the waste team to collect from the private road. On this basis the proposal is considered to meet COM7 of the East Cambridgeshire District Council Local Plan 2015.

7.5.5 A Travel Plan is required as part of condition 14 of the outline planning consent as follows: *"Prior to first occupation of the development, the Developer shall be responsible for the provision and implementation of a Residential Welcome Pack for sustainable transport to be agreed in writing by the Local Planning Authority. This Residential Welcome Pack shall include six one day travel vouchers for use with the relevant local public transport operator. Such Pack to be provided to the first occupiers of each new residential unit on the development site."* This would seek to encourage new occupants to use alternative methods of transport. Each plot is also provided with a cycle store in the rear garden.

Foot/CyclePath

7.5.6 Witchford Parish Council have objected to the proposal on the basis that the cycleway is proposed to the north of the site; whereas the Witchford Neighbourhood Plan requires the cycle path is located to the south. The southern part of the site is adjacent to an Award ditch; managed by the Council's Parks and Open Spaces Team and they have raised concerns with having a cycleway adjacent to an Award ditch. Essentially having the cycle way running along this ditch raises a number of concerns:

- Health and safety having a ditch adjacent to a cycle path

- The cycle path would need to be hard standing and would restrict maintenance of the ditch.
- The cycle path would need to be lit and this would be to the detriment of the wildlife.

In discussion with the Parks Team, it was considered that the alternative northern cycle route was preferable as it would not interfere with the maintenance of the ditch. It is a requirement that there is an area of maintenance between the proposal and the ditch which can be provided.

7.5.7 It is considered this maintenance area would still enable the public to access this part of the site. The benefits of the northern route also ensure that there are linkages with the adjoining Bovis development, whilst still enabling connections with Field End. It is considered that the site will provide a footpath/cyclepath to the north as well as an access along the southern boundary. It is considered that whilst it is contrary to the Neighbourhood Plan, a cycleway is still being provided while retaining the permissive path to the south. On this basis the Local Planning Authority raises no objection to this proposal.

7.5.8 On balance, due to the concerns of locating the footpath/cycleway close to an Award ditch to the south, however, the alternative location is acceptable and would still provide the necessary links to enhance the proposed development. The proposal therefore complies with Policies COM7 and COM8 of the East Cambridgeshire Local Plan, 2015.

7.6 Ecology and trees

7.6.1 To the south of the site is an Award ditch which has ecological value and development should be avoided in close proximity to this area in order to support the existing habitat. By maintaining a maintenance area adjacent to the Award ditch and siting the houses further away will ensure this habitat is maintained.

7.6.2 Developments are sought to provide a net gain in biodiversity and there is a condition on the outline consent that seeks a biodiversity scheme in order to achieve this. It is considered that the scheme can deliver a net increase in biodiversity in accordance with policy ENV7 of the East Cambridgeshire District Council Local Plan 2015, the Natural Environment SPD, and policy G13 of the Witchford Neighbourhood Plan.

7.6.3 In consultation with the Tree Officer no objections to the scheme have been raised in relation to Trees. Conditions are required with regard to AIA (Arboricultural Impact Assessment) and AMS (Arboricultural Method Statement) which can be conditioned prior to the commencement of development.

7.6.4 The proposed landscaping scheme provides additional planting and hedging which will also add to the ecological value of the site. Hedging is proposed within the site and to the boundary with the A142. Other trees and planting are shown within the site. It is considered the proposal can comply with policies ENV1, ENV7 of the East Cambridgeshire Local Plan 2015, the Natural Environment SPD, and policy G13 of the Witchford Neighbourhood Plan.

7.7 Flood Risk and Drainage

- 7.7.1 The proposal had been supported by the LLFA, until 19th May 2022, however comments received on that day raised some concerns with the proposed drainage details. Condition 10 on the approved outline planning consent 18/00778/OUM requires that this information is submitted by way of condition. Therefore, the drainage issues can be dealt with via a discharge of condition secured as part of the outline permission. On this basis the proposal complies with policy ENV8 of the East Cambridgeshire District Council Local Plan 2015 and the Flood and Water SPD.

7.8 Other Material Matters

Fire Hydrants

- 7.8.1 The Fire Service have requested that details of a fire hydrant are provided prior to first occupation, this has been addressed as part of the Outline planning permission, condition 7. (18/00778/OUM). On this basis this condition will not be required as part of the Reserved Matters Application.

Contamination

- 7.8.2 The outline planning consent (18/00778/OUM) addresses contamination and the need for a report in condition 11.

Energy & Sustainability

- 7.8.3 The application is supported by an Energy and Sustainability Statement as per condition 4 of the outline planning permission. It has been assessed by Building Control as being acceptable to meet current standards and those coming in on 15th June 2022. The proposal therefore complies with Policy ENV4 of the Local Plan and the Climate Change SPD.

Public Open Space (POS)

- 7.8.4 The S106 legal agreement attached to the outline consent, under Schedule 2, part 3 secures public open space and requires the layout out of the POS to be agreed with the Council prior to the commencement of development. The proposal therefore complies with Policies GROWTH3 and ENV2 of the Local Plan, 2015. there is reference to the laying out of the public open space. The S106 requires that the laying out of the POS is agreed with the Council prior to the commencement of development.

Affordable Housing Provision

- 7.8.5 The S106 legal agreement under Schedule 2, Part 4 secures the delivery of affordable housing provision and this should be agreed prior to the commencement of development. The scheme provides 100% affordable housing and is acceptable to the Council's Housing Strategy Officer, in accordance with Policy HOU3 of the Local Plan, 2015

7.9 Planning Balance

- 7.9.1 The site provides a scheme of 100% affordable housing. The proposal vastly increases the affordable housing stock within the district which is greatly needed. It

is considered that this a material consideration in the determination of the application.

- 7.9.2 The scheme is considered to ensure that highway safety is maintained, a safe access can be achieved, as well as adequate car and cycle parking can be provided to serve the proposed development.
- 7.9.3 The proposed design and layout of the scheme maintains the character of the area whilst providing simple designs and soft and hard landscaping. It is considered to accord with the Local Plan policies, the Witchford Neighbourhood Plan, the Design Guide SPD, the NPPF, and the National Design Guide. The layout ensures that the neighbours' amenities are maintained. Conditions are recommended to ensure no additional windows are inserted and that specific windows are obscurely glazed, to prevent any further over-looking.
- 7.9.4 The scheme does not deliver the cycleway/foot path in the location desired by the Parish Council in the Witchford Neighbourhood Plan, however it is still being provided to the North of the site and does not affect the connectivity of the site with the rest of Witchford. There is clear evidence why the cycle path cannot be provided at the location, due to the concern of its proximity to an Award ditch, and as such is not considered to be a reason to refuse the scheme. On this basis the proposal, on balance, is considered to be acceptable and is recommended for approval.

8 COSTS

- 8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 8.2 Unreasonable behaviour can be either procedural i.e. relating to the way a matter has been dealt with or substantive i.e. relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 8.3. Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.
- 8.4 In this case members' attention is particularly drawn to the following points:
1. Outline planning permission exists for the site
 2. The site provides 100% affordable housing
 3. No objections have been raised from any of the Technical Consultees
 4. A footpath/cycle way is being provided to the North of the site to ensure connectivity.

9 APPENDICES

- 9.1 Recommended Conditions
- 9.2 Committee Report 18/00778/OUM

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/01136/RMM	Toni Hylton Room No. 011 The Grange	Toni Hylton Senior Planning Officer 01353 665555
18/00778/OUM	Ely	toni.hylton@eastcambes.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

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

Witchford Neighbourhood Plan

<https://www.eastcambes.gov.uk/local-development-framework/witchford-neighbourhood-plan>

APPENDIX 1 - 21/01136/RMM Conditions

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

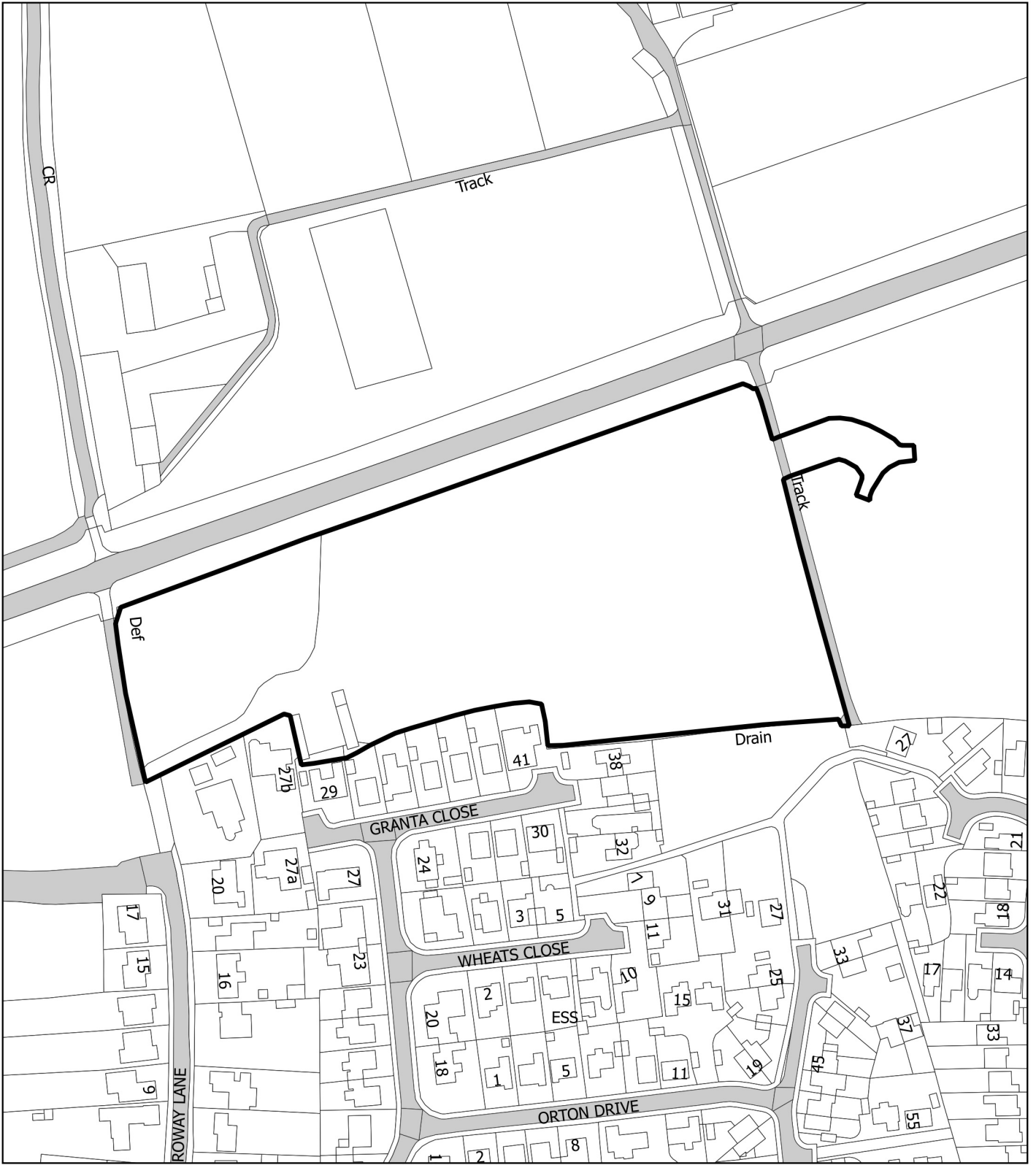
Plan Reference	Version No	Date Received
0102	P12	23 May 2022
0103	P06	23 May 2022
Topo-01-2D		19 August 2021
Energy & Sustainability rev 1		8 February 2022
Noise Assessment Report v3		11 March 2022
0104	P01	19 August 2021
Hedgerow and woodland tree management and creation scheme	V4	24 May 2022
Arboricultural Assessment		8 February 2022
MWL – 001	04	24 May 2022
Preliminary Drainage Strategy rev	02	11 March 2022
063-JCE-00-SI-SK-C -9000	P03	23 May 2022
063-JCE-00-SI-SK-C -9010	P03	23 May 2022
063-JCE-00-SI-SK-C -9020	P03	23 May 2022
063-JCE-00-SI-SK-C -9030	P03	23 May 2022
063-JCE-00-SI-SK-C - 8040	P01	11 March 2022
063-JCE-00-SI-SK-C - 8041	P01	11 March 2022
063-JCE-00-SI-SK-C - 8042	P01	11 March 2022
063-JCE-00-SI-SK-C - 8043	P01	11 March 2022
063-JCE-00-SI-SK-C - 8044	P01	11 March 2022
063-JCE-00-SI-SK-C - 8045	P01	11 March 2022
0400	P03	11 March 2022
0200	P02	8 February 2022
0201	P01	8 February 2022
0202	P02	8 February 2022
0203	P02	8 February 2022
0204	P02	8 February 2022
0205	P01	8 February 2022
0206	P01	24 May 2022
0207	P01	8 February 2022

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No above ground construction shall take place on site until details of the external materials; to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 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 0102 P10; in writing by the Local Planning Authority.
- 4 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 5 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 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 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 onto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 No development shall take place until a detailed Arboricultural Impact Assessment (AIA) compliant with BS 5837:2012 Trees in relation to design, demolition and construction has been submitted and approved in writing by the Local Planning Authority. 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. All works shall be carried out in accordance with the agreed AIA.
- 7 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.

- 8 No development shall take place until a detailed Arboricultural Method Statement (AMS) compliant with BS 5837:2012 Trees in relation to design, demolition and construction has been submitted and approved in writing by the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.
- 8 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 9 The first floor windows in the following plots of the development, hereby approved:
37 – 40, 32, 23, 22 the south facing elevation
36 the west facing elevation
31, 24, 17 the north facing elevation
shall be glazed using obscured glass and any part of the window(s) that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking or re-enacting that Order), no windows, dormer windows, rooflights or openings of any other kind, other than those expressly authorised by this permission shall be constructed at first floor level or above in the following plots
37 – 40, 32, 23, 22 (south facing elevation)
36 (west facing elevation)
31, 24, 17 (north facing elevation) without the prior written consent of the Local Planning Authority.
- 10 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015
- 11 No above ground works shall take place until details of the cycle stores have been submitted and agreed in writing by the Local Planning Authority. The cycle stores shall be erected prior to first occupation and maintained in perpetuity.
- 11 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

- 12 All soft and hard; landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 12 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 No above ground construction shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to first occupation of the dwellings hereby approved.
- 13 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.



18/00778/OUM

Land North of
22 Marroway Lane
Witchford



East Cambridgeshire
District Council

Date: 17/08/2018
Scale: 1:2,000



© Crown copyright.
All rights reserved 100023279 (2017)

MAIN CASE

Reference No: 18/00778/OUM

Proposal: Outline planning application for demolition of dilapidated farm buildings and erection of up to 40 dwellings, ancillary infrastructure (including noise mitigating barrier) public open space, SuDs drainage with all matters reserved.

Site Address: Land North Of 22 Marroway Lane Witchford Cambridgeshire

Applicant: Gladman Developments

Case Officer: Andrew Phillips, Senior Planning Officer

Parish: Witchford

Ward: Haddenham
Ward Councillor/s: Councillor Steve Cheetham
Councillor Mark Hugo
Councillor Stuart Smith

Date Received: 8 June 2018 **Expiry Date:** 7 September 2018
[T84]

RECOMMENDATION

1.1 Members are recommended to delegate approval of this application to the Planning Manager subject to the recommended conditions below that can read in full within Appendix 1 (with any minor changes delegated to the Planning Manager) and the completion of a S106 Agreement:

- 1 Approved Plans
- 2 Outline Permission
- 3 Time Limit - OUT/OUM/RMA/RMM
- 4 Sustainable development -General Outline
- 5 Biodiversity Improvements
- 6 Archaeological Investigation
- 7 Fire Hydrants
- 8 Construction Environmental Management Plan (CEMP)
- 9 Construction times/deliveries
- 10 Surface water drainage scheme
- 11 Potential Contamination Investigation
- 12 Unexpected contamination
- 13 Noise mitigation
- 14 Travel Plan
- 15 Footpath link
- 16 Foul Water

2.0 SUMMARY OF APPLICATION

- 2.1 The proposal is an outline application with all matters reserved for up to 40 dwellings, though the details submitted demonstrate that an access onto Field End is desired. The previous application (16/01136/OUM), which will be heard at an appeal hearing on 18 September 2018, was for up to 55 dwellings.
- 2.2 The application is brought before Planning Committee, as the previous application was determined (refused) by members and this application is recommended for approval.
- 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.eastcamb.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

3.0 PLANNING HISTORY

- 3.1
- | | | | |
|--------------|---|------------------------|------------|
| 16/01136/OUM | Outline planning permission for demolition of existing dilapidated farm buildings and erection of up to 55 residential dwellings (including 30% affordable housing), introduction of structural planting and landscaping, informal public open space, surface water attenuation and associated ancillary works. All matters to be reserved. | Refused (at appeal) | 07.07.2017 |
| 18/00782/RMM | Reserved matters for 128 dwellings. | Still being determined | |

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The main section of the site is located between Granta Close/Orton Drove public open space (to the south) and the A142 (to the north). The western boundary is the Public Right of Way that links onto Marrowway Lane and to the east is the boundary with the outline consent (which the access runs through) of 15/01100/VARM. A mixture of trees and other vegetation are located on all the boundaries, though the biggest gaps are along the northern boundary.

5.0 RESPONSES FROM CONSULTEES

- 5.1 The full responses are available on the Council's web site.

Witchford Parish Council – (11 July 2018) It does not object but seeks amendments to make it acceptable.

East Cambridgeshire District Council must ensure best practice is maintained in regards to noise and air pollution (including housing design).

Questions if road traffic increase on the A142 is accurate and why does air pollution forecast only go to 2023?

It questions why the noise assessment was not measured during the hours of 9:30 – 14:00?

Planning conditions will need to make it clear who is responsible for the future maintenance of the noise mitigation measures.

It supports the line of the proposed footpath/cycle link shown connecting the south west corner.

It seeks to retain the permissive path along the southern edge of the site.

It objects to any proposal to elevate the site on the following grounds:

- Overlooking and adversely affecting existing neighbours.
- Detrimental impact on noise mitigation measures.
- Detrimental impact of increased lorry movements.

Requests that this is dealt with by condition.

Cambridgeshire Fire and Rescue Service – (13 July 2018) Seeks a condition or S106 to provide fire hydrants.

Transport Assessment Team – (29 June 2018) It does not object subject that prior to first occupation a footway connection is provided from the site to the existing footway between Granta Close and Field End, as well as a condition to require Residential Welcome Pack (including six one day travel vouchers for relevant local public transport).

East Cambridgeshire Access Group – (27 June 2018) Seeks

“A firm, level and slip resistant path would be required through the woodland/bund area.”

Seeks to comment when more information is provided.

Campaign to Protect Rural England – (9 July 2018) It objects to the proposal on the grounds of:

- Outside of the village envelope.
- Seeks to maintain the green wedge between village and by-pass.
- Development should be focused in Ely, Littleport and Soham.
- Loss of good agricultural land.
- Concern that the proposed dwellings will suffer from air pollution caused by vehicles along the A142. The UK Government has been prosecuted three times for failing to control air pollution nationally and highlights recent reports into this matter.

- Noise report is out of date, as the road is now topped with 'chip and tar' and is therefore concerned with noise pollution from the road.
- Does not believe the reduction from up to 55 to up to 40 will overcome the issues of air and noise pollution.
- Application should be assessed on its own merits, despite approval of 128 dwellings being approved adjacent to the site.

Crime Prevention Design Team (Estates) – (28 June 2018) The Police Force considers this area to be at low vulnerability to the risk of crime.

Will seek to comment on the reserved matters application in order to provide a full assessment and is happy to discuss the proposal with the developer.

Littleport and Downham Internal Drainage Board – (28 June 2018) States:

“Surface water from this site will discharge into East Cambs District Council Award Ditch, which outfalls into the Board’s Catchwater system. This Catchwater is at full capacity and cannot accept any increase in flows.”

With SuDS on site it has no objection as long as it is approved by the Lead Local Flood Authority. In addition long term maintenance must be secured.

Lead Local Flood Authority – (11 July 2018) It objects to the proposal as the developer has not demonstrated greenfield run off and 5 liters per second is double the allowed drainage rate.

(25 July 2018) Since previous response it has been in discussion with the developer and confirms that have no objection in principle in regards to the report ‘Flood Risk Assessment and Outline Drainage Strategy, Ref: FRA 15 1109, The LK consult Ltd Dated May 2018.

It requests a surface water drainage condition

Cambridgeshire Archaeology (Historic Environment Team) – (4 July 2018) Provides detailed explanation that the area is in area of high archaeological potential and requests a recommencement condition.

Cambridgeshire County Council Growth and Development – (13 July 2018) Comments that the education system in the area is at capacity or very near capacity. Seeks £204,350 towards Early Years, £653,920 towards Primary, £246, 670 towards Secondary and £2,892 towards Libraries.

(15 August 2018) County states it cannot justify Early Years or Primary, but is still seeking Secondary and libraries.

Tree Officer – (19 July 2018) Does not formally object as the protected trees have a limit to their useful life expectancy. Support is based upon securing a successful landscaping provision to mitigate the impact upon existing trees.

Recommends a Landscape Architect is consulted but makes the following points:

- A wider buffer between proposed houses and A142 represent an improvement from the previous proposal.

- A wider buffer is in keeping with the landscape schemes through West of Ely, which should be emulated.
- Indicative layout offers minimal provision of space adjacent to Ash Trees (TPO) and may prove unsuccessful.
- Minimal opportunity for viable open space within the residential areas of the development.

Waste Strategy (ECDC) – (22 June 2018) East Cambs will not enter private property to collect waste/recycling and it is for residents to bring these to the public highway. Proposal should be designed in accordance with RECAP Waste Management Design Guide.

Provides standard information on the provision of bins.

Environmental Health – (24 July 2018) States:

- That the Planning Inspectorate on the adjacent site agreed that windows should not have to be closed to achieve reasonable internal noise levels.
- To overcome the Inspector's concern the developer has moved the dwellings always from the A142 to form a greater buffer zone and providing a 3.1m high bund/fence.
- With the resurfacing of the road the developer may want the acoustic consultant to re check the noise measurements.
- Daytime noise levels internally and externally are just acceptable. With 8 properties on the borderline of acceptability.
- These 8 properties will not meet the night time noise requirements and not comply with the result of the adjacent appeal. These properties will either need alternative ventilation or design changes made.
- Seeks a condition requiring a Construction Environmental Management Plan.

(16 August 2018) The developer has confirmed that they made an error in their report. Further states:

“Therefore, the correct interpretation that the acoustic consultant has now confirmed is that there will be no bedrooms on the facades where noise levels exceed 45dB LAeq or 60 dB LA max,f.

This removes my concern as my response was exactly that and the extension of the buffer zone and re-orientation of the 8 dwellings affected will not now be required.

The other point I raised is with regard to re-assessing the noise from the A142 due to the recent application of surface dressing, a resident's anecdotal evidence was that noise had increased. The acoustic consultant has indicated that they are willing to do this.”

Parks and Open Space - No comments received on this application but has been in discussion about the footpath to connect to the Orton Drove Public Open Space as part of the appeal application.

Asset Information Definitive Map Team - No Comments Received

Cambridge Ramblers Association - No Comments Received

Anglian Water Services Ltd - No Comments Received

5.2 Neighbours – 85 neighbouring properties were notified and the responses received are summarised below. A notice was put in the local paper on the 28 June 2018 and a site notice put up on the 2 July 2018. A full copy of the responses are available on the Council’s website.

33 Granary End – (2 July 2018) Provides the following comments:

- With Bovis and Gladman sites the traffic onto Field End will be significantly increased.
- Where the two sites connect looks a tight bend next to Bovis houses.
- Construction traffic to the two sites impact on Field End.
- Will refuse vehicles be able to get into the Gladman site.
- The new surface on the A142 has increased noise level since the developer’s noise survey.

39 Granta Close – (11 July 2018) Raises concerns over:

- Overlooking of their property.
- Seeks to ensure the drain is kept open.
- Footpath along the drain should remain.
- Seeks additional trees to the rear of their property.
- Loss of biodiversity on the site.
- Highway safety will be impacted on A142 and proposal will add to congestion.
- Value of their property.
- Services/facilities will not be able to cope with additional growth.
- Bus service has been cut back.

27 Orton Drive – (13 July 2018) Raises concerns in regards to:

- Their property is already detrimentally affected by road noise, it is perceived the noise levels for the new dwellings will be overwhelming.
- Surface water on the site seems inadequate.
- Seeks more landscaping on the site to provide protection from noise and surface water flooding.

17 Marroway Lane – (13 July 2018) Marroway Lane is virtually a cul-de-sac and cannot support any more traffic.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

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

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents
 Design Guide
 Contamination
 Developer Contributions
 Cambridgeshire Flood and Water

6.3 National Planning Policy Framework 2018

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 10 Supporting high quality communications
- 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 & enhancing the historic environment

6.4 Submitted Local Plan 2017

LP1	A presumption in Favour of Sustainable Development
LP2	Level and Distribution of Growth
LP4	Green Belt
LP6	Meeting Local Housing Needs
LP16	Infrastructure to Support Growth
LP17	Creating a Sustainable, Efficient and Resilient Transport Network
LP18	Improving Cycle Provision
LP19	Maintaining and Improving Community Facilities
LP20	Delivering Green Infrastructure, Trees and Woodland
LP21	Open Space, Sport and Recreational Facilities
LP22	Achieving Design Excellence
LP23	Water Efficiency
LP24	Renewable and Low Carbon Energy Development
LP25	Managing Water Resources and Flood Risk
LP26	Pollution and Land Contamination
LP27	Conserving and Enhancing Heritage Assets
LP28	Landscape, Treescape and Built Environment Character, including Cathedral Views
LP30	Conserving and Enhancing Biodiversity and Geodiversity
LP31	Development in the Countryside
Witchford 1	Proposals in Witchford
Witchford 2	Infrastructure and Community Facilities
Witchford 3	Allocated Sites

7.0 PLANNING COMMENTS

7.1 Principle of Development

7.2 The Council cannot currently demonstrate a robust five year housing supply and therefore the policies within the Local Plan relating to the supply of housing should not be considered up-to-date. In light of this, applications for housing development, such as this one, should be considered in the context of the presumption in favour of sustainable development as set out in paragraph 11 of the National Planning Policy Framework (NPPF).

7.3 The key considerations in determining this application are therefore; whether any adverse impacts would significantly and demonstrably outweigh the benefits of the development when assessed against the policies in the NPPF taken as a whole, and against the policies within the Local Plan which do not specifically relate to the supply of housing; or, whether any specific policies within the NPPF indicate that the development should be restricted.

7.4 With the Council not having a five year land supply and the Submitted Local Plan still going through public examination limited weight should be given to both this plan and any policy with the adopted Local Plan that limits housing development. The application needs to be considered on the basis of a tilted balance in accordance with paragraph 11 of the NPPF. It is not considered that the site is a 'protected area or asset of particular importance' as defined by NPPF Para 11 di.

7.5 With the Council having very little brownfield, the vast majority of development is needing to be located on the edges of settlements. It is also considered better to be building on greenfield sites at this stage rather than reducing the Greenbelt in order to build closer to Cambridge. The small loss of agricultural land is not considered to be detrimental, it is unlikely that this size of land will be used due to modern agricultural practices.

7.6 Witchford is described in the Submitted Local Plan 2017 as:

“7.47.1 Witchford is a large village located one mile west of the City of Ely, neighbouring the Lancaster Way Business Park (the district’s flagship Enterprise Zone) and benefits from good connectivity, being located close to both the A10 and A142. Witchford is therefore well-placed to access wider employment, education, retail, services and facilities.

7.47.2 The village itself offers a good range of services, including a shop with post office, churches, village hall and primary and secondary schools. Within the village there are a number of significant areas of open space, including common land. Pedestrian and cycle routes provide links to Ely, Lancaster Way Business Park, and neighbouring villages and the countryside.

7.47.3 Witchford is therefore suitably placed to accommodate significant growth.”

7.7 The site is allocated for residential development under the Submitted Local Plan
“Witchford4: Site WFD.H1 - Land north of Field End

The following special considerations and requirements apply to site WFD.H1:

- a. Development of a residential scheme, providing up to 128 dwellings for the whole site;
- b. Establishment of a significant landscape and noise buffer along the northern boundary of the site, adjoining the A142 (see LP26);
- c. Pedestrian and cycle access should be provided to the Public Right of Way north of Marroway Lane;
- d. Vehicular access to Marroway Lane will not be permitted;
- e. If the consented scheme 14/00248/OUM is implemented, utilising the full allowance of 128 dwellings, the area outside of that consented area will then be treated as falling within 'the countryside', and policies of this plan applied accordingly. The development envelope boundary has purposely been drawn to enforce this requirement."

7.8 The site is located on the edge of the village with easy access to all services and facilities that the village provides, as well as having relatively easy access into Ely. The site is, therefore, considered to be sustainable in principle. While the outline on the adjacent site (originally approved 14/00248/OUM) is currently using all 128 dwellings, village framework lines hold very limited weight while the Council is not able to demonstrate a five year housing supply. With the site being allocated for development it adds weight that the site is sustainable in principle. The application is, therefore, considered to be acceptable in principle.

7.9 The remainder of the material considerations are detailed below.

7.10 Residential Amenity

7.11 The Inspector on the adjacent scheme (16/01019/RMM) stated:

"The proposed development includes an acoustic bund which would be in the region of 2.7 metres tall and would be formed using a Tensar Earth Retaining System as the sides of the bund would be angled at 70 degrees. There would also be 2.7 metres high acoustic fences to plots 57, 88 and 89.

The proposed bund would be located in the region of nine metres away from the rear of several of the proposed dwellings which back onto the A142. The plans indicate that the land levels of the rear gardens would be raised so that the noise bund would be in the region of 2.2 metres above the ground level on the side of the proposed dwellings. Notwithstanding that, given the height and steepness of the structure, and the relative size of some of the garden areas, it would be a dominant feature when viewed from the ground floor of the proposed dwellings which back onto the bund and when the future occupiers utilise their rear garden areas. To my mind, this would result in an unacceptably dominant structure and would contribute to a poor standard of living conditions for the future occupiers of the development.

It is noted that the acoustic bund was as a result of discussions between the Appellant and the Council during the course of the consideration of the application, with the original proposal being a 2.7 metre high acoustic fence. The Appellant has indicated that they would be happy to revert back to this fence as an alternative to the bund. Whilst I consider that the fence would be a significant improvement over the appearance of the bund, given the relatively small garden depths the acoustic fence would still be a significant structure which would be dominant to the future occupants

of the proposed dwellings. I am also unclear how the regarding of the land for the rear gardens would be affected by this change in the proposal.

It is clear that without any mitigation, the occupants of the properties would be subjected to unacceptable levels of noise. The Planning Practice Guidance (PPG) states at paragraph: 008 Reference ID: 30-008-20140306 that 'for noise sensitive developments mitigation measures can include avoiding noisy locations; designing the development to reduce the impact of noise from the local environment; including noise barriers; and, optimising the sound insulation provided by the building envelope. Care should be taken when considering mitigation to ensure the envisaged measures do not make for an unsatisfactory development'.

The Council have acknowledged that the mitigation put forward by the Appellant provides a technical solution to the issue of noise and I have no reason to disagree.

Whilst the noise bund would provide mitigation to the outdoor amenity areas and the ground floor of the properties, the Appellants evidence indicates that the noise bund would not deflect noise at the first floor level of the affected properties as the 'deflected noise' line is shown as being below the eaves level of the properties. To that end, the mitigation required to achieve the required internal noise level for the first floor accommodation is reliant on the noise reduction properties of the buildings themselves and the acoustic glazing.

The mitigation put forward by the Appellant also relies on the first floor windows being closed throughout the night. In order to achieve ventilation in the bedrooms facing the A142, it is proposed that there is a ventilation system which would draw air from a non-noise sensitive elevation through an intake fan.

Notwithstanding this technical solution put forward, I share the Council's concerns that the future occupiers of the development would be unable to open the rear windows without being subjected to excessive noise especially during night-time hours. Whilst ventilation would be possible by drawing air from the non-noise sensitive elevations, to my mind, this would not provide a suitable standard of living accommodation and would provide an unsatisfactory form of development.

In respect of the on-going maintenance of such ventilation, the Appellant has stated that this would be done by the future occupier of each property, in a similar fashion to any standard bathroom or kitchen ventilation system. Whilst I accept this would be the case, such kitchen and bathroom ventilation systems are not essential to providing an acceptable living environment as it is usual that such rooms also have the facility to open windows to ventilate the room naturally."

The Inspector concludes with:

"in this case, I consider that the harm which would result from the unsuitable living conditions of the future occupants of the dwellings significantly and demonstrably outweighs the benefits of allowing the scheme."

- 7.12 The Case Officer in the previous application for this site believed that around 30 dwellings could fit on site without needing either a barrier that will be detrimentally to the rural character or requiring a substantial amount of homes to require alternative ventilation. It is noted that the developer has clarified their report to state that there will be no properties in their layout that will be affected detrimentally by road noise that the

Council's Environmental Health Officer has agreed with. The correction in the developer's work does raise some concern over the quality of the report and the reserved matters will need to demonstrate that future residents will not be detrimentally affected. The change in material may well have changed road level noise and it is positive that the developer is relooking at this, but the road surface could be changed back to tarmac in the foreseeable future. The change in road material does not raise significant noise concerns.

- 7.13 With the proposal being up to 40, it would be expected that a developer at reserved matters will seek to achieve close to this number. While this would likely mean that some properties would need to be designed with 1st floor habitable windows facing southwards (away from A142) or be designed with alternative ventilation, the number of these properties is considered to be low enough to prevent the scheme from being detrimentally harmful to residential amenity.
- 7.14 The developer would in its reserved matters (if application is approved) need to show that it first sought to reduce the number of dwellings, then sought to design out bedrooms facing the A142 and only then relied on alternative ventilation. This may well reduce the number of dwellings that are achievable on site. Unlike the previous scheme on site the difference between asked for numbers and deliverable numbers are now much closer; the developer is no longer seeking to provide a scheme that is overly dense at the expense of residential amenity.
- 7.15 A proposal for 40 dwellings would have a gross density of 17 dwellings per hectare (7 dwellings per acre). This is a fairly low density, which will allow public open space and ensure that proposed dwellings are set suitably away from existing and future residents in order to prevent detrimental harm to residential amenity. The density is also suitable for an edge of village site.
- 7.16 Paragraph 180 of the NPPF states:
- 7.17 "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life"
- 7.18 The paragraph that relates to density in the NPPF (para 123) states:
"as long as the resulting scheme would provide acceptable living standards".
- 7.19 It is considered that the proposal provides a balance between optimising the land without leading to detrimental living standards for future residents.
- 7.20 It is considered reasonable to add conditions in regards to the need for a Construction Environmental Management Plan (CEMP), to ensure that no contamination is on site and to ensure construction work takes place during sociable hours. A condition requiring fire hydrants should also be added to minimise the risk to life in the future.

- 7.21 To ensure that a suitable noise mitigation measure is brought forward, these details will need to be agreed as part of the first reserved matters submission; this can be achieved by way of a condition.
- 7.22 On balance the proposal is considered to comply with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017. The proposal might not be considered to fully comply with policy LP26 of the Submitted Local Plan and the requirements of the NPPF, this weighs slightly against the application.
- 7.23 Visual Impact
- 7.24 The proposal seeks to develop a field that is located between the edge of the built form of Witchford and the A142. The A142 is considered to be a defining boundary to the village and the loss of this relatively minor green space is not considered to be detrimental to the character of the village, though it would be expected that any proposal provides suitable public open space and appropriate landscaping.
- 7.25 The existing dwellings in this area of Witchford are modern properties but are not of any specific architectural merit. The nearest properties to the site on Marroway Lane are single storey; Granta Close is also dominated by single storey properties while Orton Drive and Field End are predominantly two storey. It is considered that if a reserved matter scheme came forward a mix of single to two storey properties should be proposed to be in keeping with the local area.
- 7.26 The provision of single storey properties would add to the land take of these individual properties and might make it harder to achieve 40 dwellings on site.
- 7.27 In regards to design, there is no concern that suitably designed properties could be achieved on this site.
- 7.28 The developer is suggesting that the main public open space will be along the northern boundary (that will include shallow swales and a 10m landscape buffer) with a balancing pond in the southeast corner adjacent to the public open space on Orton Drive. The dwellings would be placed in approximately the southern half of the site. It should be noted that these details are only indicative and would not form part of an approval. The reserved matters application(s) would need to demonstrate a suitable design.
- 7.29 It is considered possible to propose a scheme that protects the vast majority of existing trees (though likely to add to the long term pressure on the Tree Preservation Order trees along the eastern boundary), as well as adding additional planting along the northern boundary as part of the landscape reserved matters. The placement of a proportion of public open space/Sustainable Drainage System (SuDS) in the southeast corner will allow for a much larger open space to be created with the existing open space to the south and potential open space to the east; the creation of a village pond could well add to the aesthetic of the area.
- 7.30 The proposal is still likely to retain a green buffer with the A142 but will be reduced in size by approximately two thirds. While this does create some harm to the rural edge, it is not considered to be detrimental and is certainly outweighed by the need for additional housing within the district.

- 7.31 This green buffer will allow a suitable 3.1m barrier (likely involving a fence) behind planting, which will prevent detrimental harm to this rural edge. With the fence being needed for residential amenity it is likely that the long term maintenance of this will be the responsibility of the residents/private management company, as it would be an unreasonable burden on the public purse if given to a public body as it does serve the wider public. It should be noted that the Inspector on the adjacent site (16/01019/RMM) for a similar height barrier stated:
- “whilst I have already concluded that it would contribute to unsatisfactory living conditions to the future occupants of the dwellings adjacent to the A142 it would not result in significant harm to the character and appearance of the area. In this respect, I consider that this is not a determinative factor.”
- 7.32 There are no concerns over the impact of the proposal over the visual appearance of the local area. However, it would need to be demonstrated that a suitable landscaped buffer along the northern edge could be provided for the reasons given above and that existing trees are given space to survive in the long term where reasonably possible.
- 7.33 The proposal is considered to comply with policies ENV1 and ENV2 of the Adopted Local Plan 2015 and policies LP22 and LP28 of the Submitted Local Plan 2017.
- 7.34 Historic Environment
- 7.35 With the site not being located near the Conservation Area or Listed Buildings, the only likely historical impact will be on archaeology. This can be mitigated against via a pre-commencement condition to ensure a suitable investigation is undertaken in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 and LP27 of the Submitted Local Plan 2017.
- 7.36 Highways
- 7.37 The developer is not seeking access to be agreed at this stage. While the developer could technically seek a highway access onto Marroway Lane, this would very likely be refused as it would unlikely be able to cope with additional traffic from 40 dwellings. However, it is expected a footpath/cycle link to Marroway Lane would be provided, which could also form an emergency vehicle entrance to the site. A condition/S106 will be required in order to provide a footpath connection in the southeast corner to the path that runs through the Orton Drive public open space.
- 7.38 It is expected that a highway access will be via the Bovis development (18/00782/RMM) that will allow this site to access onto Field End. No objection has been raised by this by the Local Highways Authority. With the access already designed for a 128 dwellings, it is understood why an additional 40 is unlikely to put the access under undue pressure.
- 7.39 The requirements of a Travel Plan can be secured by way of a condition to ensure that the sustainable transport is promoted on site.
- 7.40 With the low density of the scheme it is considered possible to achieve two parking spaces per dwelling and space for secure covered storage of cycles. It is also expected that visitor spaces will be able to be accommodated on site in accordance with policy.

- 7.41 RECAP Guidance allows for waste/recycle collectors to enter private land in order to collect bins. The proposed design will, therefore, not be required to provide collection points for bins on the adopted road if private shared driveways/roads are required as long as it still meets with RECAP Guidance.
- 7.42 The proposal is considered to comply with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 7.43 Ecology
- 7.44 The Ecology Report submitted by the developer (dated May 2018) has stated that the proposal will not have any detrimental impact on protected species. The report suggests biodiversity should be enhanced by:
- Soft landscaping that is primarily native species.
 - Sustainable drainage systems designed to hold water all year round.
 - Meadow planting.
 - Planting fruit trees.
 - Bird and bat boxes
 - Holes in the fence suitable for hedgehogs
- 7.45 It is considered that the proposal will have minimal impact on existing biodiversity on the site and the proposed enhancement measures could be secured via conditions and at the reserved matters stage. The proposal is considered to be in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2017.
- 7.46 Flood Risk and Drainage
- 7.47 The Lead Local Flood Authority stated on 25 July 2018 that the drainage proposal of the developer is acceptable in principle. With no final layout being proposed, the final drainage strategy will be secured at reserved matters stage and via a specifically worded condition.
- 7.48 The maintenance of the drainage strategy will need to be within the S106 Agreement, with priority being given to it being adopted by a public body. The design of the proposal will also need to allow maintenance of the awarded ditch that defines the southern boundary of the site.
- 7.49 The proposal is considered to be in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017.
- 7.50 Housing Mix
- 7.51 With the application being outline with all matters reserved, the overall housing mix would need to be agreed at a reserved matters stage if approval was given to this outline. However, it is noted that the developer is providing policy compliant 30% affordable housing and this will need to be secured as part of a S106 Agreement.
- 7.52 Other Material Matters

- 7.53 In regards to education it is accepted that the County Council was not justified in asking for contributions for early years or primary provision. In regards to secondary school provision negotiation will need to be had over the final sum. It is accepted that technically the developer is paying for education provision within CIL; while Littleport, Ely and Littleport catchment areas are being reworked.
- 7.54 However, it should be noted that when the appeal proposal for up to 55 dwellings was being sought County Council was not seeking any education contributions (due to CIL wording/requirements at the time).
- 7.55 Planning Balance
- 7.56 The Local Planning Authority is unable to demonstrate a continuous five year land supply and on this basis must determine applications in regards to paragraph 11 of the NPPF.
- 7.57 The benefits of this proposal is that it will provide up to 40 dwellings (including 30% affordable housing). The provision of public open space and SuDS is considered to be neutral, as in the long term this will mitigate against the development's own impact.
- 7.58 It is noted that the site was allocated for dwellings in the Submitted Plan (though this applications currently exceeds the suggested number by 40 units) that demonstrates that the site is in a sustainable location. This weighs in favour of the application.
- 7.59 It is noted that some dwellings might need to be designed taking road noise into account. This weighs slightly against approval being given for up to 40, but is not detrimental in its own right. It is still the Case Officers opinion that if more than 40 units were sought then on balance it would be recommended for refusal, due to seeking too many houses in areas where alternative ventilation would very likely be required.
- 7.60 It is considered that the proposal on balance is acceptable for up to 40 dwellings, subject to the recommended conditions and the completion of a S106 Agreement.

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:

- The Inspectorate on the adjacent site agreed with the Council in regards to noise pollution and that alternative ventilation creates a poor level of residential amenity. However, there was no concern over air pollution and that an acoustic fence behind landscaping was an acceptable design solution in theory.
- The Council is not currently able to demonstrate a continuous five year housing supply.
- No statutory consultees have objected.

9.0 APPENDICES

9.1 Appendix 1 – Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00778/OUM	Andrew Phillips Room No. 011 The Grange	Andrew Phillips Senior Planning Officer
16/01136/OUM 18/00782/RMM	Ely	01353 665555 andrew.phillips@ea stcamb.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

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

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

Plan Reference	Version No	Date Received
7054-L-01	F	8 June 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the layout, scale, appearance, access 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 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 4 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and LP23 and LP24 of the Submitted Local Plan 2017. This condition is pre-commencement as some of the measures may be below ground level.
- 5 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 5 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2017.
- 6 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

- 6 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 and LP27 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 7 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to permission being granted, however, the information is needed prior to commencement in order to ensure that the necessary infrastructure is able to be provided.
- 8 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 8 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours 08:00 - 18:00 each day Monday-Friday, 08:00- 13:00 Saturdays and none on Sundays or Bank Holidays/Public Holidays.
- 9 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 10 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Outline Drainage Strategy, Ref: FRA 15 1108 prepared by The LK consult Ltd dated May 2018 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 QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;

- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers
- d) Full details of the proposed attenuation and flow control measures
- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Measures taken to prevent pollution of the receiving groundwater and/or surface water;

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

- 10 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 and LP22 and LP25 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 11 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
 - (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).
 This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 11 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 and LP26 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 12 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.

- 12 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 and LP26 of the Submitted Local Plan 2017.
- 13 With the first reserved matters application a scheme for the mitigation of noise shall be submitted to and approved in writing by the local planning authority. The scheme of mitigation shall ensure that noise levels do not exceed the noise criteria based on the current figures by the World Health Organisation Community Noise Guidelines Values/BS8233 as below:
- i. Living/dwellings rooms in daytime: 35dB LAeq, 16 hours;
 - ii. Outdoor living areas in daytime: 50dB LAeq, 16 hours;
 - iii. Inside bedrooms at night-time: 30dB LAeq, 8 hours (45dB LAmax).
- The development shall be carried out in accordance with the approved scheme and no dwellings shall be occupied prior to its implementation and shall be retained as agreed thereafter.
- 13 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 14 Prior to first occupation of the development, the Developer shall be responsible for the provision and implementation of a Residential Welcome Pack for sustainable transport to be agreed in writing by the Local Planning Authority. This Residential Welcome Pack shall include six one day travel vouchers for use with the relevant local public transport operator. Such Pack to be provided to the first occupiers of each new residential unit on the development site.
- 14 Reason: In the interests of sustainable transport, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 15 As part of the first reserved matters application, details of the internal footpath network, including the provision of a footpath connection to the southern boundary of the site adjacent to the existing area of public open space off Orton Drive, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme prior to first occupation.
- 15 Reason: In the interests of sustainable transport, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 16 No development shall take place until a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation.
- 16 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 and LP22 and LP25 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work

prior to consent being granted and the details need to be agreed before construction begins.