



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone 01353 66555

MEETING: **PLANNING COMMITTEE**

TIME: 1:00pm

DATE: **Wednesday 2nd June 2021**

VENUE: The Hive Leisure Centre, 15 Ely Leisure Village, Downham Road, Ely, CB6 2FE

PLEASE NOTE: Due to the introduction of restrictions on gatherings of people by the Government due to the COVID-19 outbreak, details of the public speaking and public viewing arrangements for this meeting are detailed in the Notes section at the end of the Agenda.

ENQUIRIES REGARDING THIS AGENDA: Caroline Evans

TELEPHONE: (01353) 66555 EMAIL: caroline.evans@eastcambs.gov.uk

MEMBERSHIP:

Conservative Members

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr David Brown
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Lisa Stubbs (Vice Chairman)

Liberal Democrat Members

Cllr Matt Downey (Lead Member)
Cllr Alec Jones
Cllr John Trapp
Cllr Gareth Wilson

Independent Member

Cllr Sue Austen (Lead Member)

Substitutes:

Cllr David Ambrose Smith
Cllr Julia Huffer
Cllr Josh Schumann

Substitutes:

Cllr Charlotte Cane
Cllr Simon Harries
Cllr Christine Whelan

Substitute:

Cllr Paola Trimarco

Lead Officer

Rebecca Saunt, Planning Manager

Quorum: 5 Members

AGENDA

- 1. Apologies and Substitutions** [oral]
- 2. Declarations of Interest** [oral]
To receive declarations of interest from Members for any Items on the Agenda in accordance with the Members Code of Conduct.

3. Minutes

To receive and confirm as a correct record the Minutes of the Planning Committee meeting held on:

- a) following the meeting of Full Council on 29th April 2021.
- b) 5th May 2021

4. Chairman's Announcements

[oral]

5. Ref: 19/01707/OUM

Proposal: Outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access.

Location: Land Adjacent 43 Mepal Road, Sutton, Cambridgeshire

Applicant: Linden Limited

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q294UFGGMY200>

6. Ref: 21/00160/OUM

Proposal: Erection of new hospital buildings through demolition of structures and redevelopment including inpatient and outpatient facilities, new multi storey car park, access and associated infrastructure.

Location: Princess of Wales Hospital, Lynn Road, Ely, Cambridgeshire CB6 1DN

Applicant: Cambs Community Services NHS Trust

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QNWEIAGG0CT00>

7. Ref: 21/00231/FUL

Proposal: Single storey extension to side and rear of dwelling and swimming pool.

Location: The Old Paddock, 48B Great Lane, Reach, Cambridge, CB25 0JF

Applicant: Mr & Mrs Fletcher

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QOK8YCGGFH300>

8. Ref: 21/00304/FUL

Proposal: Demolition of existing conservatory & construction of new two storey and single storey rear extensions, along with internal additions & alterations.

Location: 8 The Brook, Sutton, Ely, Cambridgeshire CB6 2PU

Applicant: Mr & Mrs Oliver

Public Access Link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QP0WZCGGFUZ00>

9. Planning Performance Report – April 2021

NOTES:

1. On May 7th 2021 the temporary Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ended. That legislation had given local authorities the temporary power to hold meetings during

the COVID-19 outbreak without it being necessary for any of the participants or audience to be present together in the same room, for example by using the Zoom video conferencing system.

2. Consequently, to comply with Schedule 12 of the Local Government Act 1972, meetings of the Planning Committee must now be held in person and members of the public must be able to attend in person. In order to comply with COVID-19 regulations and guidance, the Planning Committee meeting will be held in a large venue sufficient to maintain social distancing of all attendees, and total numbers will necessarily be limited. Members of the public who wish to attend the meeting are therefore asked, where possible, to notify the Democratic Services Officer (caroline.evans@eastcambs.gov.uk) of their intention to attend in order that we can endeavour to accommodate everyone and the necessary health and safety precautions can be shared.
3. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
4. There will be an announcement at the start of the meeting regarding the procedure to follow should the fire alarm sound during the meeting.
5. The Council has a scheme to allow public speaking at Planning Committee. If you wish to speak on an application being considered at the Planning Committee please contact Caroline Evans, Democratic Services Officer for the Planning Committee caroline.evans@eastcambs.gov.uk, to register by 10am on Tuesday 1st June. Alternatively, you may wish to send a statement to be read at the Planning Committee meeting if you are not able to attend in person. Please note that public speaking, including a statement being read on your behalf, is limited to 5 minutes in total for each of the following groups:
 - Objectors
 - Applicant/agent or supporters
 - Local Parish/Town Council
 - National/Statutory Bodies

A leaflet with further information about the public speaking scheme is available at <https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee>

6. Reports are attached for each agenda item unless marked "oral".
7. If required, all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
8. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

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



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a remote meeting of the Planning Committee held at 9:21pm on Thursday 29th April 2021, facilitated by the Zoom video conferencing system.

PRESENT

Cllr Christine Ambrose Smith
Cllr Sue Austen
Cllr David Brown
Cllr Matthew Downey
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Bill Hunt
Cllr Alec Jones
Cllr Lisa Stubbs
Cllr John Trapp
Cllr Gareth Wilson

OFFICERS

John Hill – Chief Executive
Jo Brooks – Director Operations
Emma Grima – Director Commercial
Maggie Camp – Legal Services Manager and Monitoring Officer
Tracy Couper – Democratic Services Manager
Caroline Evans – Democratic Services Officer

1. TO ELECT A CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR

Cllr Bill Hunt was duly nominated by Cllr Lisa Stubbs and seconded by Cllr David Brown.

There being no other nominations it was resolved:

That Cllr Bill Hunt be elected as Chairman of the Planning Committee for the ensuing municipal year.

2. TO ELECT A VICE-CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR

Cllr Lisa Stubbs was duly nominated by Cllr Bill Hunt and seconded by Cllr David Brown. Cllr Matthew Downey was duly nominated by Cllr John Trapp and seconded by Cllr Alec Jones.

On being put to the vote it was resolved:

That Cllr Lisa Stubbs be elected as Vice-Chairman of the Planning Committee for the ensuing municipal year.

The meeting concluded at 9:24pm.



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a remote meeting of the Planning Committee held at 1:00pm on Wednesday 5th May 2021, facilitated by the Zoom video conferencing system.

PRESENT

Cllr Bill Hunt (Chairman)
Cllr Christine Ambrose Smith
Cllr Sue Austen
Cllr David Brown
Cllr Matt Downey
Cllr Lavinia Edwards
Cllr Lis Every
Cllr Alec Jones
Cllr Lisa Stubbs (Vice Chairman)
Cllr John Trapp
Cllr Gareth Wilson

OFFICERS

Rebecca Saunt – Planning Manager
Maggie Camp – Legal Services Manager
Angela Briggs – Planning Team Leader
Tracy Couper – Democratic Services Manager
Caroline Evans – Democratic Services Officer
Angela Tyrrell – Senior Legal Assistant
Russell Wignall – Legal Assistant

IN ATTENDANCE

Parish Cllr Chris Ray – (Agenda Item 5)

3. APOLOGIES AND SUBSTITUTIONS

No apologies or substitutions were made.

4. DECLARATIONS OF INTEREST

No declarations of interest were made.

5. MINUTES

The Committee received the Minutes of the meeting held on 7th April 2021.

It was resolved:

That the Minutes of the Planning Committee meeting held on 7th April 2021 be confirmed as a correct record and be signed by the Chairman.

6. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- The meeting had been held today despite there being only one application on the agenda because the application was a large one with public interest and it was felt important not to delay a decision to a later meeting.

- Two appeals on Main Street in Witchford, on land known locally as Horse Field, had been dismissed following a recent appeal hearing. A previous Planning Inspector had allowed the two appeals on this site, which were subsequently challenged by East Cambs and those decisions quashed, leading to the recent appeal hearing and the dismissal of both applications.
- Cllr Lis Every was welcomed to the meeting having been recently appointed to the Planning Committee.

7. **20/00996/OUM – PROPOSED OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UP TO 70 DWELLINGS AND THE DEMOLITION OF 18 WILBURTON ROAD, HADDENHAM, CAMBRIDGESHIRE**

Angela Briggs, Planning Team Leader, presented a report (W7, previously circulated) recommending refusal of an outline application for a residential development of up to 70 dwellings in Haddenham. All matters were reserved except for access. She showed Members various site plans, aerial photographs, site photographs, and diagrams and photographs of the proposed access. She informed Members that the site was largely outside the development envelope of the village and that two previous applications for the site had been refused permission in August 2014 and November 2019.

The main considerations for the application were deemed to be:

- **Principle of Development** – the site was outside the development envelope and, since the Council could now demonstrate a 5 Year Housing Land Supply, the proposed development was contrary to Policy Growth 2 of the East Cambridgeshire Local Plan 2015.
- **Visual amenity and landscape character** – Haddenham was one of the highest points in the Fens and the application site was at a key vantage point in the district. Policy ENV1 of the Local Plan recognised the importance of edge of settlement locations and required new developments to conserve or enhance the settlement edge, space between settlements, and wider landscape setting. In terms of visual amenity, the proposed development was considered to have an adverse impact on the character and setting of Haddenham and was therefore contrary to Policies ENV1 and ENV2 of the Local Plan and the principles of paragraph 170 of the NPPF.
- **Highway safety and accessibility** – previous applications had included a different access from that detailed in the current application and that access had been a reason for refusal. The proposed new access did not result in any objection from the County Council Highways Team. In terms of highway safety and accessibility, the proposed development therefore complied with Policy COM7 of the Local Plan.
- **Biodiversity and ecology** – the Wildlife Trust had been consulted and raised no objections. In terms of biodiversity, the proposed development was therefore considered to comply with Policy ENV7 of the Local Plan, paragraph 170(d) of the NPPF, and Policy NE6 of the Natural Environment SPD.
- **Flood risk and drainage** – the application site was in Flood Zone 1 and therefore was a low risk area. A Flood Risk Assessment had been assessed by the Environment Agency, the Lead Local Flood Authority and Anglian Water. A Foul Sewerage assessment had also been considered. The proposed development was considered to comply with Policy ENV8 of the Local Plan, paragraph 155 of the NPPF, and the Flood and Water SPD.

- **Residential amenity** – the application was for outline permission only, with access included but all appearance and scale elements reserved for a future reserved matters application if outline permission was granted. Several residential dwellings were in close proximity to the site and would be impacted in terms of outlook and setting. It was considered that the proposed new site could be developed in such a way as to adequately mitigate for the adverse impact by the use of soft landscaping and sufficient setback distances. In terms of residential amenity, it was considered that it would be possible to design a scheme that would comply with Policy ENV2 of the Local Plan. In addition, the Council’s Environmental Health Officer and the Council’s Scientific Officer considered that the proposal complied with Policy ENV9 of the Local Plan.
- **Impact on primary healthcare** – NHS England had not responded to the consultation, so their view was not known. One reason for refusing permission for a previous application on this site was the impact of the proposed development on Primary Health Care. The current application had a smaller number of dwellings and, in accordance with Policy Growth 3 of the Local Plan, a S106 legal agreement could be used to mitigate the impact of the development if the application was approved.
- **Other matters** – the Officer had given no weight to the Social, Economic and Environmental Benefits Statement (February 2021) since it failed to acknowledge the Council’s housing land supply of 7.01 years. As the proposal was for less than 100 dwellings, the Policy HOU1 requirement to include self-build properties did not apply, therefore that reason for refusal of a previous application was not relevant to this application. The proposal complied with Policy HOU3 of the Local Plan by including the required amount of affordable housing. There was mention of energy efficiency within the Design and Access Statement, and a Sustainability Statement could be secured by condition if the application was approved, therefore the proposed development complied with Policy ENV4 of the Local Plan and Policy CC1 of the Climate Change SPD. There had been no objection from the County’s Archaeology Team. In terms of S106 contributions, Education, SuDs, Waste and Recycling, and Affordable Housing would all be secured as part of a S106 legal agreement in accordance with Policy Growth 3 of the Local Plan if planning approval was given.

In summary, the Officer stated that the application site was outside the development envelope of Haddenham and did not fall within the exceptions listed in Policy Growth 2 of the Local Plan. She reminded Members that the Council could demonstrate a 5 year land supply (currently 7.01 years). The proposal was considered to have a significant adverse impact on the visual amenity and setting. She concluded that the proposal was contrary to Policies Growth 2 and ENV1 of the Local Plan and the principles of Chapter 15 of the NPPF, and was therefore recommended for refusal.

The Chairman thanked the Planning Team Leader for her comprehensive report and asked the Democratic Services Officer to read aloud a statement that had been submitted by a Haddenham resident, Tanya Porter:

“I am aware the planning for this site has arisen a few times over the years, however nothing has changed infrastructure wise in order to support such a development, especially 70 new buildings.”

I would like to bring to your attention the many reasons why this development is not justifiable:

1. There would be a severe impact on the increase in traffic in the village and surrounding villages for access to the A10/A14. Most households now have a minimum of 2 cars. An extra 140 cars in and out of the village would cause severe congestion especially in rush hour. The junction becomes extremely busy even now with the current level of cars that use it. It would be mayhem to add an additional residential road onto Wilburton Road. This would also have a further impact on the level of traffic through Wilburton and at the Twenty Pence Road junction for those using a route through to Cottenham.

2. In conjunction with point 1, the A10 is heavily congested already. Many commuters who rely on the A10 because they do not work on a bus service or train line route to work, already experience severe delays. Until other transport solutions are put in place to complement the A10 or as a last resort there is an upgrade to the A10, it would be inconceivable to allow cluster developments such as this in any of the surrounding villages to go ahead. The current A10 could not sustain further rise in traffic. It will inevitably have an impact, especially as development is happening at Waterbeach right on the doorstep of the A10.

3. Our doctors surgery and primary school is already over-subscribed or at least at its absolute limit. They have been under pressure for some time and the school especially relies on fundraising to provide better resources for the children and more class rooms. They do not have the room to expand and the school in particular should not have to lose the last part of their green space that is absolutely vital to children's development & wellbeing (which is also important for teaching staff), just to accommodate a further increase in headcount.

4. There is already development happening in and around Haddenham, which will have an increased impact on the existing facilities. The High Street encounters heavy congestion because there is no parking facility for those who want to use the High Street facility (or need to do school drop off that are too far for walking), therefore many people park on both sides of the road, even at the top where the double yellow lines are sometimes creating gridlock, farm traffic and the bus can struggle to get through and it is not safe for pedestrians to cross. The crossroads also encounters high levels of traffic. Although this development is in easy walking distance we cannot make assumptions that those who take up these properties will be able to walk the distance or will (i.e: stopping off at the shop on the way home!).

5. Improving bus connections and other routes should also be considered for Haddenham and the surrounding villages, when developments are being proposed to minimise use of cars, especially where no long term plan to improve the road network is in place. Not everyone works in Ely or can get to where they need to go from Ely. (Services through villages to Huntingdon etc, for example)

6. We also need to consider the general environmental impact. We need to remember that we are a countryside village and it is extremely important now more than ever that our countryside and wildlife is preserved, to minimise loss

of habitat and species that rely on it, to continue to improve and maintain the environment and for the general well-being of everyone. Although the latest Social, Economic & Environmental Benefits statement produced in February 2021 relating to this development mentions 1.67 hectares of open space, this is somewhat misleading as there is no mention of this being within one area and therefore, it is likely this is the total mass spread over the whole site.

In summary, this development will have a negative detrimental impact to the village's services, surrounding current infrastructure and environment as a whole."

The Chairman then asked the Democratic Services Officer to read aloud a statement that had been supplied by the applicant's Agent, AAH Planning Consultants:

"Chair, Members,

The application before you is an outline planning application for up to 70 dwellings with access considered and all other matters reserved for subsequent approval at Land to the South of 18 Wilburton Road, Haddenham. The application also seeks for the demolition of 18 Wilburton Road, to accommodate the proposed access.

The proposal is for high quality homes, which are in accessible location in Haddenham providing good access to local services and facilities as well as public transport links, to meet the everyday needs of residents. The proposal also includes 30% affordable housing, which is in accordance with Policy HOU3 of the East Cambridgeshire Local Plan.

Significant revisions have been made from previous iterations of this scheme, including a reduction in the number of units. The site design has been a landscape led approach, and although this is only indicative at this stage, a great deal of thought and care has been given to this approach. We have devoted large sections of the site to open, green space, which equate to circa 40% of the total site area, which not only provides landscape benefits but helps to deliver biodiversity improvements on the site.

During the course of the application, we have continued to work closely with officers and have submitted additional information in response to concerns expressed by Highways, Wildlife Trust, LLFA and the Councils independent landscape consultant.

The accompanying supporting detailed assessments demonstrates that the impacts of the proposals are minimal. In summary, we have demonstrated that:

- There are no significant impacts on the highway network as confirmed by the Transport Assessment and the Highway Authority's no objection to the proposals.*
- Extensive landscaping which provides for a soft transition to the surrounding area as well as providing significant open space including a community orchard for use of existing and new residents*
- Ecological and archaeological impacts are mitigated with a biodiversity net gain demonstrated*

- *There would be no increase in flood risk as a result of the proposed development.*

The accompanying documents set out the significant social, environmental and economic benefits of the scheme, which in summary are:

- *Delivery of 70 high quality family homes in an accessible location including 21 affordable dwellings, promoting sustainable and balanced communities contributing towards the affordable housing need.*
- *217 jobs generated*
- *Resident expenditure benefits would increase spending power to Haddenham estimated at £1,843,744.*
- *Provision of recreational open space for use by existing and future residents, including the inclusion of a Locally Equipped Play Area.*
- *Upgrades to the bus stops within the vicinity of the site*
- *Contributions towards the Robert Arkenstall Primary School, Witchford Village College and Haddenham Community Library.*

The substantial accompanying documents and technical reports confirm that the submitted proposals constitute Sustainable Development in accordance with the NPPF and Local Planning Policy.

We would be happy to liaise with your officers to agree suitable conditions and a legal agreement to secure the planning obligations set out in your officer's report.

We therefore respectfully ask for your support for the approval of this application. Thank you."

On the invitation of the Chairman, Parish Cllr Chris Ray (Chairman of Haddenham Parish Council) read a prepared statement:

"Although as a Council we have submitted comprehensive objections in following a public meeting taking the views of our residents on this application. I don't want to go through those comments in detail as I assume they have been read by the committee and taken into account, I just wanted to give my personal spin on the application.

This application is a large speculative development intrusive to the landscape and character of Haddenham. It's outside the planning envelope and the developer has not had the courtesy to consult with the residents on this or indeed any of the previous applications, hence omissions and mis-information in the submission. From our village public planning meeting and my own engagement with residents I have not met one person who is in favour of this development, it is isolated on the periphery of the village outside the planning envelope and does not suit a village such as Haddenham situated a hill with 4 approaches with stunning view. It also unnecessarily utilises prime farmland.

It is situated with poor access to the A1123 via an angled junction on a bend. In normal (i.e. pre lockdown times) the A1123 is often backed up from Hop Row to Wilburton in the morning and evenings. To avoid the difficult junction drivers will probably turn left out of the estate and access the crossroads via Duck Lane

and the High Street causing more congestion around the High Street and crossroads.

Most importantly for myself, over the last 2 years, I have led a team of Parish Councillors, volunteers together with a consultant working on our Neighbourhood Plan, including Design Codes. This is virtually complete and will be passed to East Cambs for comments soon and to the Parish Council for approval at our June 2021 meeting. There has been tremendous detailed response from our residents with over 500 returns from our resident survey.

Formulation of the Neighbourhood Plan has been a huge amount of work for our village including formulating the areas allocated for development (all within the existing planning envelope) necessary to meet our housing targets, which together with small windfall site will over achieve our targets significantly. This site is NOT included within the recommendations of that report, if approved it would increase our 10 year target for housing by over 25% which the village would be unable to cope with.

Having carried out the Neighbourhood Plan in line with ECDC planning guidelines and policies, approval of this development would make a mockery of the Neighbourhood planning process in the eyes of the Parish Council, our residents and indeed any other villages looking to take this route. Approval of such an obviously inappropriate development would render our plan useless and we would have expended a huge amount of village effort and good will, and in the process, have wasted £18,000 of grant monies in the process.

Like the previous applications on this site I urge the committee to refuse it.”

The Chairman invited questions for the Parish Council Chairman. Cllr Stubbs commended the Parish Council for embarking on the preparation of a Neighbourhood Plan and asked Cllr Ray to confirm how far it had progressed and when it would be submitted. She also asked if the developers had been invited to speak to the Parish Council. Cllr Ray responded that they hoped to submit the draft plan to East Cambs District Council in June, following a Parish Council meeting in mid-May, and that it could then be approved at a Parish Council meeting in June or July. He confirmed that there had been no public consultation with the village by the developers.

Cllr Trapp asked about the pedestrian access from the site to the local primary school, and whether many pupils were currently driven to/from the school. Cllr Ray stated that the pedestrian route was reasonable but detailed the existing significant problems regarding parking and congestion near the school at the start and end of the school day. He explained that the Parish Council were working on options including yellow lines and speed restrictions to address these issues.

Cllr Jones commented on Cllr Ray's mention of the proposed number of dwellings on the site being a 25% increase above the village's 10 year plan, and asked how many windfall sites were included in that plan. The Parish Council Chairman replied that there was a target of 262 houses in the 10 year period and he explained that Haddenham had a significant number of windfall sites so the expectation was that the target would be comfortably met or overachieved. He also reminded Members that the school was already near its limits in terms of pupil numbers.

Cllr Ambrose Smith noted that the application under consideration included approximately 20 social houses whereas small windfall sites would not trigger the requirement for social housing. She therefore questioned whether Haddenham lacked a good proportion of social housing. Cllr Ray informed Members that Haddenham Community Land Trust (CLT) had just developed 19 affordable homes and there was a further development within the village of approximately 36 affordable homes. The CLT had good evidence of the need for affordable housing in Haddenham and were therefore talking to the developers of that site to try to ensure that the properties would be allocated to local residents rather than as part of a national scheme. He felt that the number of affordable houses already planned for the village was sufficient to meet local demand.

The Chairman then invited the Planning Officer to offer any further comments, and upon hearing she had none he invited questions from Members. Cllr Trapp thanked the Officer for her report and presentation. He commented that he remembered the site from a previous site visit for an earlier application and he questioned the additional frontage width gained by the addition of the plot of 18 Wilburton Road, suggesting that it would be a maximum of about 20m. The Officer replied that it was a wide property, sitting within a wide plot, and although she did not know the exact measurement she believed 20m to be an approximate measurement.

The Chairman then opened the debate.

Cllr Every commented that she had visited the site location and it was clear to her that a development on the site would have a huge impact on Haddenham and the local area. She was very disappointed that the developers had not consulted local residents but she was pleased to see that some of the issues raised in earlier applications had been addressed in the latest application. Overall though, she did not see any reasons to go against the Officer's recommendation to refuse the application.

Cllr Brown agreed that the developers had clearly worked to address the previous access concerns but he cautioned that the Committee should be very careful if considering approving applications against Policy Growth2 and he therefore supported the Officer's recommendation.

Cllr Wilson gave a detailed summary of the existing traffic issues in Haddenham, in particular at the junction with the A1123 to the east of the proposed site access, based on his own experiences of living in the area. He suggested that, although the Highways Authority were content with the proposal, it would create further traffic problems, not least a new traffic jam of vehicles trying to exit the proposed new cul de sac with a right turn onto an already busy road used as a "rat run" to avoid the queues at the village's crossroads. He reminded Members that applications on this site had been discussed several times before and the main reasons for refusal each time had been that the site was outside the development envelope and would devastate the view. This application was no different in those respects. Even when the Council did not have a 5 year housing land supply, the developers at that time withdrew their appeal following a refusal of the application. He concurred with the Parish Council Chairman's view that lots of houses had already been planned in the village, including a large number of affordable homes with the CLT well underway, so it was clear that the village was not averse to development in general, but this site was not a suitable location.

The Chairman commented that as the County Councillor for Haddenham he had considerable knowledge of the village and he therefore proposed accepting the Officer's recommendation to refuse the application. Cllr Wilson seconded the proposal.

Cllrs Stubbs and Jones spoke in agreement with the comments of the other Members. Cllr Trapp commented that he was in favour of truly affordable housing but, in some cases, its inclusion appeared to be a way to get around planning permissions. In this case, the proposed development was outside the development area and against the wishes of a village that could already demonstrate good land supply, and he therefore supported the Officer's recommendation.

It was resolved unanimously:

That planning application ref 20/00996/OUM be REFUSED for the reasons detailed in paragraph 1.1 of the Officer's report

8. PLANNING PERFORMANCE REPORT – MARCH 2021

Rebecca Saunt, Planning Manager, presented report W8 (previously circulated) summarising the Planning Department's performance in March 2021. She drew Members' attention to the inclusion of a graph illustrating the number of applications received over the course of each calendar year since January 2019, as had been requested by Members at the previous committee meeting. She informed Members that the Appeal hearing scheduled for 11th May 2021 for land west of 19 Station Road, Fordham (18/01703/OUT) had been cancelled due to the appeal being withdrawn. The applicant had withdrawn the appeal following the previously mentioned (Minute 6) dismissal of two appeals in Witchford.

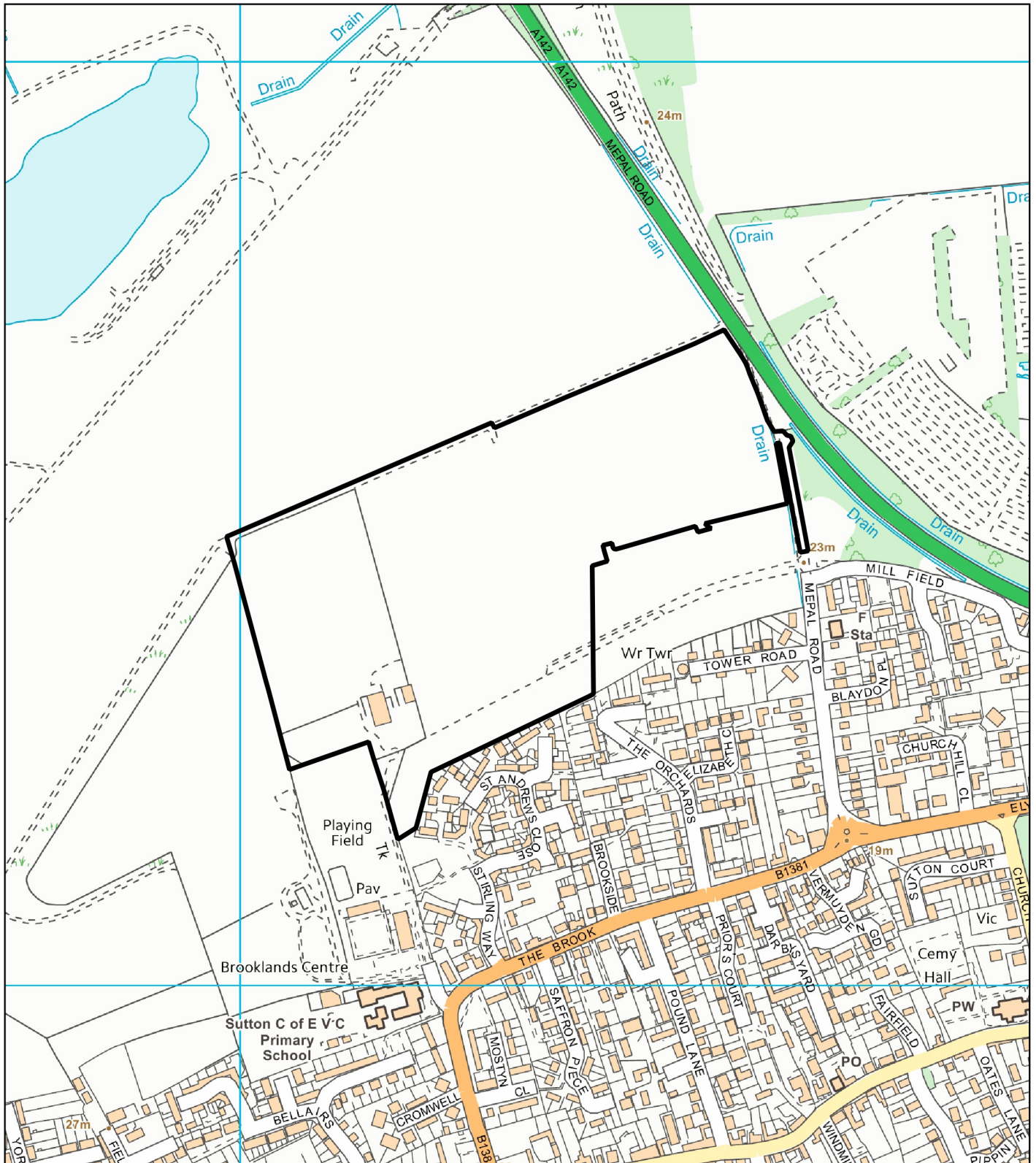
Cllr Every commented that she had seen these monthly reports in an earlier Council role as Planning Champion and had always been impressed by the department's continued positive progress. She commended Officers on the fact that this had continued despite the unprecedented conditions imposed by COVID-19. She asked the Planning Manager if there was an obvious reason for the large increase in reports of breaches of planning conditions (4 in March 2020, compared to 10 in March 2021) as shown in the final table of the report. The Planning Manager replied that the low figure in March 2020 corresponded with most sites stopping work due to the lockdown, whereas this year most sites were operational again. She explained that quite often people didn't read the detail of decision notices and therefore inadvertently breached the planning conditions. The Planning Department were therefore looking at ways to proactively help, for example by highlighting if they had outstanding planning conditions when they apply to building control for their building regulations, to avoid planning breaches and reduce the workload for enforcement officers.

The Chairman agreed with Cllr Every that the Planning Department contained an excellent team of Officers under the leadership of the Planning Manager and he thanked them all. He also thanked Members for a cooperative and positive attitude throughout the meeting.

It was resolved:

That the Planning Performance Report for March 2021 be noted.

The meeting concluded at 2:05pm.



19/01707/OUM

Land Adjacent 43
Mepal Road
Sutton



East Cambridgeshire
District Council

Date: 17/05/2021
Scale: 1:6,000



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MAIN CASE

Reference No: 19/01707/OUM

Proposal: Outline planning application for the demolition of existing buildings and erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access.

Site Address: Land Adjacent 43 Mepal Road Sutton Cambridgeshire

Applicant: Linden Limited

Case Officer: Angela Briggs Planning Team Leader

Parish: Sutton

Ward: Sutton

Ward Councillor/s: Lorna Dupré
Mark Inskip

Date Received: 7 January 2020

Expiry Date: 30th July 2021

Report Number W11

1.0 **RECOMMENDATION**

1.1 Members are recommended to approve the application subject to the signing of the s106 agreement, the conditions covering the following matters, and further negotiations to agree the off-site highway mitigation measures, with authority delegated to the Planning Manager and Legal Services Manager to complete the s106 and to issue the planning permission. The recommended draft planning conditions can be read in full within Appendix 1:

1. Approved Plans
2. Time Limit – for submission of reserved matters application
3. Time Limit – commencement of development
4. Ground conditions assessment for the proposed playing fields
5. Travel Plan
6. Off-site pedestrian improvements works
7. Upgrade existing B1381 Ely Road/A142/Elean Business Park roundabout
8. Upgrade existing A142/Haddenham Road (Witcham Toll) priority junction
9. Access details
10. Access drainage
11. Burial ground compliance

12. Remediation strategy and risk management plan – burial ground
13. Site characterisation – land contamination
14. Reporting of unexpected contamination
15. Fire Hydrants
16. Foul water drainage scheme
17. Surface water drainage scheme
18. Site-wide biodiversity scheme
19. Construction and Environmental Management Plan
20. Construction Hours
21. Details of the noise attenuation bund
22. Piling
23. Noise Impact Assessment
24. Waste Management and Minimisation Plan
25. Sustainability and Renewable Energy Statement
26. Tree protection
27. Broadband provision
28. Programme of Archaeological investigation.

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning consent for up to 173 dwellings, and land for community facilities (sports pitches and burial ground). The only detailed matter included as part of this application is the means of access. Landscaping, scale, layout and appearance are all details not included as part of this application and will form reserved matters.
- 2.2 The application is supported by the following documents:
- Planning Statement (which includes affordable housing statement);
 - Design and Access Statement
 - Arboricultural Impact Assessment (AIA)
 - Preliminary Ecological Appraisal (PEA)
 - Archaeological and Heritage Desk Based Assessment
 - Baseline Noise Assessment
 - Phase 1 Geo-Environmental Desk Study
 - Transport Assessment
 - Travel Plan
 - Energy and Sustainability Strategy
 - Tier 1 ground water assessment (submitted after validation)
 - Biodiversity Metric Test (submitted after validation)
- 2.3 The application is brought to Planning Committee as it is for development of over 50 dwellings, in accordance with the Council's Constitution.
- 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.eastcambs.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

3.1 None relevant on the site, but planning history on the adjacent site:

16/01772/FUM	Full application for the erection of 77no. dwellings for residential use along with access, associated landscaping, parking and infrastructure – Land adjacent 43 Mepal Road	Refused, 13 th July 2017. Appeal Allowed.
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4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site comprises circa 15.39 ha/30.02 acres of agricultural land and associated buildings located to the north of the village of Sutton. The site comprises a large eastern arable field and a smaller western grassland/pasture field. There is a grouping of agricultural barns located in the south-western part of the site which are proposed for demolition to facilitate the proposed development. The site used to comprise a former War Airfield and areas of hardstanding comprising former runways remain on the site.

4.2 Mature trees and hedgerows are scattered across the site and along its boundaries, however there is generally very little in the way of vegetation. There is a row of mature coniferous trees in the south west corner of the site. A dense hedgerow also separates the eastern and western fields.

4.3 The site is relatively flat, with an almost imperceptible rise from approximately 22m/75 ft AOD (Above Ordnance Data) at the eastern corner to 25m/82ft AOD in the western part of the site.

4.4 To the south-east of the site lies Phase 1 which is currently under construction by Vistry for 77 dwellings (Ref: 16/01772/FUM). The remainder of the southern boundary is defined by rear garden boundaries of properties on St Andrew's Close and The Orchards, with further residential properties beyond.

4.5 To the north, lies a farm track with further agricultural land beyond. To the west, lies agricultural fields and to the east lies Mepal Road and the A142 carriageway.

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.

5.2 **Environmental Health (Domestic)** - 21 January 2020

Due to the proposed number of dwellings and the close proximity of existing properties I would advise that construction times and deliveries during the construction phase are restricted to the following:

07:30 - 18:00 each day Monday - Friday
07:30 - 13:00 on Saturdays and

None on Sundays or Bank Holidays

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

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

I have read the Noise Impact Assessment dated the 6th November 2019.

With regard to the external amenity spaces the report finds that with screening adjacent to the A142 sound levels are expected to be 54dB. ECDC would usually ask for a 50dB level but national guidance advises an upper limit of 55dB. The report goes on to say that they expect gardens to be enclosed with solid boundary fencing for security. The report also recommends that gardens to plots nearest to the A142 be set back behind dwellings in order to maximise the screening effect. If this is the case then I would expect sound levels in these spaces to comfortably be below 50dB and so would have no issues to raise.

With regard to the internal sound levels the report advises that for the properties closest to the A142, windows will need to remain closed and an alternative form of ventilation utilised in order to achieve acceptable sound levels. I am aware that this is not likely to be considered acceptable by the LPA so I would advise that for any future application and NIA the applicant explores other methods of achieving acceptable internal sound levels. This could be by moving dwellings further back from the road or ensuring that sensitive rooms are not on the facades facing the A142. Where this is not possible, dual aspect glazing may be appropriate so that if one window needs to remain closed then a separate window on a façade not facing the noise source can be opened. The report has also factored a 20dB reduction with a partially open window by taking in to account room effects and furnishings. I would be happier in future NIAs for the report to assume a 15dB reduction with a partially open window.

The report does however go on to say that -

"For facades at approximately 60m from the A142 it is calculated that a barrier of height 2.5m at 3.5m from the edge of the road would provide a screening effect of approximately 11dB at 1st floor windows and 12dB at ground floor windows for a source height of 0.5m."

With this mitigation in place the report is confident that acceptable levels can be achieved across the site with open windows. As this is an outline application and we don't currently have a site layout the NIA does not include any computer modelling of the soundscape so it is difficult for me to comment at this time.

I would not be looking to object at this time but I would expect additional NIAs with any future applications once there is a proposed site layout in place and with my comments taken in to consideration in order to demonstrate that acceptable levels can be achieved.

Environmental Health (Domestic) (following further information) – 9 June 2020
No further comments.

5.3 Environmental Health (Scientific Officer) - 9 March 2020

I have read the Geo-Environmental Desk Study report dated October 2019 prepared by BRD and accept the findings. The report recommends that a Phase 2 intrusive investigation is carried out as well as a UXO study. I recommend that standard contaminated land conditions CM1A and CM4A are attached to any approval due to the proposed sensitive end use (residential).

5.4 Sport England - 22 May 2020

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications.

This application falls within the scope of the above guidance as it relates to the provision of new playing fields.

Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations.

This outline application relates to erection of up to 173 dwellings and provision of land for community facilities (sports pitches and burial ground), including access (not internal roads), open space, sustainable urban drainage systems and associated landscaping. All matters reserved apart from access.

The application is only in outline form with no details of site layout etc.

By providing new pitches that could help address established playing pitch deficiencies, the proposal would meet objective 3, and therefore Sport England supports this application in principle.

The Football Foundation comment:

"Additional football pitches would be welcomed - a discussion on sizes and configuration to follow and detail of how pitch construction would ensure achievement of The FA Performance Quality Standard .

The proposed site plan does not account for an ancillary facility to support the pitches; we would ask whether the proposed AGP is required and if not, funds directed towards ancillary facilities".

Sport England recommends that a ground conditions assessment is undertaken by a sports turf specialist/agronomist who can recommend a scheme for preparing the playing fields to the required specification. The recommended scheme should then be implemented. Detailed guidance on the issues that require consideration is set out in Sport England's guidance 'Natural Turf for Sport',

Conclusion

Sport England considers that the application is consistent with the following policy objective(s):

Objective 3 - provide new facilities to meet current and future needs.

This being the case, Sport England does not wish to raise an objection to this application

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement

If planning consent is granted, Sport England recommends that a condition is imposed requiring details of the ground condition (including drainage and topography).

5.5 **County Highways Transport Team - 19 February 2020**

Policy Context

The Sutton Neighbourhood Plan (2019) expects the following highway related requirements to be included as part of the proposals (in combination with the adjacent consented 77 dwelling site):

- “Vehicular access from Mepal Road”
- “Safe routes for pedestrians and cyclists from the site to the village centre (through The Orchards) and Primary School and recreational facilities (through Stirling Way)”

Existing Site Access

It is noted there is no existing access to the site off Mepal Road. Existing access to the site is currently taken off an unnamed road via The Brook, and a simple agricultural private drive access off the A142 to the northeast of the site.

Local Highway Network

Mepal Road is a 30mph residential cul-de-sac which extends northwards from The Brook/Mepal Road/Ely Road roundabout. A 1.3m wide footway is situated on the western side of the carriageway. Approximately 25m north of the Mepal Road/Mill Field junction, access to the northern section of Mepal Road is restricted due to an earth bund. Beyond this point, Mepal Road becomes a byway with a bound surface of 6-7m width. This paved length of Mepal Road continues for approximately 140m in length where a 1m wide public footway continues up to the A142, where an uncontrolled pedestrian crossing is located, enabling pedestrians to cross the A142. It

is also noted a new kerbed priority junction access for the adjacent 77 dwelling development site has been constructed off Mepal Road.

Traffic Surveys

Weekday peak hour classified traffic surveys; including turning and queue surveys, undertaken on Wednesday 10th July 2019 between 07:30 and 09:30, and 16:30 and 18:30 for the following junctions have been submitted:

- Mepal Road/B1381 Ely Road/B1381 The Brook roundabout
- B1381 Ely Road/A142/Elean Business Park Roundabout
- The Brook/Stirling Way mini roundabout
- The Brook/High Street priority junction
- A142/Haddenham Road priority junction
- A142/A141/Doddington Road/Bridge Street roundabout
- B1381/A1123 Hill Row Causeway/Shelford Road/A1123 Earith Bridge mini roundabouts
- A142/Witchford Road/Lancaster Business Park roundabout
- Witchford Road/A10 roundabout.

The surveys were undertaken within the neutral time period before the last acceptable date and are acceptable for use within this assessment.

Local Pedestrian and Cycling Infrastructure and Accessibility

The County Council are satisfied with the walking audit submitted. The site is located within acceptable walking and cycling distance to key facilities and amenities.

It is noted there is no specific cycling infrastructure present within Sutton. Cyclists are considered to use on road routes to access key facilities and amenities.

Public Transport Accessibility

It is noted the two bus stops situated on The Brook within 500m of the site comprise a bus shelter with a flag and pole and real time information on the westbound stop and no infrastructure on the eastbound stop. Two further bus stops on Ely Road located within 820m of the site comprise flag and pole and real time information.

The bus stops mentioned above serve the No.39, No.8 and X8 services. The No.39 service comprises 7 services which operate Monday to Friday between March and Ely, whilst the No.8 and X8 services which operate between Cambridge and Ely, and March and Cambridge respectively operate on a less frequent basis.

Ely Railway Station is located 11.7km west of the site. It is considered residents will travel to the station by car given the distance of the station from the development site.

Personal Injury Accident Data

The latest 60 months accident data obtained from the County Council has been used within this assessment. No accident cluster sites have been identified. This is acceptable for use within this assessment.

Site Access

Two vehicular access points will be taken off Mepal Road; one is to be situated off the northern end of Mepal Road, whilst the other will adopt the recently consented adjacent scheme access off Mepal Road further south of the northern access(ref: 16/01772/FUM). Within the adjacent consented development, 3 further points of vehicular access into the development site will be delivered; two from the north of the consented development, and one from the west of the consented development. Site access details should be agreed with Highways Development Management who will provide separate comments.

Car and Cycle Parking Provision

The applicant does not confirm the number of car and cycle spaces to be delivered as part of the proposals. Car and cycle parking provision should accord to the parking standards set out within the East Cambridgeshire Local Plan (2015).

Refuse Strategy

Servicing details should be agreed with Highways Development Management who will provide separate comments.

Preliminary Construction Traffic Management Plan

Details regarding the Construction Traffic Management Plan should be agreed with Highways Development Management who will provide separate comments.

Vehicular Trip Generation

The trip generation rates obtained using TRICS software and approved as part of the consented adjacent application have been used to determine vehicular trip generation for the residential element of this development. This is agreed. The residential element of the development is anticipated to generate 124 two-way vehicular trips in the AM peak and 126 two-way vehicular trips in the PM peak.

TRICS software has also been used to determine the vehicular trip generation for the all-weather sports pitches to be allocated on-site. This is agreed. The all-weather sports pitches are anticipated to generate 3 two-way vehicle movements in the AM peak and 13 two-way vehicular movements in the PM peak.

Given the burial site is anticipated to generate minimal trips and that TRICS software does not cover burial ground land uses, the applicant has not considered vehicle trip generation associated with the burial site within this assessment. This is agreed. In consideration of this, the total-development is anticipated to generate 127 two-way vehicle trips in the AM peak and 139 two-way vehicle trips in the PM peak.

Multi-modal trip generation for the residential element of the development has been calculated using 2011 Census 'Travel to Work' data in conjunction with the vehicle trip rates which have been assigned to their mode share accordingly. This is acceptable for use.

Trip Distribution

Use of the P/T2gravity model to distribute and assign the proposed development trips onto the surrounding highway network is agreed. It is noted such model utilised a 1 hour drive time for peak hour trips as requested within scoping discussions.

Committed Developments

CCC are satisfied with the committed development included within this assessment.

Assessment Scenarios

TEMPRO v7.2 software has been used to calculate background traffic growth. The County Council require the TEMPRO outputs in order to validate the growth rate figures used within this assessment.

The assessment scenarios utilised within this assessment are acceptable for use.

Highway Impact

It should be noted that CCC typically consider a threshold increase of 30 trips requires the need for junction modelling rather than the 45 trips outlined within the Transport Assessment. The existing operation of a junction should also be considered when determining the requirement for junction modelling. This may mean that a junction requires modelling even if the additional trips added to the junction is below the 30 trip threshold.

Junctions 9 software has been used to analyse the capacity of the following junctions:

- Mepal Road/b1381 Ely Road/B1381 The Brook roundabout
- B1381 Ely Road/A142/Elean Business Park roundabout
- A142/Haddenham Road priority junction
- A142/Witchford Road/Lancaster Business Park roundabout
- Witchford Road/A10 roundabout.

The junction assessments have been undertaken using the 'ONE HOUR' profile type. This is not acceptable. The assessments should be undertaken using the 'DIRECT' profile type as this will give the most accurate results and does not rely on assumptions to be made. 'ONE HOUR' is the least accurate method and should only be used if only a limited amount of traffic data is available. Additionally, the junction assessments cannot be reviewed until the County Council are satisfied with the growth rate figures used within this assessment.

Furthermore, no details have been provided on why adjustments have been made to the slope intercept or any details on the calculations used. Such large adjustments would suggest there is an issue with the model that it is not representative of what is happening on the ground.

There is currently a strategic piece of work taking place looking at the triangle of roundabouts (A142, Witchford Road, A10) and how best to deal with the current capacity issues and the future growth coming forward. Therefore the Highway Authority would not wish for piecemeal mitigation to take place at these roundabouts.

Whilst it is noted the additional vehicles added onto The Brook/High Street junction is below the 30 trip threshold, the County Council are concerned with the existing operation of The Brook arm at this junction and so request the junction is modelled to demonstrate the additional trips generated by the development onto this arm will not cause detriment to this junction.

The highway mitigation measures cannot be reviewed until the County Council are satisfied with the junction assessments.

Opportunities for Sustainable Travel

Multi-modal trip generation for the development should be calculated for peak hour movements' not daily movements. Multi-modal trip generation should be calculated using 2011 Census 'Travel to Work' data for the East Cambridgeshire 002 MSOA. Such data should be factored alongside the proposed vehicular trip generation in order to determine the proposed multi-modal trip generation.

As part of the proposals the applicant has proposed to deliver the following measures to improve pedestrian access to the site:

- Provision of a 2.5m wide footway along the northern section of Mepal Road
- Provision of multiple footway routes leading into the adjacent consented residential development
- Pedestrian access into the site off Mepal Road
- Pedestrian access into the site through The Orchards, via the adjacent consented scheme
- At the later stages of development, pedestrian access into the site via the existing farm access past the Pavilion and Sutton Primary School, leading onto The Brook
- Enhancement of four uncontrolled pedestrian crossing points along the eastern footway on The Orchards to include tactile paving
- Installation of tactile paving at the uncontrolled pedestrian crossing at The Brook/Brookside junction, on the Brookside arm
- Installation of an uncontrolled pedestrian crossing on The Brook, to the east of its junction with Pound Lane, to include dropped kerbs and tactile paving

The applicant should provide scale drawings both detailing and showing the extent of the pedestrian improvements outlined above to be agreed with CCC. With regards to the applicant's decision to deliver a 2m wide footway along the northern section of Mepal Road, it should be noted the adjacent development site is conditioned to widen the existing footpath on the western side of Mepal Road from its site access to the Mepal Road/Ely Road junction. The applicant should link the proposed footway improvements on Mepal Road to the conditioned footway improvements for the adjacent site. In addition, the proposed footway works on Mepal Road should be in line with the adjacent development's works along Mepal Road. Additionally, the applicant should also consider providing a drop kerb crossing on the southern part of Mepal Road from the western side of the carriageway to the eastern side of the

carriageway to enhance access into the centre of Sutton. A detailed drawing would need to be submitted to demonstrate that there is enough space within the highway boundary for such works.

It was noted the two bus stops situated on The Brook within 500m of the site comprise a bus shelter with a flag and pole and real time information on the westbound stop and no infrastructure on the eastbound stop. The applicant should upgrade the existing eastbound bus stop on The Brook within 500m of the site to include a shelter, flag and pole and real time information. The applicant should submit a detailed drawing to demonstrate these works can be achieved within the existing highway boundary.

Travel Plan

CCC has not commented on any detail of the Residential Travel Plan at this stage. The Travel Plan should include suitable targets and measures inclusive of the provision of bus taster tickets or cycle discount vouchers. The Travel Plan will need to be subject to a condition should approval be given.

Conclusion

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed, the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

County Highways Transport Team (following letter dated 4th March from DLP Planning Ltd) – 26 March 2020

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the issues addressed the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information has been submitted and reviewed.

County Highways Transport Team (following further information) – 2 July 2020 Witchford Road/A142/Elean Business Park roundabout

The modelling of the Witchford Road/A142/Elean Business Park is acceptable with the reduced, slope and intercept adjustments. However, the proposed mitigation measures will not achieve the intended objective in practice, given the unequal lane usage on the A142 (west) arm and the alignments of both the A142 entry arms.

Witcham Toll Junction

The modelling at this junction is considered acceptable. It is noted that T-junction modelling cannot be manipulated easily to validate against Queue lengths. The principle of the mitigation is acceptable. However, the alignment of the two lanes should be adjusted such that the offside lane is not directing vehicles to the left as is the case with the proposed scheme.

Lancaster Way Roundabout

The modelling at this junction cannot be accepted as the queue length surveys are not sufficiently accurate to allow calibration of the base modelling. Any queues above 25 were not measured (as acknowledged in the technical note response).

The issues with the queue lengths do not allow the impact of the proposal to be accurately measured and therefore the proposed mitigation cannot be considered in detail at this stage.

Notwithstanding, we do have concerns regarding the effectiveness of the mitigation proposed.

A142/A10 (BP) Roundabout

The modelling at this junction cannot be accepted as the queue length surveys are not sufficiently accurate to allow calibration of the base modelling. Any queues above 25 were not measured (as acknowledged in the technical note response). The issues with the queue lengths do not allow the impact of the proposal to be accurately measured and therefore quantifying the mitigation is not possible.

Notwithstanding, we do have concerns regarding the effectiveness of the mitigation proposed.

Conclusion

The Highway Authority is undertaking work to understand the future operation of the Lancaster Way roundabout and the BP roundabout on the A142/A10. Both are currently over capacity and suffer from long delays and this will only get worse with future development coming forward.

Individual developments undertaking piecemeal works at these two roundabouts is not going to solve the capacity issues and is not acceptable to the Highway Authority. A major improvement scheme is needed in this area to deal with future traffic demand.

The proposed development would add additional vehicles to the back of the existing queue and would therefore have an unacceptable impact on the highway network.

The planning application as submitted demonstrates that the proposed development would have a severe impact on the highway network, and therefore the Highway Authority could not support these proposals. Furthermore, we have concerns about the traffic impact assessment as set out in this response, which the applicant needs to address.

County Highway Transport Team (following further information) – 28 February 2021

Having undertaken a full review of all the modelling submitted to support the planning application and further discussions with the applicant, the Highway Authority have the following comments to make.

In the traffic data submitted by the applicant, the queue of vehicles at the BP roundabout and Lancaster Way roundabout extended back past the cameras. Therefore the full-length of the current queues is unknown.

Since the applicant undertook their original traffic surveys, the BP roundabout has received improvements, with works also to follow at Lancaster Way.

Due to current lockdown restrictions it has not been possible to undertake new traffic surveys at either junction, as traffic flows are not representative of a normal day. In light of this, the applicant has been unable to achieve a representative queue count at the junctions to validate the modelling.

Cambridge County Council and the Combined Authority have determined and have delivered/are delivering interim improvements at the BP Roundabout and Lancaster Way respectively. However, there remains a need for further strategic intervention in this area. An indicative scheme has been identified, and this is being further investigated/developed.

The Transport Assessment Team have reviewed the applicant's trip generation, which is acceptable and looked at its impact on the two roundabouts. The County considers it appropriate and reasonable to request a financial contribution to support the delivery of the required strategic intervention in this area.

The Highway Authority does not wish to object to the application subject to the following -

1. Prior to first occupation of any dwelling, the applicant shall pay a contribution of £300,000 (three hundred thousand pounds) towards improvements at the BP and Lancaster Way roundabouts in Ely. The contribution will be returned to the applicant if unspent after 10 years.
2. Prior to first occupation of any dwelling, the applicant shall upgrade the existing eastbound bus stop on The Brook within the vicinity of the site to include a flag and pole and a Real Time Passenger Information display unit. Details shall be submitted to and approved in writing by the Local Planning Authority. (S106 payment of £10,500 (ten thousand five hundred pounds) for maintenance of the RTPi unit)
3. Prior to first occupation of any dwelling, the applicant shall be responsible for the provision and implementation of a Residential Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of cycle discount vouchers and/or bus taster tickets. The plan is to be monitored annually, with all measures reviewed to ensure targets are met.
4. Prior to first occupation of any dwelling, the applicant shall deliver the off-site pedestrian improvement works comprising:
 - Provision of a 2.5m wide footway along the northern section of Mepal Road on the western side of the carriageway from the development site access off Mepal Road to the site access junction of the adjacent development site (ref: 16/01772/FUM).
 - 2m wide pedestrian access into the site from The Orchards, via the adjacent consented scheme (subject to land ownership confirmation)

- Enhancement of the uncontrolled pedestrian crossing points along the eastern footway on The Orchards in the form of tactile paving
- Installation of tactile paving at the uncontrolled pedestrian crossing at The Brook/Brookside junction, on the Brookside arm
- Installation of an uncontrolled pedestrian crossing on The Brook, to the east of its junction with Pound Lane, to include dropped kerbs and tactile paving

Details shall be submitted to and agreed in writing with the Local Planning Authority.

5. Prior to first occupation of any dwelling, the applicant shall upgrade the existing B1381 Ely Road/A142/Elean Business Park roundabout as shown in principle on drawing no. 002-1 Issue 3. Details shall be submitted to and agreed in writing with the Local Planning Authority.

6. Prior to first occupation of any dwelling, the applicant shall upgrade the existing A142/Haddenham Road (Witcham Toll) priority junction as shown in principle on drawing no. 005-1 Issue 1. Details shall be submitted to and agreed in writing with the Local Planning Authority.

5.6 **Local Highways Authority (proposed access) – 11 February 2020**

The Highway Authority requests a holding objection until the following information has been submitted for review.

1. Scaled and dimensioned junction with the highway including the proposed footway along Mepal Road

Without the above information I am unable to determine if the proposed access arrangement is suitable for this size development or if will be able to be installed within the highway or if it is laid out to CCC standards e.g. 6m radii with 5.5m carriageway and 2m footways.

The southern footway along Mepal Road was conditioned to be widened as part of the approval for the first phase of this development land. To date this has not been installed and as such should be shown and conditioned as appropriate and as part of this application to ensure it is delivered as stated in the TA assessment and master plan.

This application is for outline with access and as such I will require the above information to determine if the access arrangement is suitable and so that it may be conditioned as appropriate.

Local Highways Authority (following further information) – 8 April 2021

After a review of the amended plans I have no further objections subject to the following conditions being attached to any permission that planning authority is minded to grant.

This application is for outline permission with access only and as such I have not commented on the internal arrangement or suitability for future highway adoption of the internal roads. However, we are unable to adopt areas of POS, SUDs, water courses, ditches, swales or verges that do not serve as visibility splays.

Conditions recommended in relation to highway works in accordance with the approved plan and no drainage into the public highway.

Local Highways Authority (following Transport Team's recommendations) – 17 May 2021

I have subsequently discussed the proposals independently with two separate road safety auditors, and my Assistant Director, Andy Preston.

The net outcome of such discussions confirms my initial response in relation to the need for Road Safety Audit (RSA) stage 1 before planning permission is granted.

Both junctions lie on the County Primary Route Network and there therefore subject significant levels of traffic.

Mepal Roundabout (Elean Business Park roundabout):

According to the accident database available to me, the roundabout has 3 x serious and 4 x slight recorded Personal Injury Accidents in the last 5 year period; a further 2 x slight injury accidents are apparent on the north west arm (Mepal), which I believe relate to approach speeds on the arm subject to the proposed alterations. Both Auditors raised concerns at the changes to the entry path, potentially increasing entry/ approach speeds. From a Highways Development Management perspective, I have concerns in relation to the generation of the widening from the existing carriageway alignment, which is severe, unconventional and does not appear to reflect the geometric requirements of DMRB document CD 116 – 'Geometric Design of Roundabouts'.

Witcham Toll:

This junction is a former accident black site, and is compromised in terms of junction layout and the reverse stagger to Witcham. The vicinity A1421 arm has 2 x serious and 3 x slight personal recorded Personal Injury Accidents in the last 5 years. Any alterations to this junction must be subject to stage 1 RSA at planning stage. Again, I have concerns with regard to the severe and unconventional layout of the widened lane which again appears contrary to the principles of DMRB document CD 123 – 'Geometric design of at grade priority and signal controlled junctions', which also alters the cycleway crossing on the A142.

Once planning permission is granted, CCC is obligated to implement the approved layout; as such, CCC simply cannot advocate the approval of the alterations to these junctions without the Stage 1 Road Safety Audit being undertaken.

I would also point out that the outcome of any audit and design review may result in an increased level of mitigation works; presumably the client will need to be aware of the implications/ costs, and again, CCC simply cannot be in a position where the extent of any works is disputed post planning permission.

Finally, I would remind all those involved in the design and approval process, and ultimately the client MD's (Vistry), of their obligations and ultimate liabilities under the CDM Regs 2015 and relevant legislation if works are approved and implemented

without due process being undertaken, and should a subsequent serious safety issue arise.

5.7 **Parish Council** - 19 February 2020

The Parish Council would wish to see the removal of the proposed small development area in the south west corner of the site. This would allow for the construction of the green buffer strip between the site and the existing neighbouring properties. It would also form a green corridor from the existing playing fields to the proposed site.

The Council would also not wish to see any raising of the ground levels on this site, to prevent drainage issue to adjacent properties.

The Parish Council could like to commence negotiations with Linden homes regarding the public open space, potential burialground and football pitches prior to the submission of the full or reserved matters application.

Parish Council - 31 March 2020

The Parish Council has no concerns with the amendment, however the concerns and comments on the original application still stand.

5.8 **Environment Agency** – 16 January 2020

No comments.

Environment Agency (following discussions with the EA) – 25 February 2020

We object to this planning application as submitted because the proposed cemetery development would pose an unacceptable risk of pollution of groundwater. We recommend that planning permission should be refused on this basis, in line with paragraph 170 of the NPPF.

Environment Agency (following further information) - 18 May 2020

We welcome the proposal to undertake a Tier 2 assessment. Notwithstanding, **we maintain our objection to the development**, and the proposed cemetery in particular, as it has not been satisfactorily demonstrated that the site will be suitable for human burials.

Environment Agency (following firther information) - 29 June 2020

We have reviewed the submitted letter and are **minded to withdraw our objection** to this planning application. We consider that planning permission could be granted to the proposed development as submitted subject to conditions relating to further details of the burial ground and a condition requesting a remediation strategy to be submitted to address any previously unexpected contamination during development.

5.9 **Cambridgeshire Archaeology** - 9 March 2020

I am writing to you with regard to the archaeological implications of the above referenced planning application.

Our records indicate that this site lies in an area of archaeological potential within the bounds of the former Mepal Airfield. The document submitted in support of this latest application which is incorrectly labelled as 'Archaeological Evaluation Report' on the planning portal is not an evaluation report, it is a desk-based assessment which

incorporates data from the Cambridgeshire Historic Environment Record (CHER). This document correctly identifies that an evaluation of the south-eastern portion of the field (not south-western as per 7.2.1) was conducted in advance of 77 houses comprising Phase 1 of the development and revealed little of archaeological interest other than evidence of medieval and post-medieval agricultural activity in the form of ridge and furrow cultivation on varying alignments, along with small quantities of medieval and post-medieval pottery and remains relating to the airfield (CHER refs ECB5555, MCB26926). However, evaluation of a large land-parcel north of The Brook (and immediately adjacent to the south-western boundary of the area proposed for development under 19/01707/OUM) revealed part of a previously unknown settlement of Mid-Iron Age to Roman date in the north-west corner of the investigation area, in close proximity to the boundary (MCB16274). A large watering hole for cattle was excavated and found to contain large quantities of domestic refuse including Middle Iron Age and early Roman pottery, animal bone and daub with wattle impressions, with environmental evidence showing that crop processing was taking place in the vicinity. Remains dating from the Iron Age through to the medieval period were also identified to the south-west during two phases of archaeological investigations on land adjacent to Sutton Primary School (MCB17411). Whilst truncation due to activity on the former airfield is possible in this location, if further archaeological remains do survive within the application area they are likely to be damaged or destroyed by the proposed development.

We therefore **do not object** to development proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition.

5.10 **Ward Councillors** - No Comments Received

5.11 **Cambridgeshire Fire And Rescue Service** - 6 February 2020

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.

5.12 **CCC Growth & Development** – 12 June 2020

The following education contributions would be required:

None for Early Years

Primary Education - £335,475

Secondary Education - £880,000

Libraries and Life Long Learning - £25,547

TOTAL = £1,241,022

5.13 **Lead Local Flood Authority** - 5 February 2020

Based on these, as Lead Local Flood Authority (LLFA) we have **no objection** in principle to the proposed development.

The submitted documents demonstrate that surface water from the proposed development can be managed through the use of a swale conveying surface water to an attenuation basin with low flow channels, before controlling discharge to the

adjacent watercourse at a rate of 18.3l/s. It should be noted for the detailed design of the development, source control must be incorporated within the development proposals, in line with section 6.3.7 of the adopted Flood and Water Supplementary Planning Document. This could be through the use of SuDS features such as permeable paving, green roofs or rain gardens.

We request a condition relating to further details of the surface water drainage scheme is imposed.

5.14 ECDC Trees Team - 6 February 2020

The site is not within a conservation area and no Tree Preservation Orders impact upon the site, being agricultural land there are no significant trees within the site, treed vegetation is limited to the hedgerow boundaries.

The arboricultural report identifies that there is no direct conflict with any of the trees on site therefore there are no arboricultural reason to object to the proposals.

A comprehensive and robust landscaping scheme will be required to assimilate the development into the landscape.

5.15 Housing Section - 6 February 2020

The Strategic Housing Team supports the above application in principle, as it will meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 (as amended) to deliver 30% affordable housing on site. (Up to 173 dwellings will secure up to 52 affordable dwellings)

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

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

5.16 Anglian Water Services Ltd - 17 January 2020

No objection.

Wastewater Treatment

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

Used Water Network

This response has been based on the following submitted documents: FLOOD RISK ASSESSMENT AND DRAINAGE STRATEGY Development may lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. It is noted that the foul drainage proposal is to split flows over two connects points, via one gravity, and one pumped connection. The planning application states that 173 dwellings will be connecting to the network. whereas

drawing number 985-00- 02 Rev A shows that a minimum of 230 dwellings may be connecting. In order to make an accurate capacity assessment we require confirmation of the numbers connecting at each location and a discharge rate/rising main size for the pumped element of the development. We therefore request a condition requiring an on-site drainage strategy

Surface Water Disposal

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

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Suggested Planning Conditions

Anglian Water would therefore recommend a planning condition if the Local Planning Authority is mindful to grant planning approval in relation to foul water drainage.

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

5.18 **Cambs Wildlife Trust** - 5 February 2020

In general, I am satisfied with the conclusions that the site is currently of relatively low ecological value with limited potential for protected species. However, the existing buildings on site do not appear to have been assessed for their bat roost potential (the PEA mentions these were not accessible), and this should be done before this application is determined, in order to ensure that East Cambs District Council is fully aware of implication for protected species and any additional mitigation that may be required.

I am satisfied with the remainder of the mitigation recommendations in section 5.1 of the PEA report.

As stated in the report, Natural England should be consulted with regards to potential impacts on the Ouse Washes. The proposal site is within the Impact Risk Zone for the Ouse Washes.

Finally, regards to biodiversity enhancements, and whether the proposals could deliver a net gain in biodiversity, in line with local and national planning policy, it appears from the information provided that this may be possible. Comparing the existing habitat map with the proposed development framework plan, and using some of the area figures provided, I consider a net gain may be achievable.

However, this will depend on the detailed habitat creation and enhancement proposals, the areas of semi-natural habitats to be included in the open space, and whether suitable management to sustain such habitats is viable in the future.

I recommend that an overview of habitat losses and gains (using a recognised biodiversity accounting tool such as the Defra Biodiversity Metric 2.0) is provided to demonstrate how this development can achieve a measurable net gain in biodiversity, and I recommend this is provided before this application is determined.

Cambs Wildlife Trust - 8 April 2020

Further to my previous comments on the above application, I am pleased to see a Biodiversity Metric has now been provided.

However, I consider the habitat unit calculations need some revisions and clarifications.

In accordance with current metric guidance regarding habitat connectivity, habitats of high distinctiveness should be given a connectivity score of moderate, all other habitats should currently be scored as low connectivity. I also question whether appropriate habitat types have been entered in some of the habitat creation areas.

I attach a version of the calculator with connectivity scores revised, and my specific comments and queries in the reviewer comments field. If the applicant could address the questions in the comments field and re-submit a revised calculator, I can provide updated comments on whether a net gain is achievable.

Cambs Wildlife Trust - 30 April 2020

I have reviewed the submitted Biodiversity Impact Assessment. This has used the Defra Biodiversity Metric 2.0, which is an acceptable approach. The submitted Biodiversity Metric concludes that the development could deliver a net gain of 1.38 Biodiversity Units (BU) or 2.42% net gain. The baseline assessment of habitats appears an accurate reflection of the site and the assessment of changes in hedgerows appears accurate. However, on reviewing the submitted document, I cannot agree with some of the predicted net gains for habitats. In particular, the grassland habitats are highly unlikely to achieve the predicted good condition, due to their urban context and small size within multifunctional greenspaces which will severely limit the application of high quality conservation management throughout the lifetime of the development. I have therefore assessed the grassland habitat as achieving a moderate condition, which reduces the number of predicted Biodiversity Units. This is in line with the position agreed with other developers and their ecological consultants for other developments across Cambridgeshire. I have also made a couple of other changes involving the habitats within the LEAP and corrected one other minor error. My reviewer comments have been added to the attached spreadsheet, for transparency and return to the applicant. The result of my review is that I believe the development as proposed is likely to result in a net loss of 3.89 BU, or a net loss of 6.83%.

I do not believe there is much scope with the number of dwellings and the amount and size of open spaces proposed through this development to achieve a net gain in biodiversity within the red line boundary. East Cambs DC and the applicant should

therefore consider whether a biodiversity offsetting scheme in an alternative off-site location would be a better approach to meeting the biodiversity net gain policy requirement. Without a change to the scheme layout or an appropriate off-site habitat creation scheme, this development will not show a net gain in biodiversity and therefore East Cambs DC should not approve it in its current form.

Cambs Wildlife Trust - 18 June 2020

The additional information from ADAS answers the query raised by The Wildlife Trust in our original response in February 2020. The issue of bats has therefore been adequately addressed.

Cambs Wildlife Trust – 21 July 2020

A Biodiversity Calculation using the Defra Metric 2.0 has been submitted with the application for this site. This is an acceptable method. I have reviewed this document and I am broadly happy with the revised assessment of the types of habitats in both the baseline assessment and those proposed post development, including the assessment of their distinctiveness and proposed condition.

The proposals deliver a marginal net gain in biodiversity units of 1.35%. There is a high risk that this marginal net gain could easily turn into a net loss depending on the quality of future management of the open spaces or should there be any reduction in their area. How East Cambs DC secure the future delivery of the proposed open space habitats and their ongoing management will therefore be critical in determining whether this development can deliver the predicted biodiversity net gain.

While there is no reason to refuse this application as it is compliant with planning policy at the current time, it should be noted that it falls well below the recommended minimum 10% likely to be mandated in the forthcoming Environment Bill currently going through parliament. Depending on how the mandatory net gain requirement is implemented, there could be a requirement for a higher level of net gain provision at reserved matters stage. It may therefore be prudent for the applicant to explore how they could deliver a greater % biodiversity net gain within the red line boundary or through a biodiversity offsetting scheme. They may also wish to consider doing this as a company-wide approach. Should they wish to explore the opportunity to secure greater net gain we would be pleased to work with them to identify potential solutions.

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

5.20 **Natural England - 7 February 2020**
No objection.

5.21 **Infrastructure & Strategy Manager - ECDC - No Comments Received**

5.22 **Technical Officer Access - 22 January 2020**
No comments on this application, but we would welcome an opportunity when more detailed plans are available.

5.23 **Economic Development - No Comments Received**

5.24 **Waste Strategy (ECDC) - 3 February 2020**
No objection subject to contributions secured for ECDC waste and recycling services.

- 5.25 **Ambulance Service** - No Comments Received
- 5.26 **NHS Cambridgeshire** - No Comments Received
- 5.27 **NHS England** - No Comments Received
- 5.28 A site notice was displayed near the site on 21 January 2020 and a press advert was published in the Cambridge Evening News on 23 January 2020.
- 5.29 **Neighbours** – 57 neighbouring properties were notified and 4 responses were received which are summarised below. No letters of support were received. A full copy of the responses are available on the Council’s website.

- More housing encroaching on the green space
- Sports facilities too close to no.126 St Andrew’s Close
- Development out of keeping
- Danger to children from cars
- Housing along edge of development should be single storey so not to impact on privacy and views
- Current local facilities not adequate to handle increase in housing
- Traffic problems
- Parking issues
- The additional 77 houses being built has caused issues with flood water and rats
- Local Plan amounts being exceeded
- Infrastructure not adequate with school and doctors unable to cope
- Overlooking
- Proposed planting might make flood risk worse
- What is the recreational route intended for and will this be adequately lit/safe?
- Excess mud on the roads from existing development, need a condition on 2nd phase to address this issue.

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
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest

COM 4 New Community Facilities
COM 7 Transport impact

6.2 Sutton Neighbourhood Plan 2019

NP1 Local Green Spaces
NP3 Sutton Development Framework
NP4 Land north of The Brook and west of Mepal Road
NP2 Protecting and Maintaining Features of Landscape and Biodiversity Value
NP12 Sport and Recreation Facilities

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
Custom and Self-Build Housing SPD

6.4 National Planning Policy Framework 2019

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

6.5 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 The main considerations in determining this application is the principle of development, highway safety and accessibility, flood risk and drainage, biodiversity and ecology and trees, residential amenity, visual amenity and landscape impact, open space and sports facilities, and other matters.

7.2 **Principle of Development**

7.3 This is an outline application with only means of access included. Landscaping, appearance, scale, and layout are all reserved matters not included as part of this application. The application is also accompanied by a Development Framework Plan which illustrates the different components of the development including the open spaces and the areas where there would be ecological and landscaping

enhancements, routes through the site for cyclists and pedestrians, the location of the burial ground and the sports pitches and the village green. Areas for housing are also shown on this plan, although layout is not for consideration as part of this application. Other infrastructure features are also shown.

- 7.4 This outline proposal follows a previous scheme for the site adjacent, to the south, Ref: 16/01772/FUM, which was a full application for the erection of 77no. dwellings. This application was brought to planning committee with a recommendation of approval. The application was refused by Members. An appeal was lodged and the appeal was allowed. In his appeal decision, the Planning Inspector concluded that the proposed development was acceptable in terms of the impact on the character and appearance of the area (design, scale and layout), housing mix (quantum of market and affordable housing), drainage, highway safety, and local infrastructure (S106 contributions) This site is currently under construction and some of the dwellings are already occupied.
- 7.5 The application is assessed in accordance with the development plan which comprises East Cambridgeshire Local Plan 2015 and the Sutton Neighbourhood Plan 2019. Also relevant are the associated Supplementary Planning Documents, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance.
- 7.6 On 26th March 2021 East Cambridgeshire District Council issued a Single-Issue Review of the East Cambridgeshire Local Plan 2015. One area has been identified as being in need of update, namely Policy GROWTH1 which uses an out of date housing requirement figure. The need to review the Local Plan was triggered by a number of factors including the need to re-examine the appropriate level of housing growth, to ensure there is sufficient housing land supply and to ensure the Local Plan remains up to date. The review focusses on one aspect of the Local Plan only. For the avoidance of doubt, the vast majority of the Local Plan 2015 will not be amended. While the Emerging Plan is at an early stage and carries no weight in the determination of this application, it is worth noting the current policy position.
- 7.7 Policy GROWTH 2 of the Local Plan 2015 sets out the overall strategy for the distribution of growth across the district focussing on the Market Towns of Ely, Soham and Littleport. The policy is up-to date and aims to ensure that growth takes place in appropriate locations across the district. Within the defined development envelopes housing, employment and other development to meet local needs will normally be permitted, provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations are satisfied. It then states that outside of development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages.
- 7.8 The NPPF promotes sustainable development and the delivery of high quality homes, it specifically states at paragraph 12 that *“the presumption in favour of sustainable development does not change the statutory starting point for decision making”*.
- 7.9 Since April 2020 the Council has been able to demonstrate an adequate 5 Year Housing Land Supply, as demonstrated first in its ‘Five Year Land Supply Report - 1

April 2019 to 31 March 2024' (published April 2020) and later in its updated 'Five Year Land Supply Report - 1 April 2020 to 31 March 2025' (published December 2020). The latter report confirmed that from 1 January 2021 the Council had a 6.14-year supply of deliverable housing land. That calculation included a 20% buffer as required by paragraph 73 of the NPPF based on a 2019 Housing Delivery Test (HDT) result of 66%. The 2020 HDT result, published in January 2021, indicates that housing delivery in the district has improved to 87%. As a result of the HDT exceeding 85%, the appropriate paragraph 73 buffer falls to 5% which has the effect of increasing the Council's housing land supply to 7.01 years.

- 7.10 This adequate housing land supply means that the Council considers its policies relating to housing delivery up-to-date and gives them full weight in the determination of this application.
- 7.11 The site, subject of this application, is an allocated site in the Sutton Neighbourhood Plan (Policy NP4) and identified on the Sutton Policies Map as part of the Local Plan, 2015. The application proposes to construct up to 173 dwellings, with sports facilities, new village green and green corridor areas, and the provision of a burial ground on-site. Policy NP4 includes the land which is currently being constructed for 77no. dwellings, under Ref: 16/01772/FUM, as the policy allocates the site for approximately 250 homes in total. The number of dwellings proposed as part of this application (up to 173), plus the dwellings currently under construction (77) would amount to the total specified in Policy NP4 and is therefore acceptable in this respect. The policy also requires a number of infrastructure improvements such as retention of existing landscaping features and the inclusion of safe routes for pedestrians and cyclists from the site to the village centre, primary school and recreation facilities. A new vehicular access is proposed from Mepal Road which is also included as part of this application and in accordance with Policy NP4 of the Sutton Neighbourhood Plan.
- 7.12 It is therefore considered that in terms of principle, the proposed development is acceptable and complies with Policies Growth 2 of the Local Plan, 2015, and NP4 of the Sutton Neighbourhood Plan, 2019.
- 7.13 **Highway Safety and Accessibility**
- 7.14 The application includes means of access as the only detailed matter as part of this outline application. Policy COM7 of the Local Plan, 2015, relates to transport impact and states that development proposals shall provide safe and convenient access to the highway network. The Policy also requires development proposals to:
- Provide a comprehensive network of routes giving priority for walking and cycling;
 - 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;
 - 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.

(Note: The full policy criteria are not quoted above, only those most relevant).

- 7.15 The application is accompanied by a detailed access plan which shows how the new access would be created (Drawing no. C5081-M-012 001 Rev A). The new access would be to the north of the access which already serves the first phase of development currently under construction, to the South of the proposed site. The access would include an uncontrolled pedestrian crossing (dropped kerb crossing) and a new 2m wide footway would extend to the south, up to the adjacent development access ensuring a link between the two sites and to the village centre.
- 7.16 The proposed access has been considered by the Local Highway Authority and is supported.
- 7.17 In relation to the impact of the proposed development on the wider highway network, a Transport Assessment has been submitted as part of the application. Officers have worked hard with our colleagues from the County Highway Transport Team, who initially raised concerns with the impact of the development on the wider highway network, namely the A142 road between Sutton and Ely. The concern raised by the Highway Authority related to capacity issues at the Lancaster Way Business Park and the BP roundabouts and the impact of additional traffic derived from the proposed development, compounding an existing traffic capacity problem. Many discussions took place over several months with the Transport Team to reach a resolution which would be acceptable to the Highways Authority and the developer. These agreed mitigation measures are set out in the Transport Team's response (numbered 1-6) under paragraph 5.4, dated 28th February 2021, and will be secured by either S106 legal agreement or as a condition to the outline consent. The mitigation measures would include improvements to the Witcham Toll junction, and the Elean Business Park roundabout (locally known as the Mepal roundabout). This would ensure that there is capacity within the wider highway network that could accommodate the additional traffic derived from the proposed development and therefore not cause a significant impact on highway safety.
- 7.18 Following the County Transport Team's recommendations in relation to the two junction mitigation measures at Witcham Toll and the Mepal roundabout (Elean Business Park), the Local Highways Authority have since made some comments which advises that a Stage 1 Road Safety Audit should be undertaken before the granting of planning permission, as explained in their comments above in paragraph 5.6. The applicant has confirmed that they will be submitting an independent road safety audit (RSA) to the LPA for consideration by the Local Highways Authority, however, the final outcome of this RSA will not be known by the time Members come to consider this application at committee as it may take 6-8 weeks for a RSA to be assessed. The applicants are confident that they can agree the fundamental principles of the RSA with the Local Highways Authority within the next two weeks to provide Members with the comfort that the mitigation measures at these two junctions can be safely delivered and in accordance with the County Highway's specifications and standards. The Local Highways Authority, however, advise in their comments that there may be cost/design implications as part of the review of the proposed mitigation measures. Therefore, in consultation with the Local Highways Authority the LPA is still recommending approval of the application, subject to further negotiations with the Local Highways Authority to agree the off-

site highway works and this is reflected in the recommendation to Planning Committee. Members will be verbally updated at the meeting.

- 7.19 The application is also accompanied by a residential Travel Plan, which sets out some basic principles of a travel plan, however, more information is required and the Highways Authority, as part of their response, have recommended a condition to secure the submission of a detailed Travel Plan, if the application was approved.
- 7.20 In relation to connectivity through the site, the proposal would include pedestrian and cycle links. These would be located at various points including three points from Phase 1, currently under construction, links from The Orchards, the existing play area and the existing sports pitches and bowls club, to the south of the site. The County Transport Team have also recommended improvements to the existing eastbound bus stop on The Brook with associated Real Time Passenger information display unit. These will be secured by a financial contribution through the S106 legal agreement.
- 7.21 In relation to car and cycle parking, these details are not included as part of this outline application but would be considered as part of a reserved matters application to ensure that they comply with Policy COM8 of the Local Plan, 2015.
- 7.22 The proposed development therefore complies with Policy COM7 of the Local Plan, 2015, and Policy NP4 of the Sutton Neighbourhood Plan, 2019.
- 7.23 **Residential Amenity**
- 7.24 In relation to residential amenity, Policy ENV2 and ENV9 of the Local Plan, 2015, are relevant. Policy ENV2 states that all new development will be expected to ensure there is no significantly detrimental effect on the residential amenity of nearby occupiers, and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity. Policy ENV9 seeks all new development to minimise, and where possible, reduce all emissions and other forms of pollution, including light and noise pollution, and ensure no deterioration in air and water quality.
- 7.25 The application is outline with means of access included only, and therefore detailed matters of layout, scale and appearance are reserved and not included as part of this application. The nearest residential properties to the site are those that are currently under construction under 16/01772/FUM, to the south, and dwellings at The Orchards and St Andrew's Close, to the south of the site. The site also abuts the existing recreation ground/bowls club to the south west of the site. The submitted site layout plan, is indicative only and shows areas where housing could be constructed on the site. The proposed development would change an undeveloped piece of agricultural land to residential development that would clearly impact on the outlook and setting of the occupiers living on the estate currently under construction and to those nearest existing occupiers at The Orchards and St Andrew's Close. However, the illustrative plan shows that there would be sufficient space to adequately mitigate for any adverse impact with the use of soft landscaping around the edges of the site and sufficient set back distances, in accordance with the Council's Design Guide SPD.

- 7.26 Furthermore, the illustrative plan, indicates a dense area of a landscaped bund to the north of the site, nearest the A142, to further mitigate against noise pollution, and a condition would be recommended to request further details of this bund to ensure that the residential amenities of future occupiers can be adequately mitigated. The application is accompanied by a noise impact assessment. This has been assessed by the Environmental Health Officer who has raised no objection to the proposal and acknowledges that the mitigation measures stated in the report could be achieved, subject to a sensitive layout and orientation of dwellings on the site (to ensure residents are able to open their windows and still achieve acceptable noise levels), which would be subject of a reserved matters application showing these details.
- 7.27 It is therefore considered that the proposed development complies with Policies ENV2 and ENV9 of the Local Plan, 2015 and the Design Guide SPD, in relation to residential amenity.
- 7.28 **Visual Amenity and Landscape Impact**
- 7.29 In relation to visual amenity, Policy ENV1 of the Local Plan, 2015, is relevant and relates to landscape and settlement character. The policy states that development proposals should demonstrate and where possible enhance the pattern of distinctive historic and traditional landscape features, such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls, and their function as ecological corridors for wildlife dispersal and enhance the settlement edge, space between settlements, and their wider landscape setting.
- 7.30 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA). This document acknowledges that the site lacks a strong landscape framework and field boundary vegetation is largely absent. The LVIA states in paragraph 6.4 *“The Site and the surrounding farmland do not have any statutory or non-statutory designations for landscape character or quality. It comprises predominantly large-scale open farmland located on a plateau on the northern edge of Sutton. This farmland is mainly in arable use, although the western field within the Site is grassland. The Site and the adjoining farmland lack a strong landscape framework and field boundary vegetation is largely absent. In addition, this area has a somewhat disturbed character in places owing to sand and gravel extraction within the land to the north of the site. To the South, the site lies adjacent to the built edge of Sutton which exerts an urban influence over the southern parts of the site and is visible on the approach along the A142 from the north”*.
- 7.31 The proposed development would be seen as a continuation of the development currently under construction to the south of the site. The site is currently mainly agricultural land with very little existing landscape features and is fairly flat in terms of its topography. The proposed development would be visible from the A142 to the east and from parts of the existing settlement of Sutton from the south. However, the illustrative plans show dense areas of landscaping around the edges of the site which would limit these views and provide a more softer view towards the development and therefore reduce the impact on the visual amenity of the area. This proposed landscaping would also help to assimilate the development into its

rural surroundings. The details of landscaping are not included as part of this application and would be subject of a reserved matters application.

7.32 It is therefore considered that the proposed development complies with Policy ENV1 of the East Cambridgeshire Local Plan, 2015, in relation to visual amenity and landscape impact.

7.33 **Biodiversity and Ecology and Trees**

7.34 Policy ENV7 of the Local Plan is relevant and requires all new development proposals to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. Also, to provide appropriate mitigation measures, reinstatement or replacement of features and/or compensatory work that will enhance or recreate habitats on or off site where harm to environmental features and habitat is unavoidable, and maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals. Further emphasis of these principles are stated within paragraph 174 of the NPPF. Paragraph 170(d) emphasises the need to minimising impacts on and providing net gains for biodiversity. Furthermore, Policy NE6 of the Council's Natural Environment SPD states that "*all development proposals should contribute to and enhance the natural and local environment by firstly avoiding impacts where possible, where avoidance isn't possible, minimising impacts on biodiversity and providing measurable net gains for biodiversity*". Policy NP2 of the Sutton Neighbourhood Plan is also relevant and supports protecting and maintaining features of landscape and biodiversity value.

7.35 Within 5km (16,404 ft) of the site there is the Ouse Washes, as Ramsar Site, Special Area of Conservation (SAC), Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI). Within 2km (6562 ft) of the site there are two County Wildlife Sites (CWS) – Hundred Foot Bank Swamp and Ditch (North-west of the site), and River Close Parkland (North of the site).

7.36 In terms of biodiversity the application is accompanied by a Preliminary Ecological Appraisal (PEA) which identifies that there were no signs of any amphibian species recorded during the field study and that the site had habitats that were sub-optimal for great crested newts. Furthermore, the distance of the great crested newt pond, the lack of suitable ponds within 500m (1640 ft) and the presences of barriers to movement (roads and residential development etc) indicate that the site is unlikely to support these features. Bats species were recorded within 2km (6562 ft) of the site including the common pipistrelle, brown long-eared bat, Daubenton's bat, Natterer's Bat, Noctule Bat, Soprano Pipistrelle Bat and Whiskered Bat. The trees present on the site were assessed for bat roost potential. The linear tree lines, scrub and hedgerows provide potential foraging habitat for bats. Several bird species were also recorded within 2km (6262 ft) of the survey site. These included Black Redstart, Brambling, Cetti's Warbler, Fieldfare, Hobby, Marsh Harrier, Merlin and Red Kite. During the field survey, Skylark, Starling, House Sparrow and Crow were also recorded on the site or in the adjacent area. The scattered trees and scrub offer potential nesting bird habitat for common bird species. Hawthorn and bramble present on the site provides a food source for bird species. There is also potential for Skylark to use the arable fields for nesting, although they were not at

the time of the survey due to the type of crop planted and the density of cover provided. Other species (dormice, invertebrates, otters, grass snake, water vole, white-clawed crayfish) were mentioned in the report, however these were recorded over previous years, from 2012 – 2015 and not found on the site itself during the most recent survey.

- 7.37 The Cambridgeshire Wildlife Trust have assessed the PEA and advised that a Biodiversity Net Gain calculation would be required to demonstrate that a net gain could be achieved and that a bat survey was required due to the agricultural buildings on the site and the potential for bat roosts. Further information was received by the applicant's ecologist to demonstrate that the buildings are not suitable for bat species due to their construction. The Wildlife Trust have accepted this view and a bat survey is no longer required. The applicants submitted a biodiversity net gain calculation which demonstrated that the net gain could be achieved at 2.42%. However the Wildlife Trust took a different view and did not agree with some of the predicted net gains for habitats. The applicant reviewed the calculation and concluded that a net gain of 1.35% could be achieved through the retention of existing hedgerows and if any are to be lost, a replacement hedge will be planted to sustain and encourage bats and birds. Furthermore, the proposed development would incorporate boxes for birds and bats (26 boxes in total). Areas of wildflower and shrub planting would also be undertaken around the perimeter of the site to create a landscaped edge, which is shown on the illustrative development framework plan, and in accordance with the mitigation measures stated in section 5.1 of the PEA. These measures are supported by the Wildlife Trust and is acceptable in terms of policy.
- 7.38 Natural England were also consulted on the proposal as the site lies within 2km of the Ouse Washes, to the north west of the site, and falls within the special designated areas as specified in paragraph 7.31 above. Natural England have not objected to the application but have advised to consider the impact on the SSSI, biodiversity, protected species and local sites and priority habitats and species, ancient woodlands and trees, protected landscapes, access and recreation, agricultural land and soils, rights of ways and environmental enhancement. The application has adequately considered all of the relevant environmental and ecological issues in relation to this proposal. The site is situated outside of the Geese and Swan Impact Zone, and therefore a Habitats Regulations Assessment is not required. It is considered that the proposed development would not significantly impact on the SSSI (Ouse Washes), and would not result in added pressure from recreational use as a result of the development.
- 7.39 In relation to trees, the application is accompanied by an Arboricultural Impact Assessment (AIA), which identifies that the site has little existing landscaping features. The proposed development would result in the loss of a small number of trees, however, none are of notable quality or condition. These are indicated on the Arboricultural Impact Assessment Plan as being within the Group G area, to the south western end of the site and are Hawthorns. There is a hedgerow along the wetren boundary which is indicated on the illustrative plan as to be retained along with the existing planting around the south and south-western side of the site, and the existing trees along the eastern boundary of the site. The plan indicates that there would be no loss of trees to facilitate the proposed access. The AIA indicates that tree protection measures would be put into place to protect these trees during

construction. The Council's Tree Officer has raised no objection to the details submitted, subject to a condition requiring a comprehensive and robust landscaping scheme to help assimilate the development into the existing landscape. However, landscaping is a reserved matters, and will therefore be dealt with at the time such application is submitted. A condition requiring tree protection measures is also recommended.

- 7.40 It is therefore considered that the proposed development complies with Policies ENV1, ENV2, and ENV7 of the East Cambridgeshire Local Plan, 2015, Policy NE6 of the Natural Environment SPD, Policy NP2 of the Sutton Neighbourhood Plan, and paragraph 170 (d) of the NPPF, in relation to trees and biodiversity.
- 7.41 **Flood Risk and Drainage**
- 7.42 Policy ENV8 of the Local Plan requires all developments to contribute to an overall flood risk reduction. Paragraph 155 of the NPPF also emphasises the need to divert development away from high flood risk areas. Cambridgeshire's Flood and Water SPD is also relevant which supports Policy ENV8.
- 7.43 The site lies within Flood Zone 1, which is an area of low flood risk and where development should be directed to. Due to the scale of the proposed development (over 1ha/2.47 acres in size) a Flood Risk Assessment (FRA) is required. A FRA accompanies the application and has been assessed by the Environment Agency (EA), the Lead Local Flood Authority (LLFA) and Anglian Water.
- 7.44 The proposed development would include a burial ground as part of the overall scheme, in accordance with Policy NP4 of the Sutton Neighbourhood Plan. This is indicated on the illustrative development framework as being located on the North-West corner of the site, behind the proposed sports pitches. The Environment Agency raised an initial objection to the proposed cemetery due to the risk of pollution of groundwater. The applicant liaised with the Environment Agency and submitted a Tier 1 Groundwater Risk Screening document. The Environment Agency were still not satisfied with the details of the Tier 1 assessment and maintained their objection. Further information was provided by the applicant in relation to their objection, which clarified that the risk to groundwater would not be significant and further details could be requested by condition. The Environment Agency were satisfied with this view, and accepted that conditions requiring further investigation and a remediation strategy and risk management plan is submitted for prior approval.
- 7.45 In relation to surface water drainage, drainage details were submitted as part of the FRA. The Lead Local Flood Authority (LLFA) were consulted and raised no objection to the drainage strategy, concluding that the document demonstrates that surface water from the proposed development can be managed through the use of swales conveying surface water to an attenuation basin with low flow channels, before controlling discharge to the adjacent watercourse at a rate of 18.3l/s. They further advise that, it should be noted for the detailed design of the development, source control must be incorporated within the development proposals, in line with section 6.3.7 of the Council's Flood and Water SPD. This could be through the use of SuDs features such as permeable paving, green roofs or rain gardens. The LLFA

therefore recommend a condition requesting further details of the surface water drainage scheme for the site.

- 7.46 In relation to foul water drainage, Anglian Water have confirmed that the foul drainage from the proposed development is in the catchment of Witcham Water Recycling Centre that will have adequate capacity for these flows. However, they have also recommended a condition to ensure that an adequate foul drainage scheme can be achieved, which is included as part of the draft conditions.
- 7.47 It is therefore considered that the proposed development complies with Policy ENV8 of the East Cambridgeshire Local Plan, 2015, paragraph 155 of the NPPF, and the Flood and Water SPD.

7.48 **Open Space and Sports Facilities**

- 7.49 Policy NP4 of the Sutton Neighbourhood Plan, includes a specific criteria for development of this site to bring forward a new village green, all weather pitch and sports pitches located adjacent to the existing facilities at the Primary School and Brooklands Centre. Policy Growth 3 of the Local Plan also requires new developments to provide adequate infrastructure such as open space and play area facilities. Policy COM4 of the Local Plan relates to the provision of new community facilities and to ensure that they are appropriate and do not have a significant impact on the character of the locality or the amenity of nearby properties. As shown on the illustrative development framework plan, an area to the west of the site is allocated for the sports pitches and village green. Extensive discussions took place over several months between officers, the developer and the Parish Council to discuss this and to ensure that the proposed development would bring forward a facility that would be a benefit to the local community. During these discussions, the Parish Council advised that an all-weather sports pitch would not be necessary, however, suggested that the existing Multi-Use Games Area (MUGA) could be upgraded instead. This area is located directly to the south of the development site, adjacent to St Andrew's Close, and is in need of modernisation. As this is outside of the proposed site area, the only option to secure the upgrade of this area would be to accept a financial contribution as part of a s106 legal agreement, from the developer, which would be secured and ringfenced for this specific upgrade. Further discussions also took place involving the Council's Sports and Recreation Officer to establish the financial amount required to upgrade the MUGA. These discussions are still on-going, however, the developer has agreed to this financial contribution in principle and this would be secured as part of the S106 legal agreement.
- 7.50 In relation to the proposed open spaces, the illustrative development framework plan indicates areas of open space within the site, besides the sports pitches and new village green, which appear to meet the requirements of the policy for open space provision set out within the Developer Contributions SPD, and Policy Growth 3 of the Local Plan. The open spaces are also intended to contribute towards ecology enhancements by creating wildflower areas within the open space and to encourage informal play. The open spaces would be secured as part of a S106 legal agreement in accordance with the Council's Developer Contributions SPD.

- 7.51 It is therefore considered that the proposed development would comply with Policies Growth 3, COM4 and ENV2 of the East Cambridgeshire Local Plan, 2015, Policies NP1, NP4 and NP12 of the Sutton Neighbourhood Plan, and the Developer's Contribution SPD.
- 7.52 **Other Material Matters**
- 7.53 Self-Build Dwellings
- 7.54 Policy HOU1 of the Local Plan requires all developments of 100 or more dwellings to provide a minimum of 5% self build properties. The applicant has agreed to provide 5% in accordance with this policy which will be secured as part of the S106 legal agreement. The proposed development therefore complies with Policy HOU1 of the East Cambridgeshire Local Plan, 2015 and the Custom and Self-Build Housing SPD.
- 7.55 Renewable Energy and Climate Change
- 7.56 Policy ENV4 of the Local Plan relates to energy and water efficiency and renewable energy in construction. The policy requires all proposals for new development should aim for reduced or zero carbon development in accordance with the zero-carbon hierarchy; first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable. Policy CC1 of the Council's Climate Change SPD supports Policy ENV4 and encourages developers to submit a Sustainability Statement with their proposals.
- 7.57 The application is accompanied by an Energy and Sustainability Strategy which sets out a fabric first approach to sustainable construction to deliver the requirements of Part L of the Building Regulations, demonstrating that improvements in insulation specification, efficient building services, a reduction in thermal bridging and unwanted air leakage, and further passive design measures will ensure that energy demand and consequent CO2 emissions are minimised. It is therefore considered that the proposed development complies with Policy ENV4 of the East Cambridgeshire Local Plan, and Policy CC1 of the Climate Change SPD.
- 7.58 Affordable Housing
- 7.59 The proposed development is required to deliver 30% affordable housing in accordance with Policy HOU3 of the Local Plan. The Planning Statement sets out and confirms to deliver this as required by the Policy and would also provide a mix which reflects the latest Strategic Housing Market Assessment, i.e. 77% rented and 23% intermediate housing. The Council's Housing Strategy and Enabling Officer has supported this proposal, and this can be secured through a S106 legal agreement. It is considered that the proposed development therefore complies with Policy HOU3 of the East Cambridgeshire Local Plan, 2015, in relation to affordable housing.

7.60 Developer S106 Contributions

7.61 Policy Growth 3 of the Local Plan requires development proposals to make contributions towards infrastructure in accordance with the Council's adopted Community Infrastructure Levy Charging Scheme (CIL) and where this is not provided through CIL, this will be through on or off site provision or through financial payments, and secured via planning conditions or planning obligations (S106 legal agreements). The Council's Developer's Contribution SPD supports this policy and provides further guidance. Negotiations are still continuing to secure the necessary contributions through a S106 legal agreement, which will include:

- Education (Primary, Secondary, Libraries and Life-Long Learning)
- Contribution towards upgrade of the existing MUGA
- Provision of land for community facilities (sports pitches and burial ground)
- Affordable Housing
- Off-site Highways mitigation works
- Improvements and contribution towards the existing bus stop
- Waste
- SuDs maintenance
- Self-Build plots
- Open Space and play facilities

The list of conditions is yet to be finalised based on these negotiations. However, Officers are seeking approval from Members to agree the draft list of conditions, and to delegate powers to the Planning Manager to agree the final conditions

7.62 Archaeology

7.63 Policy ENV14 of the Local Plan relates to sites of archaeological interest, Development proposals at or affecting all sites of known and potential archaeological interest will have regard to their impacts upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains, heritage assets and their settings. The application is accompanied by an archaeological assessment. The County Archaeology team have assessed the document and commented that *"evaluation of a large land-parcel north of The Brook (and immediately adjacent to the south-western boundary of the area proposed for development under 19/01707/OUM) revealed part of a previously unknown settlement of Mid-Iron Age to Roman date in the north-west corner of the investigation area, in close proximity to the boundary (MCB16274). A large watering hole for cattle was excavated and found to contain large quantities of domestic refuse including Middle Iron Age and early Roman pottery, animal bone and daub with wattle impressions, with environmental evidence showing that crop processing was taking place in the vicinity. Remains dating from the Iron Age through to the medieval period were also identified to the south-west during two phases of archaeological investigations on land adjacent to Sutton Primary School"*. However, the archaeology team do not raise any objection to the proposed development and recommend a condition requiring a programme of archaeological investigation being undertaken. The proposed development therefore complies with Policy ENV14 of the East Cambridgeshire Local Plan, 2015.

7.64 **Planning Balance**

- 7.65 The site is allocated in the Sutton Neighbourhood Plan, under Policy NP4. The benefits of the development are the contribution it would make in terms of housing supply as well as the economic benefits of construction and additional population to support local businesses and the provision of affordable housing, and self-build plots. The proposal would be seen as a continuation from the first phase, currently under construction, to the south of the site, which will include the provision of community facilities (Sports pitches, new village green and the burial ground). The benefits of the proposal attract significant weight in favour.
- 7.66 The proposal will not have a significant impact on the wider highway network, and mitigation measures, and a financial contribution, will be secured via a S106 legal agreement and conditions. The proposed access to the site is acceptable and would not have an adverse impact on highway safety.
- 7.67 The applicant has demonstrated that a net gain in biodiversity can be achieved and conditions are recommended to ensure that a high quality site-wide biodiversity strategy comes forward either prior to, or as part of, a reserved matters application. The proposed illustrative development framework provides an opportunity to create a landscape/wildlife corridor, details of which can be requested by condition. This weighs in favour of the proposal.
- 7.68 The applicant has demonstrated that a satisfactory drainage strategy can be put in place to minimise flood risk and conditions requiring further details of the foul and surface water drainage system is recommended.
- 7.69 The County Council has confirmed that additional education contributions are required to mitigate against the development on local schools which is accepted by the developer. This and all other mitigation/contributions would also be secured by the S106, as listed above in paragraph 7.60.

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 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 site is allocated in the Sutton Neighbourhood Plan for housing development and community facility provision;
- No objections from the LLFA, Environment Agency, Highways Authority;
- Policy compliant on affordable housing and for self-build plots;
- All other material planning considerations are satisfactory.

9 APPENDICES

9.1 Draft list of conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
19/01707/OUM 16/01772/FUM	Angela Briggs Room No. 011 The Grange Ely	Angela Briggs Planning Team Leader 01353 665555 angela.briggs@eastcambs.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>

Sutton Neighbourhood Plan, 2019 -

<https://www.eastcambs.gov.uk/sites/default/files/Made%20Sutton%20Neighbourhood%20Plan%20May%202019%20SMALL%20FILE.pdf>

APPENDIX 1 - 19/01707/OUM Conditions

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

Plan Reference	Version No	Date Received
C5081-M- 012 -001	A	12th May 2021
C5081-M-005-1	1	22nd April 2021
C5081-M-0020	3	22nd April 2021
CSA/4405/107	B	9th December 2019
CSA/4405/105	G	9th December 2019
Archaeological Evaluation Report		9th December 2019
Noise Impact Assessment		9th December 2019
Sustainability Statement		9th December 2019
Flood Risk Assessment		9th December 2019
Phase 1 Geo-Environmental		9th December 2019
Landscape Impact Assessment		9th December 2019
Ecological Assessment		9th December 2019
Arboricultural Implications Assessment		9th December 2019

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 2 years of the date of this permission.
- 2 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 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 No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority in consultation with Sport England:
 - (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and
 - (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

- 4 Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy Growth 3 and COM4 of the East Cambridgeshire Local Plan, 2015. This condition is pre-commencement in order to ensure that the sports pitches comply with the site allocation requirements of Policies NP4 and NP12 of the Sutton Neighbourhood Plan.
- 5 Prior to the first occupation of any dwelling, the applicant shall be responsible for the provision and implementation of a Residential Travel Plan to be submitted to and agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of cycle discount vouchers and/or bus taster tickets. The plan is to be monitored annually, with all measures reviewed to ensure targets are met.
- 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 of any dwelling, the applicant shall deliver the off-site pedestrian improvement works comprising:
 1. Provision of a 2.5m wide footway along the northern section of Mepal Road on the western side of the carriageway from the development site access off Mepal Road to the site access junction of the adjacent development site (ref: 16/01772/FUM);
 2. 2m wide pedestrian access into the site from The Orchards, via the adjacent consented scheme (subject to land ownership confirmation);
 3. Enhancement of the uncontrolled pedestrian crossing points along the eastern footway on The Orchards in the form of tactile paving;
 4. Installation of tactile paving at the uncontrolled pedestrian crossing at The Brook/Brookside junction, on the Brookside arm; and
 5. Installation of an uncontrolled pedestrian crossing on The Brook, to the east of its junction with Pound Lane, to include dropped kerbs and tactile paving.

Details shall be submitted to and agreed in writing with the Local Planning Authority, prior to the occupation of any dwelling, hereby approved, and the works shall be completed in accordance with the approved details.

- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015, and Policy NP4 of the Sutton Neighbourhood Plan, 2019.
- 7 Prior to the first occupation of any dwelling, the existing B1381 Ely Road/A142/Elean Business Park roundabout shall be upgraded as shown in principle on drawing no. 002-1 Issue 3. Details shall be submitted to and agreed in writing with the Local Planning Authority and the development shall be completed only in accordance with the approved details.
- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

- 8 Prior to first occupation of any dwelling, the existing A142/Haddenham Road (Witcham Toll) priority junction shall be upgraded, as shown in principle on drawing no. 005-1 Issue 1. Details shall be submitted to and agreed in writing with the Local Planning Authority and the development shall be completed only in accordance with the approved details.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 Prior to the occupation of the first dwelling, the access, hereby approved, shall be constructed in accordance with drawing no. C5081-M-012 001 rev A. The works shall be completed only in accordance with approved details.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015, and Policy NP4 of the Sutton Neighbourhood Plan, 2019.
- 10 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 10 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.
- 11 All burials on the site shall be:
1. Outside a source protection zone 1 (SPZ1).
 2. At least 250 metres from any well, borehole or spring supplying water for human consumption or used in food production.
 3. At least 30 metres from any spring or watercourse not used for human consumption or not used in food production.
 4. At least 10 metres from any field drain, including dry ditches.
 5. No burials shall take place in standing water and the base of the grave must be a minimum of 1 metre above the local water table.
- 11 Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policy ENV9 of the East Cambridgeshire Local Plan, 2015, Policy NP4 of the Sutton Neighbourhood Plan, 2019, National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements.
- 12 Prior to the commencement of any burial ground development, a remediation strategy and risk management plan detailing any measures and ongoing groundwater monitoring that may be required in the interests of groundwater protection shall be submitted to and approved by the Local Planning Authority. The measures and monitoring specified in this plan shall be implemented as agreed.
- 12 Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with Policy ENV9 of the East Cambridgeshire Local Plan, 2015, Policy NP4 of the Sutton Neighbourhood Plan,

2019, National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater Protection Position Statements.

- 13 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.

- 13 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 14 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.
- 14 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.
- 15 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.

- 15 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.
- 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 shall be implemented prior to the occupation of any dwelling.
- 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. 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.
- 17 No development shall take place 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 & Drainage Strategy prepared by Amazi Consulting Ltd (ref: AMA759 Rev C) dated 01 November 2019 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
- d) Full details of the proposed attenuation and flow control measures;
- e) Site Investigation and test results to confirm infiltration rates;
- f) Temporary storage facilities if the development is to be phased;
- g) A timetable for implementation if the development is to be phased;
- h) 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;
- i) Full details of the maintenance/adoption of the surface water drainage system;
- j) 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

- 17 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 18 Prior to or as part of the first Reserved Matters application, a site-wide Biodiversity Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be based upon the Preliminary Ecological Appraisal prepared by ADAS dated 25th June 2019 and shall set out how the development will improve the biodiversity of the site and protect existing wildlife. All development shall be carried out in accordance with the approved strategy.
- 18 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015, Policy NP2 of the Sutton Neighbourhood Plan, 2019, and the Natural Environment SPD, 2020.
- 19 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.
- 19 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 20 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 20 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 21 As part of a reserved matters application, details of the noise attenuation bund along the north-eastern boundary of the site, as illustrated on the development framework plan, shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be completed only in accordance with the approved details, prior to the occupation of any dwelling.
- 21 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 22 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of

piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.

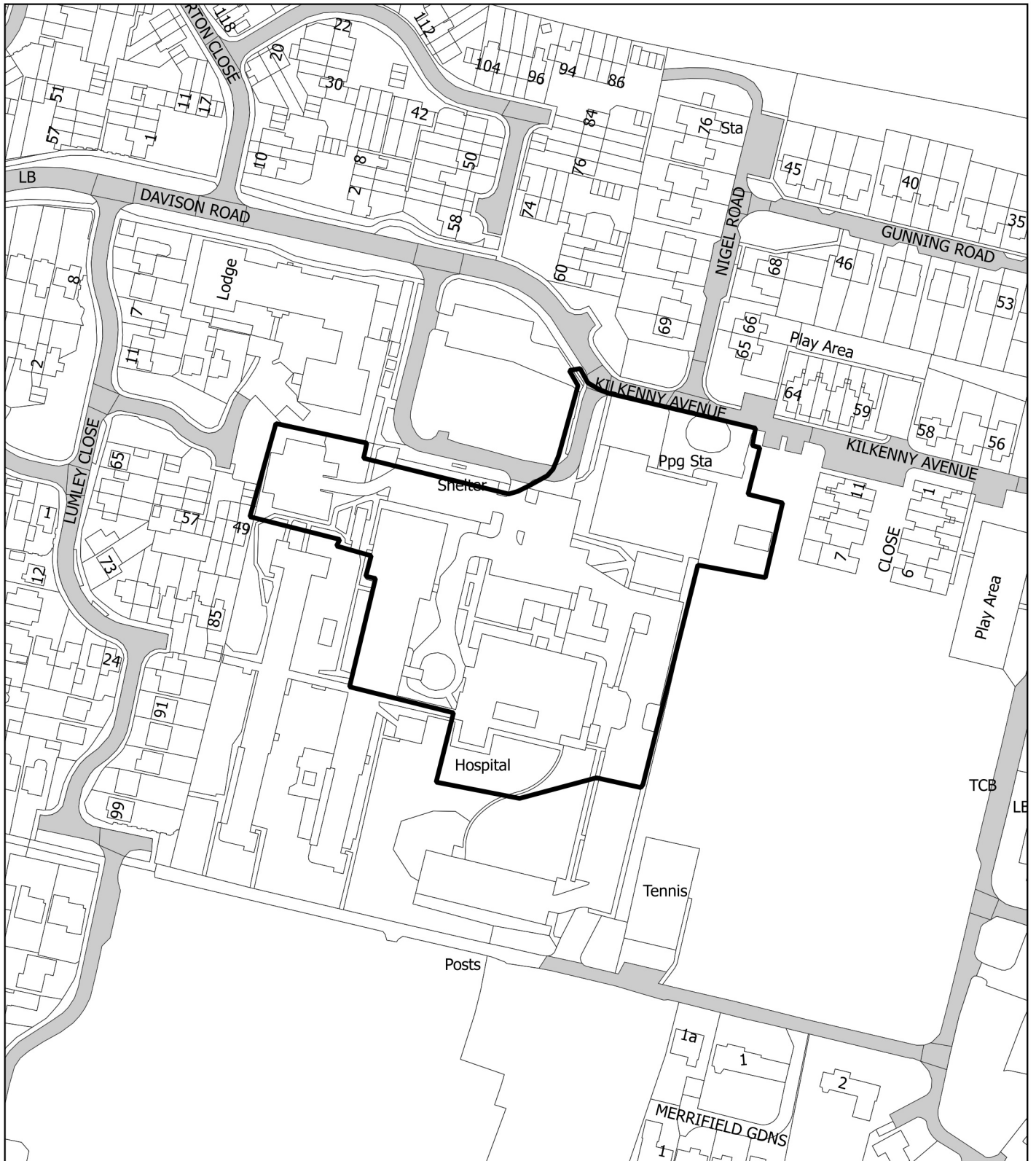
- 22 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 23 As part of a reserved matters application, a full noise impact assessment shall be submitted to and approved in writing by the local planning authority. The noise impact assessment shall be based upon the Acoustics report by Hoare-Lea dated 6th November 2019 and shall set out how the development will mitigate against noise pollution from future occupiers. All development shall be carried out in accordance with the approved strategy.
- 23 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 24 Prior to the commencement of development a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:
- a) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction
 - b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste.
 - c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
 - d) any other steps to ensure the minimisation of waste during construction
 - e) the location and timing of provision of facilities pursuant to criteria a/b/c/d.
 - f) proposed monitoring and timing of submission of monitoring reports.
 - g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.
 - h) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material
 - i) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material; access to storage and collection points by users and waste collection vehicles

The Detailed Waste Management and Minimisation Plan shall be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

- 24 Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 25 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.
- 25 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 Policy CC1 of the Climate Change SPD, 2020
- 26 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 26 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.
- 27 Prior to the commencement of development, a strategy for the facilitation of latest technology broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, open access ducting to industry standards to facilitate the provision of a broadband service to that dwelling, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to

dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

- 27 Reason: To ensure that the needs of future residents to connect to the internet do not necessarily entail engineering works to an otherwise finished and high quality environment, and to assist community integration, economic vibrancy and home working, in accordance with Policies ENV2 and COM6 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted; and to ensure that the opportunity to provide any necessary enabling works is not missed.
- 28 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.
- 28 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.



21/00160/OUM

Princess Of Wales Hospital
Lynn Road
Ely



East Cambridgeshire
District Council

Date: 17/05/2021
Scale: 1:2,000



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MAIN CASE**Reference No:** 21/00160/OUM**Proposal:** Erection of new hospital buildings through demolition of structures and redevelopment including inpatient and outpatient facilities, new multi storey car park, access and associated infrastructure**Site Address:** Princess of Wales Hospital Lynn Road Ely Cambridgeshire CB6 1DN**Applicant:** Cambs Community Services NHS Trust**Case Officer:** Anne James Planning Consultant**Parish:** Ely**Ward:** Ely NorthWard Councillor/s: Simon Harries
Alison Whelan**Date Received:** 1 February 2021 **Expiry Date:** 4th June 2021
Report Number W12

1.0 RECOMMENDATION**1.1** Members are recommended to APPROVE subject to the recommended conditions set out below. These conditions can be read in full on the attached Appendix 1.

1. Approved Plans
2. Reserved Matters
3. Time Limit
4. Construction Environmental Management Plan (CEMP)
5. Piling
6. Noise Impact Assessment
7. Noise Emission
8. Fire Hydrants
9. AMS/ Tree Protection Measures
10. Flood Risk Assessment
11. Management and maintenance of SUDS
12. Construction Hours
13. Biodiversity
14. Site Characterisation
15. Contamination
16. Remediation

- 17. Unsuspected Contamination
- 18. BREEAM Strategy
- 19. Written Scheme of Investigation
- 20. Travel Plan
- 21. Standard estate road construction
- 22. Adoptable Standards
- 23. Gates
- 24. Parking and serving the premises
- 25. Visibility splays
- 26. Access drainage
- 27. Standard estate road
- 28. Offsite highway Improvements
- 29. Construction Traffic Management Plan
- 30. External Lighting

2.0 SUMMARY OF APPLICATION

- 2.1 Outline planning permission is sought to demolish a number of hospital buildings and to redevelop parts of the site to provide new in-patient and out-patient facilities, a new multi-storey car park, access arrangements and associated infrastructure. The matters to be considered relate to access, layout and scale. Should approval be granted then the reserved matters of appearance and landscaping would be considered separately at a later date when the principle of the development has been established.
- 2.2 Throughout both the demolition of parts of the hospital complex and the construction of the new buildings, the hospital would continue to operate and measures would be put in place to ensure staff and visitors to the site would not be inconvenienced during the development process. In order to keep the hospital fully operational, the demolition and construction of the Hospital development would be undertaken in phases. The Day Surgery Building would be retained and access to services within this building would not be affected.
- 2.3 The application comprises the following elements, namely:
- i. Demolition of out-patient blocks, social club building and porters lodge – approximately 3,405sqm (36,651 sqf)
 - ii. Erection of new Hospital building 9,400sqm (101,180 sqf)
 - iii. Erection of Multi-storey car park 7,400 sqm (79,652 sqf)
- 2.4 The development would be undertaken in phases. Phase 1 would involve the demolition of the current social club building and porters lodge, located within the north-eastern corner of the site and the construction of the car park. The multi-storey would be 4 levels measuring approximately 36m (118 ft) depth x 60m (196 ft) width x 12.65m high (41.5 ft)).
- 2.5 The second phase of development would involve the demolition of the out-patient blocks and services building and construction of the main hospital building, measuring max 97m (318 ft) width x 34m (111 ft) depth x between 12-20m (39 – 65ft) height which would be connected to the retained day surgery building. Details of the proposed layout are indicated below, with the areas shaded blue denoting the new

buildings and the areas shaded yellow denoting areas of the site not included within the planning application. The block shaded grey is the existing day surgery building which is to be retained.



2.6 A breakdown of each level within the new hospital building is provided below:

- Ground Floor - GP services, urgent care centre/out of hours service, pharmacy & café, imaging, in-patient beds/clinical use;
- First Floor – Neuro rehabilitation, therapies, outpatient department, day surgery theatres;
- Second Floor – Admin/offices/ community teams, offices and education, social health & wellbeing hub, staff area.

2.7 The new buildings would provide 54 consulting rooms with a multi-storey car park accommodating 270 car parking spaces, which represents an increase of 50 over existing provision. There would also be secure storage for 108 bicycles and motor cycles. The car park would still be free to use. A designated bus stop as well as drop-off and pick-up bays would be retained, albeit the internal vehicular layout would be altered to remove the surface level car park in the north-western corner of the site serving the GP surgery and replace this with a bus and service vehicle turning circle.

2.8 The application is being considered by the Planning Committee due to the proposed floor space comprising over 1000sqm (10764 sq ft) in accordance with the Council's Constitution.

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

2.10 The application has been accompanied by the following documents:

Design and Access Statement
Flood Risk Assessment and drainage strategy
Ecological Impact Assessment report
Biodiversity Enhancement Scheme
Tree survey/Arboricultural Impact Assessment
Transport Assessment
Travel Plan
Statement of Community Involvement
Phase 1 Geo-environmental Desk Study
Sustainability report
Archaeology report
Noise and Ventilation Statement
Utilities Statement
Preliminary Unexploded Ordnance – Risk Assessment
Detailed Unexploded Ordnance - Risk Assessment

3.0 **PLANNING HISTORY**

3.1

94/00202/FUL	Provision of 25 Space Car Park	Approved	26.05.1994
94/00866/FUL	Erection of new end wall to link following demolition of redundant buildings	Approved	29.11.1994
95/00801/FUL	Provision of 56 Space Car Park	Approved	31.10.1995
99/00011/FUL	Single storey extension forming entrance lobby to G.P. Surgery	Approved	15.02.1999
99/00034/FUL	Construction of New/Resurfacing of existing Tarmac areas to form 21 Car Parking Spaces/Access	Approved	08.03.1999

04/00546/FUL	Temporary siting of a portacabin within the grounds of the hospital to be used as a retail pharmacy (estimated time span 24 months)	Approved	21.06.2004
04/00603/FUL	Change of use from C2 (hospital) to A1 (shops)	Withdrawn	05.07.2004
05/00766/FUL	Alterations to existing car parking to provide an additional overall 38 No car parking spaces.	Approved	05.09.2005
11/00385/DEM	Proposed demolition of boiler house, water tower, garage building, oil storage enclosure and bund, gas meter enclosure all located at the front of the site.	PP not required	10.05.2011
15/00991/FUL	Redeveloping an area of land to provide additional open air parking for the healthcare buildings. Associated drainage and lighting works are also to be included.	Refused	09.11.2015
20/01504/FUL	Siting of temporary modular building for St Mary's Surgery to continue to operate and provide patient care	Approve	10.03.2021

4.0 **THE SITE AND ITS ENVIRONMENT**

- 4.1 The Princess of Wales Hospital site comprises approximately 1.56ha (3.85 acres) of built up area which is located within a predominantly residential neighbourhood accessed from Lynn Road leading into Davison Road. It is set back from Davison Road by a large area of amenity grass land, a surface level car park and an internal road which acts as a circulatory route whereby visitors by bus and car can be dropped-off and picked-up outside of the hospital entrance.
- 4.2 In terms of the wider character area, this part of Ely comprises a residential housing estate with land further to the north benefitting from outline planning permission for the North of Ely urban extension. This development comprises a mixed use development of residential units, a local centre, retail food store, primary school and pre-school as well as playing fields and a place of worship/community hall.

(11/01077ESO) refers. To the immediate east of the site is the former Ministry of Defence (MOD) land. The existing housing on the MOD site is currently undergoing refurbishment works and a planning application to build 53 additional dwellings on other parts of the adjoining site is currently under consideration by the Council. To the south of the site is an area of public open space with housing along the western boundary.

4.3 Land levels are fairly uniform across the site which benefits from generous amounts of vegetation with the eastern and southern boundaries of the site heavily screened by trees. Many of the trees on and adjacent to the site are the subject of TPOs.

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.

Rt Hon. Lucy Frazer MP – 12th April 2021

Significant demand for more local health services in the north of constituency which is likely to grow in the years ahead. There is strong appetite for more health services within easy reach.

The Trust has submitted an application for additional funding. If granted, these funds would allow the hospital to expand, providing it with the capacity to offer a greater range of services to local people. I am supportive of this application and hope we can bring these benefits to the residents of East Cambs.

City of Ely Council – 29th April commenting on amendments

The City of Ely Council has no concerns with regards to this application.

23 February 2021

The City of Ely Council welcomes the application and supports it, in its current broad outline.

Ward Councillors - No Comments Received

Consultee for Other Wards in Parish - No Comments Received

Anglian Water Services Ltd - 26 February 2021

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

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

Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is

not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. Or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Wastewater Treatment

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

Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal

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

Anglian Water has reviewed the submitted documents (Flood Risk Assessment) and can confirm that these are acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted.

NHS England - No Comments Received

Cambridgeshire Archaeology - No Comments Received

Cambridgeshire Design Out Crime Officers - 18 February 2021

Thank you for the opportunity to comment on the above Outline Application. I can confirm all relevant documents pertaining to community safety and reducing vulnerability to crime have been reviewed and this office is fully supportive of the proposal.

I have noted the Design and Access Statement contents, no mention of security but it is only Outline stage. Potentially we would welcome consultation to ensure community safety and vulnerability to crime is addressed with both staff, patients and visitors and welcome more detailed consultation re boundary treatments, lighting, cycle and car parking when available.

Cambridgeshire Fire and Rescue Service - 9 March 2021

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.

CCC Growth & Development - No Comments Received

Local Highways Authority – Transport Assessment Team – 28th April 2021
comments on amendments

Sufficient detail has been presented to make a sound assessment. Indicative Mitigation: Should the development go ahead the developer should be required to submit a condition requiring the submission of a Travel Plan.

These comments are further to the Transport Assessment team comments dated 5th March 2021 and the Addendum Transport Assessment provided by Paul Basham Associates as part of an application for the redevelopment of around 11,610sqm part of the existing hospital and multi-storey car park at the existing of the Princess of Wales Hospital, Ely.

5th March 2021

Insufficient detail has been presented to make a sound assessment. The issues raised related to the Transport Assessment will need to be addressed before the transport implications of the development can be fully assessed.

Local Highways Authority - 19th May 2021

The submitted plans, 1000.0007.007 B, - 009 A and - 010 A, resolve my concerns raised previously with respect to access arrangements and the passing of large vehicles between the access and the junction serving the car park/service area. The amended access layout should be included in the approved plans.

While issues raised regarding tracking of the service road and manoeuvring in the turning head has not been clarified at this stage, I note that this road is sufficiently distant from Davison Road that it is unlikely to have a detrimental impact on highway safety.

I note that no details for parking arrangements within the proposed multi-storey car park have been provided at this stage. The Local Planning Authority must be satisfied that sufficient capacity for parking and turning will be provided and maintained in perpetuity.

As noted previously, the access road would only serve a non-residential use, and would not be considered for adoption at this time or in this form.

6th April 2021

It is unclear how the proposed junction is to operate. While the hospital junction is existing, it operates as entry only and the proposal appears to show two priority

junctions exiting onto the same section of public highway, which would not be acceptable.

The applicant should be invited to amend the layout of the junction to clarify priority; this may include either continuing Davison Road into the hospital development and amending the existing junction with Kilkenny Avenue to improve visibility and remove the need of the stop line, or extending priority along Davison Road into Kilkenny Avenue and removing the stop line junction. In either case, the applicant would need to ensure that suitable visibility is achieved, and that consideration is given to vehicle swept path to ensure that this does not extend beyond give way lines or over adjacent footways. I note that vehicle overhang of the northern footway is apparent on the existing movements indicated in appendix C of the Transport Assessment. The proposal should include all relevant lining necessary to support how the junction will operate.

CCCC Lead Local Flood Authority – 22nd April 2021 - comments on amended scheme

Having reviewed the FRA and response to the LLFA we can remove our objection to the proposed development.

The documents demonstrate that surface water from the proposed development can be managed through the use of cellular storage with options to include permeable paving. We request a number of conditions concerning a detailed surface water drainage scheme for the site as well as details for the long term maintenance arrangements.

11 March 2021

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

1. Insufficient SuDS

Paragraph 163 of the National Planning Policy Framework requires development to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The applicant has not demonstrated that sustainable drainage systems (SuDS) will be used on site to provide storage/conveyance of surface water generated on site, nor have they provided evidence of why they would be inappropriate.

As outlined in Section 6 of the Flood and Water Supplementary Planning Document the variety of SuDS techniques available means that virtually any development should be able to include a scheme based around these principles. The presence of low permeability soils, some forms of contamination and flat topography will not be accepted as reasons not to include SuDS.

2. No Calculations

The strategy does not demonstrate that the drainage features are adequately sized for the impermeable area. Calculations to show the performance of the system for a range of summer and winter storm durations from 15 minutes up to the 10080 minutes (7 day) should be undertaken.

3. Insufficient Water Quality Treatment

Section 6.5 of the SPD states that runoff from a site should be of an acceptable water quality to protect receiving waters. The size and number of treatment stages required is based on the level of pollution entering the system. Using the Simple Index Approach (as outlined in the CIRIA SuDS Manual), additional treatment stages will be required

Cambs Wildlife Trust - No Comments Received

ECDC Environmental Health – 9 February 2021 - No objection subject to conditions regarding construction and demolition times and deliveries during the construction and demolition phases are restricted and that a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing with the Local Planning Authority (LPA) regarding mitigation measures for the control of pollution (including, but not limited to noise, dust and lighting etc) during the construction phase.

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

I have read the Noise and Ventilation Statement dated January 2021. The report discusses the requirement and location for a new energy centre which is proposed to be sited near the service yard which is further away from existing residential properties. Acoustic enclosures and attenuation will be provided to all the external plant to comply with the acoustic criteria. Background measurements have been taken on the 10th and 11th December 2020.

The report advises that "On the basis of this submission being an outline application with the means of access, layout and scale to be the subject of detail, all plant will be selected in accordance with the Council's requirements and the appointed acousticians recommendations to meet external noise criteria."

I would therefore recommend imposing a condition to control the noise generated from mechanical plant on site

Finally, I would recommend a condition which prevents the installation of external lighting without prior approval from the LPA.

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

ECDC - Environmental Health (Scientific) - 15 February 2021

I have read the Phase 1 Geo-Environmental Desk Study Report dated 11th January 2021 prepared by AGB Environmental and accept the findings. The report recommends that a Phase II investigation is carried out. I recommend that standard contaminated land conditions 1, 2, 3, and 4 are attached to any grant of permission.

ECDC - Waste Strategy (ECDC) - No Comments Received

ECDC Trees Team - 5 March 2021

This development involves the removal of 16 category B trees and based on their sizes should require the replacement planting of 76 tree in accordance with the East Cambridgeshire District Council Natural Environment - Supplementary Planning Document (SPD) that was adopted in 24 September 2020, the development plans to plant 31 replacement trees. Although this is well below the number requested in the SPD the site is heavily treed and the potential to increase the number of replacement trees is limited.

The submitted Arboricultural Impact Assessment is a good accurate assessment of the trees on site and the likely impact of the development please condition an Arboricultural Method Statement (AMS) in line with its comments as follows:

No tree related objections to the development subject to the conditions above.

Access Group – 2nd February 2021

- 1) Concerns over the multi storey car park. There are 6 accessible parking spaces on the ground floor, only 2 near the exit. On the upper floors there are 4 accessible parking spaces. Why can't there be more on the ground floor and nearer the exit. Please ensure there are sufficient accessible parking spaces to comply with the legislation. Nearly all of the accessible parking spaces would fit on the ground floor without increasing the width of the building, (16 on ground floor, only 2 on one upper floor).
- 2) Firm, level and slip resistant footpaths to the main entrance from the multi storey car park and dropped kerbs.
- 3) Can't see any safe crossing points from the multi storey to the main entrance on the plan although one is shown in the Design and Access Statement.
- 4) A separate bus stop and setting down area are needed (to the left of the main entrance). Otherwise they will be parking in each other's area.
- 5) The main entrance is opposite a junction which will make it a busy area with cars and possibly less safe for pedestrians. Could this be prevented by having the vehicular entrance and exit on the opposite side of the multi storey?
- 6) Could the multi storey car park be turned around so it's entry and exit are directly onto the main road. Thus avoiding the problem described in item 5. There won't be a queue forming in the road as the car park is intended to be free, therefore no need for a barrier.
- 7) Is there a 'Changing Places WC' facility in the hospital building? Awaiting the detailed design drawings.

5.2 A number of site notices were displayed near the site on 19th February 2021 and a press advert was published in the Cambridge Evening News on 18 February 2021.

5.3 Neighbours – 423 neighbouring properties were notified and 13 responses were received and are summarised below. A full copy of the responses are available on the Council's website:

Residential amenity

- Will it affect the lighting at Baird Lodge;
- Increase in noise and lighting resulting from the scheme;
- Increase in fumes and pollution from development and the MOD site;
- Current surgery car park into bus route negatively affect health and enjoyment of gardens and public green space used by local children.
- Loss of privacy from upper deck into gardens.

Visual Amenity

- Height of the structures, especially the multi-storey need to be in keeping with the height of existing residential development;
- Current 2 storey to 4 storeys will negatively affect current landscape view and cause privacy issues from upper windows. Suggest reviewing the height to be in line with existing development. If this is not possible suggest a greater degree of planting.

Highways and parking

- Inaccessibility of existing driveways of some residents due to inconsiderate parking by staff and visitors at the hospital. Parking situation must be addressed;
- Will parking at the Cathedral Surgery be affected;
- Will the bus route be affected;
- Will there be charging for the multi-storey car park;
- Speed of traffic in Davison Road needs to be reduced;
- Cycling – applicants agree that adequate cycle routes to and from and within the site are needed. Current infrastructure from Ely and villages not adequate for the majority of people to access the facility by cycle. A cycle route from Kings Ave into the south of the site would be a 'quick win' for access from most of Ely. Cycle parking needs to be near the hospital entrance. Secure parking for staff should be included;
- Electric charging points need to be included;
- What arrangements for temporary parking for staff and visitors;
- Lack of information regarding traffic or parking surveys
- The construction of a multi-storey car park merits not supported as money should be invested in sustainable transport;
- Increased congestion;
- Noise reducing surfaces on roads;
- New roundabout on Lynn Road, feeding into Davison Road.
- Hospital entrance needs widening to avoid bottlenecks
- No engine idling at any time to be enforced by parking marshals.

Natural Environment

- Tree growing in the car park of the surgery should be cut down;

- Trees must be protected as they are some of the oldest in Ely and have large root spreads;
- More trees need to be planted;
- North Ely needs more green spaces and should not lose any more;
- No information on green sustainability, climate change, environmental pressures and destruction of habitat. Planning condition to mitigate/replace lost greenery.

Other issues

- Much awaited and anticipated modernisation of the Princess of Wales hospital;
- Impact on environment as the area has few local amenities;
- Ely and East Cambs in great need of a new, improved and capable hospital development;
- Noise, pollution and general disturbance during construction;
- Council should consider a period of 'no council tax increase' to the local housing whilst this work takes place;
- Where would the contractor store materials and vehicles during construction;
- Much needed facility and stop the long trek to Cambridge or Huntingdon;
- Modernisation should be restricted to current footprint;
- Support the expansion of the POW only if the Heaton Drive application is rejected. Both would increase in pollution;
- Supervision of demolition and asbestos phases;

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 efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 3	Retaining community facilities
COM 4	New Community facilities
COM 7	Transport impact
COM8	Parking

6.2 Supplementary Planning Documents

Design Guide

Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

Flood and Water

6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 6 Building a strong, competitive economy
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 12 Achieving well-designed place
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

6.4 Planning Practice Guidance

Due regard has been taken of guidance in the NPPG and of the National Design Standards

7.0 PLANNING COMMENTS

7.1 The material planning considerations relevant to this application are the principle of development, residential amenity, visual amenity, highway safety, ecology, flood risk and drainage and various other matters material to the application.

7.2 **Principle of Development**

7.3 The starting point for decision making is the development Plan ie the East Cambridgeshire Local Plan 2015. S38 (6) of the Planning and Compulsory Purchase Act 2004 requires that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework and the Planning Practice Guidance are both important material considerations in planning decisions. Neither change the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF, PPG and other material considerations. Determination of the application needs to consider whether the proposal constitutes sustainable development having regard to development plan policy and the NPPF as a whole.

7.4 The Princess of Wales Hospital was built in 1939 as a RAF Hospital. The primary buildings range in height from single storey to 4 storeys and date between the years 1940-1990. As a consequence, during this 50 year period, the architectural design and style of buildings are very much reflected in the built form. Moreover, the condition and suitability of these buildings are ill-equipped to meet with the escalating demands of modern medicine as well as a growing population. Given, the existing layout is not an efficient use of land the NHS Trust is now committing to the redevelopment of the hospital site.

7.5 The site currently provides out-patient clinics, minor injuries and a GP surgery as well as an out-of-hours service and an unused social club building, porters lodge, services building, hard landscaped areas for parking and amenity grass land.

7.6 The policies of most relevance to this site are Policies COM 3 and COM 4 of the adopted Local Plan 2015 pertaining to the retention of community facilities and new community facilities, respectively. These policies support development involving the provision of an equivalent or better replacement community facility (either on-site or in an appropriately accessible alternative location). In this case the proposal would be retained wholly within the Princess of Wales site and result in new and improved facilities which would also result in an efficient use of space. The proposal would continue to be well located and accessible to its catchment population and would not have a significant adverse impact on either the scale or nature of traffic generated, the character of the locality, or the amenity of nearby properties. As considered within the following sections of the planning report, the scheme meets with the overarching requirements of Policies COM3 and COM4. Policy GROWTH 3 of the Local Plan also specifically states that a key infrastructure requirement relevant to growth within the District is the redevelopment and enhancement of facilities at the Princess of Wales Hospital, which this application seeks approval for. As such the scheme meets with the aims and objectives of policy and is considered acceptable in principle.

7.7 Residential Amenity

7.7.1 The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policies COM 4, ENV2 and ENV9 of the Local Plan requires development to respect the residential amenity of existing and future occupiers.

7.7.2 As mentioned previously the hospital is located within a predominantly residential area. Members of the public have, in general, written in support of the application, although a number of concerns have been identified in terms of the height of the multi-storey car park and the location of the bus turn-around on the surgery car park and the implications that these aspects would have on the future living environment of residents. Issues such as increased traffic, noise and pollution, loss of privacy, loss of light and general disturbance issues have also been raised. The location of the new hospital building would be centralised within the site and as such there is an acceptable buffer achieved from the new building which would ensure that there would be no loss of amenity to any residential development in terms of its overbearing nature, overlooking/loss of sunlight/daylight, loss of privacy, overshadowing or visual intrusion, injurious enough to warrant refusing on this basis.

7.7.3 Of concern, however, is the reconfiguration of the bus turnaround, involving the construction of a mini roundabout on the site of the surgery car park. This area is located in the north-western corner of the site. To the west of this area is the turning head and properties in Lumley Close, with Baird Lodge, a part single/part two storey care home facility, directly north of the proposed bus turnaround.

7.7.4 In considering the degree of harm associated with the proposed scheme, it needs to be acknowledged that the surgery car park is currently used by members of the public visiting the doctors. There would be a high frequency of visits and therefore its replacement with a bus turnaround is seen as a benefit. The bus service, whilst regular, is not frequent with the No 9 bus visiting the site (out of rush hour) on a two hourly cycle and every forty minutes during peak periods. Should this service increase, it is unlikely to generate the same amount of traffic which currently uses the

surgery car park. In terms of being overlooked from those visitors sitting on the top deck, as the bus would be moving it is unlikely to generate a significant or injurious loss of privacy or overlooking from glimpses of the back-garden amenity areas of those existing residents in either Baird Lodge or Lumley Close, due to the orientation of these properties, the amount of screening and distance away, to warrant refusing the scheme on this basis. In view of the fact that the NHS Trust aims to reduce the amount of traffic in and around the hospital site by accommodating vehicles in the multi-storey, the loss of the surgery car park is seen as reducing vehicular movement in this area.

- 7.7.5 In terms of the multi-storey car park, with any redevelopment scheme the location and layout of a car park needs to benefit the customer experience. In order to avoid displacement parking within the surrounding streets, it has to be located close to the main hospital entrance and be visible. Its location on the disused social club site would achieve both those aims.
- 7.7.6 The area of land in question formed part of the MOD site and was acquired by the NHS Trust. There are existing residents to the east of the site in Simeon Close and these comprise a terrace of two storey dwellings. To the rear of these dwellings is an area of open space and a newly created surface level car park screened by mature trees. A separation distance in excess of 30m (98ft) from the flank wall of the multi-storey car park and the rear wall of these dwellings would be achieved.
- 7.7.7 The multi-storey would replace a detached single storey building and as such would result in an increased building height. Whilst the design of the building is, as yet, not known, it is imperative that there would be no opportunity for any overlooking from the various levels of the car park decks and likewise modern building design would ensure the level of noise generated by vehicles using each deck would meet with noise attenuation guidelines. The Council's Environmental Health Department has assessed the scheme and has raised no concerns, however, requiring that a number of conditions are imposed in the form of a Construction Environmental Management Plan, external lighting, hours of working and deliveries, no piling without prior approval, and noise levels from the site to not exceed the existing background noise by more than 5dB. This latter condition would govern the operation of the development. There would also be a requirement to submit further details to check for ground contamination.
- 7.7.8 It is acknowledged that there would be some loss of outlook from a number of the first-floor rear facing bedroom windows, however in view of the separation distance achieved, it is not considered that the development would result in an unduly overbearing nature and that the loss of amenity would not be sufficiently injurious to warrant refusing the scheme on this basis. The degree of harm that would arise would have to be considered in terms of the benefits that would be derived from the scheme. Further details would need to be submitted regarding the design of the building and this would ensure the glare from car head lights is not seen and further landscaping works can be applied around the curtilage of the multi-storey to ameliorate the building into its surroundings. Bearing in mind the significant benefits provided by a centralised parking area, and that sufficient space between these properties has been provided, which can be appropriately landscaped to soften the visual impact, then the impact on residential amenity is considered acceptable.

- 7.7.9 Concerns have also been identified regarding the noise, pollution and general disturbance caused to residents during the demolition and construction phases of the development. The applicants would be required to submit a Construction Environmental Management Plan and this would set out how the demolition and construction phases would be implemented, mitigation measures to reduce noise and general disturbance as well as details of dealing with pollutants, and where the materials and construction vehicles would be sited. This would need to be agreed by the Local Planning Authority in consultation with the Council's Environmental Health Department and the Local Highways Authority. It is not considered any other dwellings would be materially affected by the scheme in view of its size and location.
- 7.7.10 In all respects the proposal would comply with Policies COM 4, ENV2 and ENV9 of the adopted Local Plan 2015.
- 7.8 Visual Amenity
- 7.8.1 Policy ENV1 of the Local Plan 2015 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV2 of the Local Plan 2015 requires that new development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas.
- 7.8.2 The hospital has been operating from this site since the 1940s and during this period has been subject to a number of unsympathetic additions and extensions. It is therefore very much a focal point of this part of the district. Within the context of the neighbouring housing estate, there are no buildings unrelated to the hospital which are of any particular note or merit. Residential properties are predominantly two storey of modest appearance. An opportunity now exists to create a coherent and well-designed health facility and whilst the external appearance has yet to be decided within successive applications, the new layout and scale of the scheme shows how the development would integrate within the context of the existing hospital site and existing residential development. The redevelopment of the hospital is considered within this context and significant weight is attributed to the enhancement of the appearance of the buildings presently occupying the site.
- 7.8.3 The hospital is a highly visible development and can be viewed from both Davison Road and Kilkenny Avenue to the north as well as from the former MOD site to the east and the public open space to the south. The existing buildings proposed for demolition are traditional in appearance and they were built for purpose rather than aesthetics. The height of the new buildings has been raised in a number of the letters of representation, however, it needs to be acknowledged that the existing buildings also range in height from single storey to 4 storeys i.e. up to 20m (65ft) in height.
- 7.8.4 The multi-storey is proposed on the disused social club building, a single storey detached and dilapidated building, located within the north-eastern corner of the site and this is perhaps the most prominent aspect of the redevelopment scheme due to its height of 12.65m (41.5 ft) and its location forward of the other hospital buildings which are recessed behind areas of parking and the current internal road layout. However, this area benefits from a generous setting comprising undeveloped land along the eastern flank and a screen of mature trees. Although the external

appearance would not be considered within this application, suffice it to say, a high quality of design and use of materials would be imperative in any future design rationale.

- 7.8.5 The new hospital building (excluding the multi-storey) is within the centre of the site and a considerable distance from the streetscene in Davison Road (approximately 85m (278ft)). This would also be a 4 storey building, however it would also be set in from all boundaries so would not appear to be excessively high given the nature of the site and the importance of rationalising the services into a central building. The degree of separation from buildings adjacent to the site and the overall amount of spaciousness about the hospital would not, therefore, be significantly affected or at odds with the character of the site which is very much an entity in its own right, separate from all adjoining properties.
- 7.8.6 An opportunity to consider the external appearance of this and the other buildings proposed within the outline planning application, will be available when details are submitted for the reserved matters application.
- 7.8.7 On balance, and given the extensive history of the site, and the ad-hoc manner in which it has expanded over the years, the significant benefits of redeveloping this site to facilitate a new state of the art hospital, which can be well integrated into its surroundings by the use of high quality design and materials as well as landscaping, far outweigh any harm to the character of the area, such that it would improve the visual amenities and character of the area. As such the proposal complies with the aims and objectives of Policies ENV1, ENV2 and COM 3 and COM 4 of the adopted Local Plan 2015 and the East Cambridgeshire Design Code.

7.9 Highways

- 7.9.1 Policy COM7 of the adopted Local Plan requires that all development must ensure a safe and convenient access to the public highway. It also requires development to be designed in order to reduce the need to travel, particularly by car and should promote sustainable forms of transport appropriate to its particular location.
- 7.9.2 The Princess of Wales hospital application site lies approximately 1.5km (less than a mile) to the north-east of Ely city Centre. A Transport Assessment has been submitted as part of the application which promotes the sustainability of the site in that it can be accessed by a range of sustainable modes of transport. Bearing in mind that Ely is a growth area with a number of major urban housing extensions to the north east and west of the site, the site is ideally placed to accommodate future growth.

Cycle

- 7.9.3 The site is close to Route 11 of the National Cycle Network (NCN) which runs primarily along Lynn Road, however connects to an off-road route to the north and south of Ely. Likewise, NCN 51 and 24 from Cambridge can also be connected to.

Bus

- 7.9.4 The existing bus stops are located adjacent to the north of the hospital car park and on Davison Road (Morton Close Bus Stop) which lies approximately 240m (787ft)

north of the site. Bus service No 9 operated by Stagecoach runs a service every 40 minutes during peak times with a 2 hourly service off-peak from Cambridge-Waterbeach-Ely-Littleport-Chatteris.

- 7.9.5 It has been agreed that a bus stop would be retained within the newly configured hospital site along the frontage of the new hospital building. Sufficient space has been provided to provide a bus loop so that buses can enter the hospital site and exit in a forward gear.

By rail

- 7.9.6 Ely railway station is approximately 2.5km (1.5 miles) to the south of the site and would be either a 43 min walk, 14 min cycle or 20 min bus journey.
- 7.9.7 The Transport Assessment has been assessed by the Local Highways Authority Transport Assessment Team (TAT) who have agreed with the traffic data and trip generation, as well as traffic growth. Further information on the junction modelling of the site access: Lynn Road/Davison Road, Kings Avenue/Orchard Estate, Cam Drive/Lynn Road Roundabout had been requested. This has now been received and indicates that these junctions are predicted to operate within capacity during the AM and PM periods with no queueing issues. The TAT have removed their holding objection to the scheme and request that a Travel Plan is submitted by condition.

Access

- 7.9.8 The eastern access on to Davison Road would be utilised to serve the proposed development and has been the subject of discussion with the Highway Development Management engineer concerning the provision of an access capable of allowing two large vehicles to pass safely. The road into the hospital site is currently entry only, the amendment to the road is required to enable the junction with Kilkenny avenue to operate safely once the road becomes two way as proposed by this application. It is the view of the Local Highway Authority that these works to the highway are completed in advance of the new access road becoming operational and the consent has been conditioned accordingly.
- 7.9.9 The applicants have now demonstrated that vehicles accessing and egressing the hospital site would not result in highway or pedestrian safety issues at the junction of Davison Road and therefore consider that the access arrangements are acceptable, subject to conditions.

Multi-storey Car park

- 7.9.10 The applicants undertook an extensive community consultation exercise in December 2020 and residents identified that a degree of displacement parking was occurring within roads neighbouring the hospital site often resulting in residents unable to access their driveways. This was a matter frequently raised and which the NHS Trust agreed to resolve.
- 7.9.11 The inclusion of a multi-storey car park of 4 levels which has a capacity for 270 parking spaces is now being proposed on the site of the disused social club building. Whilst there are no further details on the design of the building or how the internal

parking layout would be configured, as it is proposed to provide 54 consulting rooms, then there would be a parking requirement of approximately 270 spaces. The amount of parking proposed complies with Policy COM8 of the adopted Local Plan 2015. Cycle parking would also be required to comply with the Council's standard of 2 spaces per consulting room. Two areas located either side of the entrance into the multi-storey car park have been allocated for 108 cycle spaces. The scheme would represent an increase of 58 parking spaces as well as cycle storage within one centralized area. As a consequence, this would alleviate the displacement parking experienced within the surrounding highway network.

- 7.9.12 It has been suggested in the letters of representation, that a parking study should have been undertaken to future proof parking at the hospital "to safeguard the effectiveness of the multi-storey" and the lack of 'evidence based planning and design'. Also, there were points raised that the community should have been given an opportunity to provide feed-back before submitting an application. However, as mentioned previously, an extensive community consultation exercise had been undertaken by the NHS Trust, which included a local householder mail drop totaling 29,946 households where residents were invited to comment on the scheme. A summary of responses with comments on each made by the Trust, can be found in Appendix 6 of the Statement of Community Involvement. All parking would be free and would be conveniently placed close the entrance into the hospital buildings, such that it would provide an incentive to park within the car park rather than within the neighbouring streets. To conclude, the provision of a centralised area of parking which is free to use, would increase the existing provision and would ensure that on-street parking would be significantly reduced as a consequence. The proposal would meet with the policy requirements of Policy COM8 of the adopted Local Plan and is considered acceptable.

Disabled parking

- 7.9.13 In terms of disabled parking provision, Policy COM8 requires that at least 6% of car park capacity should be allocated for disabled visitors. This would equate to 16.2 spaces. The indicative drawings indicate that suitable provision can be made on each level which has lift access to the ground floor. The Access Group has requested that all disabled spaces are located on the ground floor. However, the location of the disabled bays are purely indicative and therefore further details will be provided at the reserved matters stage.

Electric charging

- 7.9.14 The provision of electric charging points would be seen as a significant benefit and would contribute towards reducing the impacts of climate change. The proposal is seen as an opportunity to contribute towards its green credentials which is supported by the Council's SPD on Climate Change. Further details can be provided with the reserved matters application.
- 7.9.15 On balance, the scheme demonstrates a safe and accessible development can be achieved in compliance with Policies COM7 and COM8 of the adopted Local Plan 2015.

7.10 Ecology, Biodiversity and Archaeology

Ecology

- 7.10.1 Policy ENV7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the council will among other criteria, promote the creation of an effective, functioning ecological network.
- 7.10.2 Para 175 of the NPPF is also relevant and highlights the importance of biodiversity and habitats when determining planning applications. In July 2019 the Government confirmed their intention to make biodiversity net gain mandatory in England for all development. The emerging 'standard' by which environmental gain is calculated is the DEFRA Biodiversity Metric 2.0 test.
- 7.10.3 As a consequence, the Council have adopted a Natural Environment Supplementary Planning Document in September 2020, and this provides guidance for new development to protect and encourage the biodiversity and ecology interests on site.
- 7.10.4 The application has been accompanied by an Ecological Impact Assessment (agb Environmental dated 22nd January 2021) which reports that a Preliminary Ecological Appraisal (PEA) has been undertaken.
- 7.10.5 The development site falls within the Ely Pits and Meadows SSSI IRZ and within 2 km of sites designated for nature conservation, namely Ely Cemetery CWS, Chettisham Meadows CWS and River Great Ouse CWS. However, due to the current use of the site and the nature of the development proposed the PEA considers that it is highly unlikely to have a significant effect on any statutory or non-statutory sites (either alone or cumulatively).
- 7.10.6 Habitat types and ecological features within the site have also been recorded and consideration given to amenity grass land, hard surfaced areas, trees and hedgerows as well as any disused buildings. An internal bat inspection and bat emergence survey were carried out on the disused Porters Lodge and no roosting bats were observed. The PEA considers the site held low value for foraging or commuting bats.
- 7.10.7 The PEA notes that nesting/foraging by birds is likely to be confined to the hedgerow, trees and therefore enhancement and mitigation should be provided. Also, hedgehogs were recorded 340m (1115 ft) south of the site and again enhancement and mitigation should be provided.
- 7.10.8 No further surveys were considered necessary as the site was not considered to support protected/notable species or habitats. Recommendations provided by the PEA advise that due to the loss of small areas of poor quality habitat the current proposal would be ecologically low in impact and that a Biodiversity Enhancement Scheme should be prepared to detail mitigation and enhancements that will support wildlife and achieve net gains. The Wildlife Trust has been consulted on the scheme and has no comments to make. It is therefore considered that a range of mitigation measures can be secured by condition in order to provide a net environment gain.

Trees

- 7.10.9 An Arboricultural Impact Assessment (A. T. Coombes Associates Ltd dated 19th January 2021) has been submitted with the application and reports that 55 individual trees and 1 group of trees were inspected as part of the Assessment.
- 7.10.10 The development would result in the loss of 16 category B trees and the Council's Tree Officer is of the view that based on their sizes a replacement planting of 76 trees should be provided in accordance with the Council's Natural Environment SPD. It is however proposed to plant 31 replacement trees. Whilst this would be below the number required by the SPD, the Tree Officer is of the opinion that as the site is heavily planted with trees the potential to increase the number on site is limited. A Tree Protection Plan and Arboricultural Method Statement is therefore required by condition.
- 7.10.11 As landscaping is a matter reserved for future further consideration, then a landscaping scheme imposed by condition is not necessary at this stage.
- 7.10.12 On balance the impact on biodiversity and ecology interests on the site is considered to be accurately recorded and provided appropriate enhancements and mitigation is provided would meet with the policy requirements as set out in Policy ENV7 of the adopted Local Plan 2015 and the Natural Environment SPD.

Archaeology

- 7.10.13 The application has been accompanied by an Archaeological Evaluation Report which concludes that the development has been assessed as having "an adverse impact upon any extant archaeological remains as demolition of existing buildings and the groundworks for new buildings would lead to the destruction of any potential surviving remains". The report recommends that an appropriate investigation strategy may be required by the Local Planning Authority, and in taking a precautionary approach, a condition requiring that a Written Scheme of Investigation be required by condition.

7.11 Flood Risk and Drainage

- 7.11.1 Policy ENV8 of the adopted Local Plan 2015 states that all development should contribute to an overall flood risk reduction. The site is located wholly in Flood Zone 1 and has been assessed as being at very low risk of flooding.
- 7.11.2 The application is accompanied by a Flood Risk Assessment [Couch Consulting Engineers (Midlands) Limited]. The FRA records that presently both the surface and foul water sewers from the site would outfall into existing Anglian Water sewers in Davison Road. In managing surface water discharge, it is recommended modular plastic geo-cellular systems with a high void ratio can be used to create a below ground storage structure and would be used for run-off attenuation provided with silt trap protection and suitable means of access for cleaning and inspection. As such it is proposed to include two below ground attenuation tanks. One would be located beneath the multi-storey car park and the other adjacent to the existing day surgery building.

- 7.11.3 The Lead Local Flood Authority were initially objecting to the SUDS proposed, however, the applicants in responding to their concerns, have demonstrated that surface water can be managed through the use of cellular storage and have now removed their objection subject to further information imposed by condition.
- 7.11.4 In terms of foul water, Anglian Water have raised no objection to the scheme commenting that drainage from this development is in the catchment of Ely Water Recycling Centre where there is currently capacity to connect to the foul sewer.
- 7.11.5 It is considered that the scheme would comply with Policy ENV8 of the adopted Local Plan 2015 and the Flood and Water SPD.
- 7.12 Other Matters
- 7.12.1 The Council has recently adopted an SPD on Climate Change as it considers as an area experiencing growth “it comes with the responsibility to balance competing demands and mitigate the negative impacts of that growth as far as is reasonably possible”. The SPD predominantly focusses on providing additional guidance to the implementation of Policy ENV4, in that all new development would be expected to aim for reduced or zero carbon development in accordance with the zero carbon hierarchy.
- 7.12.2 The application has been accompanied by a Sustainability Report [Couch Perry Wilkes] which explores many viable options to include within the design of the buildings so that this can inform the building design when details of external appearance are considered in the future. The report concludes that the buildings would provide improved performance over and above that previously provided, with low energy requirements which would incorporate renewable energy technology, such as photovoltaic panels and solar thermal technologies to reduce carbon emissions. The development would also be required to meet BREEAM very good standards in accordance with policy ENV4 and the applicants would need to demonstrate this. Further details can be supplied by condition to meet this requirement and therefore the scheme is considered to meet with the requirements of Policy ENV4 and the Climate Change SPD
- 7.12.3 As the application would involve parts of the site being used by members of the public either visiting or staying at the hospital, then the application is considered particularly sensitive to the presence of contamination. It is therefore considered reasonable that conditions are appended to the grant of planning permission requiring a contamination assessment to be agreed by the Local Planning Authority prior to commencement of development and with regards to unexpected contamination and remediation measures if required. Subject to the relevant conditions being appended, the proposal accords with Policy ENV9 of the Local Plan 2015.
- 7.12.4 A suggestion made by a member of the public that the Council should consider a period of ‘no council tax increase’ to the local housing whilst this work takes place however, this does not constitute a material planning consideration.

8 **CONCLUSION**

- 8.1 This application has been evaluated against the extant Development Plan which is the starting point for all decision making. The Development Plan comprises the East Cambridgeshire Local Plan 2015 and the report has assessed the application against the core planning principles of the NPPF and whether the proposal delivers sustainable development.
- 8.2 The site has been operating as a hospital since the 1940s and has been extended and added to in an ad-hoc and unsympathetic manner. The proposal to redevelop the site brings with it opportunities, not only to improve the health and well-being of visitors, but remove buildings that impact negatively on the visual amenities and character of the area and replace them with a cohesive, state of the art health facility capable of delivering modern health care provision which is seen as a significant public benefit.
- 8.3 The matters of access, layout and scale have been considered in the context of the presumption in favour of sustainable development and whilst the appearance and an appropriate landscaping scheme are yet to be considered, it is clear from the layout and scale of the proposal, an opportunity exists to provide a clear and legible development that can integrate well within the site and provide a focal point for visitors to the hospital without detracting from the visual amenities and character of the area, nor the residential amenity of adjoining occupiers.
- 8.4 The provision of a 270 space multi-storey car park, which is free to use, centralises parking within one area and reduces the amount of displacement parking currently occurring within neighbouring streets. The access has also been updated to provide a bus drop-off/pick-up outside of the hospital entrance and is generally considered to promote accessibility and safety.
- 8.5 The scheme accords with both national and local planning policy and is considered to represent sustainable development.

9 **COSTS**

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

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

No objections have been received from statutory consultees and the development constitutes a key infrastructure requirement supported by Policy GROWTH3.

10 APPENDICES

10.1 Appendix 1 - Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/00160/OUM	Anne James Room No. 011 The Grange Ely	Anne James Planning Consultant 01353 665555 anne.james@eastcambs.gov.uk

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 21/00160/OUM Conditions

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

Plan Reference	Version No	Date Received
Addendum to Transport Assessment		21st April 2021
(95)005 P1 Indicative Master Plan		1st February 2021
(20)001 P1 Ground floor		1st February 2021
(21)001 P1 First floor		1st February 2021
(25)001 P1 Elevations		1st February 2021
(26)001 P1 Existing		1st February 2021
(26)002 P1 Existing		1st February 2021
(30)002 P1		1st February 2021
(10)008 P1		1st February 2021
(30)001 P1		1st February 2021
(31)001 P1		1st February 2021
(35)001 P1		1st February 2021
(36)001 P1 1 of 2		1st February 2021
(36)002 P1 2 of 2		1st February 2021
(90)001 P1 Proposed		1st February 2021
(80)002 P1 Arial view		1st February 2021
7997 RA Unexploded Risk Assessment		1st February 2021
Travel Plan		1st February 2021
AIA		1st February 2021
Transport Assessment		1st February 2021
Archaeological Report		1st February 2021
Biodiversity Report		1st February 2021
Ecological Impact Assessment		1st February 2021
Flood Risk Assessment		1st February 2021
Noise Impact Assessment		1st February 2021
Utilities Statement		1st February 2021
Contaminated Land Study Part 1 of 3		1st February 2021
Contaminated Land Study Part 2 of 3		1st February 2021
contaminated Land Study Part 3 of 3		1st February 2021
Sustainability Report		1st February 2021
(10)009 P1 Existing		1st February 2021
1000.0007.007	B	18th May 2021
1000.0007.008		12th May 2021
1000.0007.009	A	18 th May 2021
1000.0007.010	A	18 th May 2021
Flood Risk Assessment	A	31st March 2021
(10)012 P1 Site wide photo		1st February 2021
(10)001 P1 Wider context		1st February 2021
(80)001 P1 Site visuals		1st February 2021
(90)002 P1 demolition plan		1st February 2021

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

2 Approval of the details of appearance and landscaping, (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved.

Application for approval of the reserved matters shall be made within 3 years of the date of this permission.

- 2 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 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 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.
- 4 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy 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.
- 5 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details. 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.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy 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.
- 6 Prior to or as part of the first reserved matters application a noise assessment, undertaken by a competent person, shall be submitted as part of the first reserved matters, specifying the predicted impact of noise from, and to, all aspects of the end use of the development, on noise sensitive properties and shall detail mitigation measures to ensure noise levels at sensitive receivers are within appropriate limits. Mitigation measures for all aspects of noise from and to the site shall be agreed in writing with the local planning authority and implemented prior to the use of the development and adhered to thereafter.
- 6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 7 The specific rated noise level emitted from the site during operation shall not exceed the existing background noise level by more than 5 dB. The free field sound level shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS 4142:2014+A1:2019
- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 8 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 8 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.
- 9 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:
- a) Location and installation of services/ utilities/ drainage.
 - b) Methods of any demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
 - c) Details of construction within the RPA or that may impact on the retained trees.
 - d) A full specification for the installation of boundary treatment works within or adjacent RPA's.
 - e) A full specification for the construction of any roads in relation to RPA's, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification.
 - f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
 - g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
 - h) A specification for scaffolding and ground protection within tree protection zones.
 - i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
 - J) Methodology and detailed assessment of any agreed root pruning.
 - k) Details of Arboricultural supervision and inspection by a suitably qualified tree specialist.
 - l) Details for reporting of inspection and supervision.
 - m) Methods to improve the rooting environment for retained and proposed trees and landscaping.
 - n) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved details.

- 9 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.
- 10 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment prepared by CCE Ltd (ref: 7731-01) dated December 2020 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to first use of the development.
- 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.
- 11 Prior to the first occupation of any building details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
- 11 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 12 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 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.
- 13 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.
- 14 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.

- 14 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 15 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 15 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 16 Prior to the commencement of any development, the remediation scheme approved in Condition 15 above shall be implemented in accordance with the agreed timetable of works and to the agreed specification. The Local Planning Authority must be given two weeks written notification of commencement of any remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
- 16 Reason: To safeguard the character and appearance of the countryside, in accordance with policies GROWTH2, ENV1 and ENV2 of the East Cambridgeshire

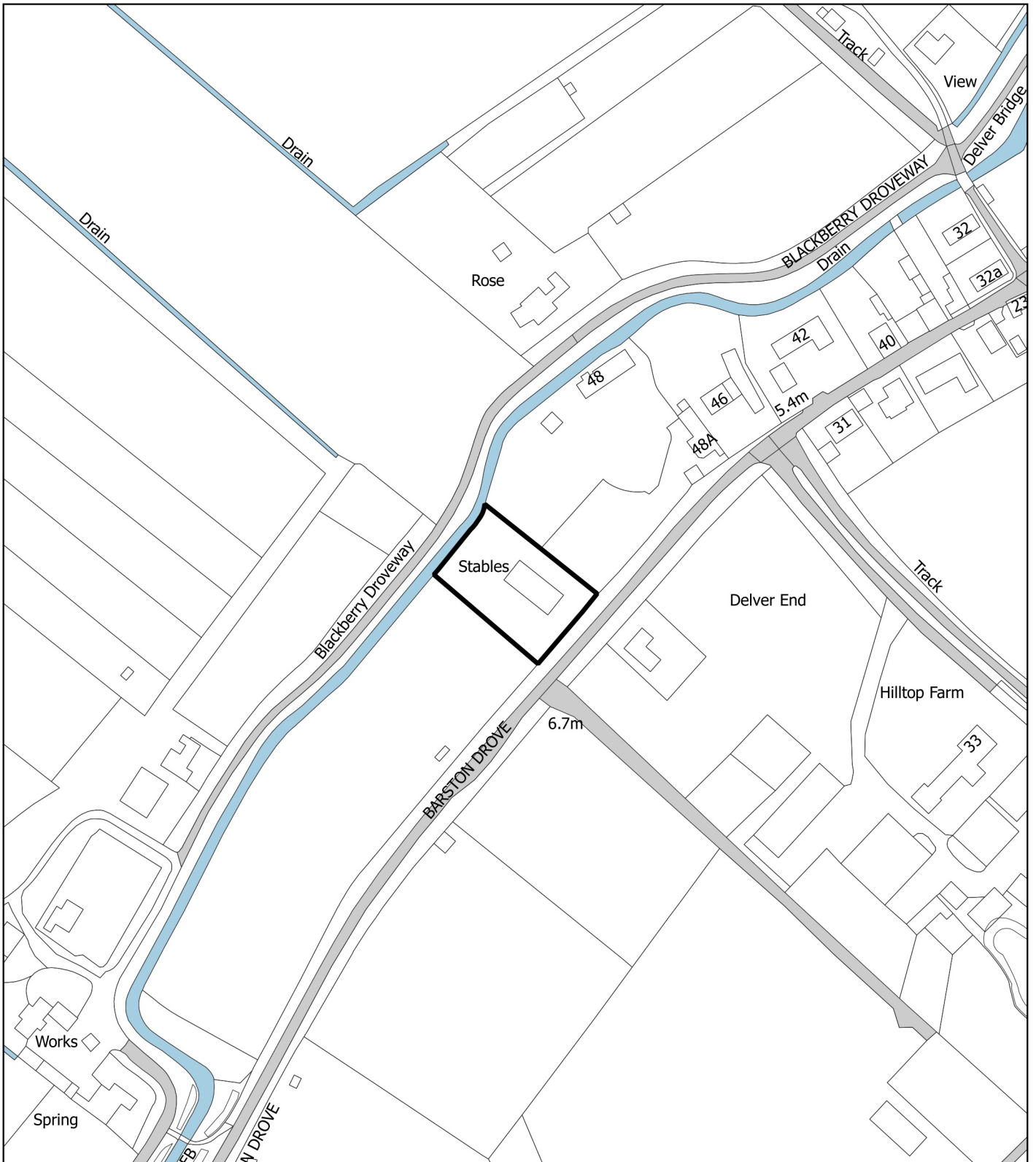
Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 17 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.
- 17 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.
- 18 The development hereby approved shall meet BREEAM Very Good standard or equivalent. If this standard cannot be achieved by virtue of the site's location then prior to above floor slab construction works it must be demonstrated by a BRE Licensed Assessor how all other BREEAM standards have been fully explored in order to meet the highest standard of BREEAM Good or equivalent and agreed in writing by the Local Planning Authority.

A certificate, following post construction review, shall be issued by a BRE Licensed Assessor to the Local Planning Authority, indicating that the relevant BREEAM standard has been achieved or its equivalent within six months of first occupation of the site for written agreement by the Local Planning Authority.
- 18 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 the Climate Change SPD.
- 19 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.
- 19 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 20 Prior to occupation a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved details.

- 20 Reason: In the interests of sustainable travel and to reduce reliance on private car transport and to raise awareness of how to treat horses and riders when travelling, in accordance with Policy COM7 of the East Cambridgeshire District Local Plan 2015.
- 21 Prior to the first occupation of the site, the roads and footways shall be constructed to at least binder course surfacing level to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority.
- 21 Reason: To ensure that the highways end appearance is acceptable and to prevent the roads being left in a poor/unstable state, in accordance with policies COM7 and ENV2 of the East Cambridgeshire adopted Local Plan April 2015
- 22 The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the multi-storey car park is in use.
- 22 Reason: To ensure that the highways end appearance is acceptable and to prevent the roads being left in a poor/unstable state, in accordance with policies COM7 and ENV2 of the East Cambridgeshire adopted Local Plan April 2015.
- 23 Notwithstanding the provision of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on (90) 001 P1.
- 23 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 24 Prior to commencement of use the proposed on-site parking, servicing, loading and turning; area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.
- 24 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.
- 25 Prior to the commencement of use visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan 1000.0007.009 Revision A. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 25 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 26 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 26 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015.

- 27 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 under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 27 Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 28 Prior to the commencement of the use hereby permitted, the off-site highway improvement works shall be completed to the written satisfaction of the Local Planning Authority.
- 28 Reason: To ensure that the highway network is adequate to cater for the development proposed in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015.
- 29 No demolition or construction works shall commence on site until a Construction Traffic Management Plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the public highway)
 - ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
 - (iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the public highway).
 - (iv) Control of dust, mud and debris, in relationship to the functioning of the public highway.
- 29 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 30 No external lighting shall be installed on the site, other than in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of the development hereby approved.
- 30 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.



21/00231/FUL

The Old Paddock
48B Great Lane
Reach



East Cambridgeshire
District Council

Date: 19/05/2021
Scale: 1:2,000



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MAIN CASE

Reference No: 21/00231/FUL

Proposal: Single storey extension to side and rear of dwelling and swimming pool

Site Address: The Old Paddock 48B Great Lane Reach Cambridge CB25 0JF

Applicant: Mr & Mrs Fletcher

Case Officer: Emma Barral Planning Officer

Parish: Reach

Ward: Bottisham
 Ward Councillor/s: Charlotte Cane
 John Trapp

Date Received: 15 February 2021 **Expiry Date:** 9th June 2021
Report Number W13

1.0 **RECOMMENDATION**

- 1.1 Members are recommended to APPROVE subject to the recommended conditions below:
- 1 Approved Plans
 - 2 Time Limit
 - 3 Materials
 - 4 Tree Protection Measures
 - 5 Arboricultural Method Statement
 - 6 Surface Water

2.0 **SUMMARY OF APPLICATION**

2.1 The application submitted seeks planning permission for a single storey extension to side and rear of dwelling and swimming pool. The proposed extension would project 4 metres (13 feet) to the rear of the dwellinghouse with a total width of 25.5 (83 feet) metres to form a 'wrap-around' extension with a projection of 5 metres (16 feet) to the side of the dwellinghouse with a total height of 3.1 metres (10 feet). The proposed swimming pool sited to the front of the dwellinghouse would measure 6 (19 feet) metres by 4 metres (13 feet) with a depth of around 1 metre (3 feet). The proposed extension would include several doors and windows in the rear facing and side facing

elevations and the proposed materials of construction are all to match the existing dwellinghouse.

2.2 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/>

2.3 The application has been called to Planning Committee by Councillor Cane for the following reason- "I should like this application to be called in to Planning Committee please if you are minded to recommend approval. I understand that it is likely to go to the June meeting of the Committee. The Parish Council is drafting a Neighbourhood Plan and this has highlighted the significance of the entrances into Reach, particularly this one - as it is where you enter Reach from the fens. And it is outside of the development envelope in ECDC's Local Plan. There are views from public rights of way across this entrance to Reach and this extension would add to the bulk of the building within these views. There are concerns about the proposed swimming pool and the possible impact on the waterway which runs past the site and into Reach Lode and thereafter into the National Trust Wicken Fen project. There are concerns about the impact on the neighbouring trees, with this proposed extension going so close to the route protection areas".

3.0 PLANNING HISTORY

16/01008/FUL	Demolition of derelict stable block and construction of a dwelling house	Approved	02.11.2016
17/02027/FUL	Proposed garage	Refused and allowed at Appeal	09.11.2018

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located to the west of Reach and is approximately 55m outside the established settlement boundary. The site has an existing access with Bartson Drove, and an application for the erection of a dwellinghouse was permitted by Planning Committee in November 2016. The site is bordered to the north-east and south-east by hedgerow and trees. The application site is occupied by a detached dwellinghouse and double garage approved under LPA Ref 17/02027/FUL which was allowed at appeal.

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.

Ward Councillors – 22nd April 2021- Councillor Cane- "I should like this application to be called in to Planning Committee please if you are minded to recommend approval. I understand that it is likely to go to the June meeting of the Committee.

The Parish Council is drafting a Neighbourhood Plan and this has highlighted the significance of the entrances into Reach, particularly this one - as it is where you enter Reach from the fens. And it is outside of the development envelope in ECDC's Local Plan.

There are views from public rights of way across this entrance to Reach and this extension would add to the bulk of the building within these views.

There are concerns about the proposed swimming pool and the possible impact on the waterway which runs past the site and into Reach Lode and thereafter into the National Trust Wicken Fen project.

There are concerns about the impact on the neighbouring trees, with this proposed extension going so close to the route protection areas”.

Reach Parish Council - 4 March 2021- “Reach Parish Council objects to this application. Its reasoning is laid out in the attached pro forma.

Should you be minded to approve it, the Parish Council requests that the application is called in to Planning Committee”.

The Ely Group Of Internal Drainage Board - 1 March 2021- “There are no details within the application as to how surface water will be disposed of at this site. Therefore, the Board must OBJECT to this application until such a time as details of a suitable scheme for surface water disposal are received”.

The Ely Group Of Internal Drainage Board – 19th March 2021- “Need to make sure that the soakaway can cope/ has capacity for the additional water (possibly with ground testing). Should include a condition to prove the soakways will work”.

ECDC Trees Team – 22nd April 2021- “No tree related objections to the application but an Arboricultural Method Statement (AMS) including a tree protection plan(s) (TPP) this can be provided by condition”

5.2 A site notice was displayed near the site on 4 March 2021.

5.3 Neighbours – 7 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council’s website.

42 Great Lane- Supports the application.

48 Great Lane- No concerns with the application.

4 Chapel Lane- No concerns with the application.

48A Great Lane- Objection- “The proposed extension is in my view is far too close to the adjoining property and will cause significant loss of privacy to the owners of Waterhall. There would be a clear and large impact on the environment with the plan to construct and operate a swimming pool with the high risk of chemical damage to the drainage channels and banks surrounding this property. I wish to object to this

planning proposal to greatly increase the footprint of this building with a design that seems very unsuitable by increasing the impact on the local sensitive issues of being outside the development plan of 2015. Finally I have lived here since 2003 and have been very concerned by some of the issues of planning and building work that have taken place since the owners of 48B came and which has been in direct contravention and documented evidence of restrictions placed by Reach Parish Council and East Cambridgeshire District Council”.

46 Great Lane- No concerns with the application.

6.0 The Planning Policy Context

East Cambridgeshire Local Plan 2015

ENV 2 Design
ENV4 Climate Change
ENV7 Ecology and Geology
ENV8 Flood Risk
COM 8 Parking provision
HOU 8 Extensions in the countryside

Supplementary Planning Documents

Design Guide
Climate Change
Natural Environments

National Planning Policy Framework 2019

12 Achieving well-designed places
14 Meeting the challenge of climate change, flooding and coastal change

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are the impact it may have on the residential amenity of nearby occupiers and the impact it may have on the visual appearance and parking provision.

7.2 Officers have sought advice in relation to the Reach Neighbourhood Plan. Planning Policy Officers have stated on the 18th May 2021 that “The Reach Neighbourhood Plan is currently at an early stage of its preparation. I am expecting it to be published for its regulation 14 draft consultation within the next month or so. However, even then it’s policies will carry very limited weight due to it being at such an early stage of its preparation. The Design Guide was commissioned by Reach Parish Council to inform the preparation of its neighbourhood plan. As it is an objective, independent assessment of Reach’s local characteristics, it could reasonably be considered as material evidence when determining planning proposals”.

7.3 Visual Amenity

- 7.4 The site is located outside the established development framework of Reach, approximately 55 metres from the settlement boundary and the closest residential dwellings. The intervening land between the edge of the settlement boundary and the site is in residential use as garden land, the majority of which is screened by a mature hedge. The application site is occupied by the constructed detached dwellinghouse and double garage approved under LPA Ref 17/02027/FUL which was allowed at appeal. The garage is sited between the building line and the public highway.
- 7.5 LPA Ref 20/00494/VAR related to an application to remove condition 14 of previously approved 16/01008/FUL for the demolition of derelict stable block and construction of a dwellinghouse. Condition 14 states as follows:
- “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), the dwelling shall not be extended in any way, and no structures shall be erected within the curtilage of the dwelling.
- Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015”.
- 7.6 Officers considered that the removal of Condition 14 would therefore result in an adverse effect on the character and appearance and landscape on the sensitive fen edge. The existing condition appended to LPA Ref 16/01008/FUL allowed all applications for extensions and structures to be considered by the Local Planning Authority and allows scrutiny with an opportunity to consider any future application for development. Without the planning condition the Local Planning Authority would have limited control over further development. Therefore, in the spirit of the original planning permission under LPA Ref 16/01008/FUL, and in order to ensure that the Local Planning Authority retains control over the site and to avoid a plethora of residential paraphernalia dominating the landscape, the condition should not be removed. The application was therefore recommended for refusal by Officers however, the Inspector varied the condition on the 14th January 2021 to be more specific in relation to which permitted development rights were removed. The Inspector therefore concluded that “for these reasons the objective of the condition is reasonable and necessary to maintain planning control to safeguard the character and appearance of the area in accordance with Policy ENV2 of the local plan. However, the condition in dispute is imprecise and the appeal is allowed to substitute a more precisely worded alternative”. The Inspector therefore included the following condition-
- “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 development permitted by Class A, B, C, D or E of Part 1 or Class A of Part 2 of Schedule 2 of the 2015 Order (as amended) shall be carried out or made to the dwelling or within its curtilage without the grant of a further planning permission by the local planning authority”.
- 7.7 The current proposed single storey side and rear extension would be modest in size and scale and would form a subservient addition to the dwellinghouse. The proposed single storey side and rear element are retained to the rear of the dwelling and would

not be overly visible from the public highway of Great Lane and are not considered to result in harm to the character and appearance of the dwellinghouse, street scene or surrounding area given the acceptable size, scale and location proposed built form.

- 7.8 The proposed materials of construction as indicated in the submitted planning applications forms would be acceptable on balance and would match the existing dwellinghouse to ensure this assimilates with the character and appearance of the existing dwellinghouse. In addition, the proposed swimming pool, while located to the front of the dwellinghouse, is modest in scale and is low lying meaning that it would not result in harm to visual amenity. It would not result in harm to the openness and rural character of the land to the south of the application dwellinghouse in this edge of settlement location. While any substantial outbuildings or development proposals forward of the proposed dwellinghouse would not be acceptable, the proposals put forward are modest and are not considered to result in harm visual amenity at this edge of settlement location.
- 7.9 The proposal therefore complies with Policy ENV2 of the Local Plan 2015 by being designed to a high quality and by utilising sympathetic materials to ensure that the proposed extensions and swimming pool remain sympathetic to the character and appearance of the surrounding area.
- 7.10 Residential Amenity
- 7.11 Policy ENV2 of the East Cambridgeshire Local Plan requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. It is considered that the proposed single storey rear/side extensions and swimming pool to the front of the dwellinghouse would not result in any harm to neighbouring amenity in terms of overbearing nature, loss of privacy, loss of light or similar given the distances retained and the modest size and scale of the extension. The closest neighbouring dwellinghouse to the north-east is over 50 metres (164 feet) away and therefore no harmful overlooking or loss of privacy would occur. It is therefore considered that the location and scale of the proposed extension and swimming pool would not create any significantly detrimental effects on the residential amenity of nearby occupiers and therefore complies with Policy ENV2.
- 7.12 Parking Provision
- 7.13 Local Plan policy COM8 states that a dwelling should have parking provision for two motor vehicles on the site. The proposal would not affect the car parking arrangements on site and two spaces would remain available within the site.
- 7.14 Trees
- 7.15 Policy ENV7 of the East Cambridgeshire Local Plan 2015 sets out that all development proposals will be required to protect the biodiversity value of land and buildings and minimise harm to or loss of environmental features, such as trees. The applicant has submitted a Tree Survey Report given the extent of trees in the application site to the rear of the dwellinghouse. The Trees Officer has read these documents and has commented “No tree related objections to the application but an

Arboricultural Method Statement (AMS) including a tree protection plan(s) (TPP) this can be provided by condition". The requested conditions are therefore appended.

7.16 As the application is a householder application, the requirements of the Natural Environments SPD are not applicable in this case.

7.17 Climate Change

7.18 East Cambridgeshire District Council (ECDC) declared a Climate Emergency at its Full Council meeting on 17 October 2019. ECDC has joined over 200 Councils around the UK in declaring such an emergency. In declaring a Climate Emergency, the Council committed to producing an Environment Plan, which it subsequently did so (adopted June 2020). One action within that Plan was to prepare a Climate Change Supplementary Planning Document (SPD). The SPD has become a material consideration for the purpose of determining planning applications. The agent was invited to address the Climate change SPD that requests applicants may wish to look at minimising demand through design and maximising energy efficiency. The agent was informed of the requirements in the SPD, however no further details have been provided at the time of determination, which weighs against the proposed development but would not result in the application being refused on this basis alone. The proposed development therefore complies with the Climate Change SPD in respect of renewable energy and sustainability.

7.19 Drainage

7.20 Comments have been received from the Internal Drainage Board and they have commented that "There are no details within the application as to how surface water will be disposed of at this site. Therefore, the Board must OBJECT to this application until such a time as details of a suitable scheme for surface water disposal are received". Following this the Agent has confirmed that surface water will be taken to a soakaway as per the existing house. On discussion with the Internal Drainage Board, they have commented that they need to be sure that the existing soakaway has capacity. They were happy for a condition to be included to secure these details. The Agent has also submitted further details in relation to the operation of the domestic swimming pool as follows-

7.21 "To maintain the water quality of the pool the chlorine level should be maintained between 1.0 and 3.0 parts per million (ppm). Any higher and it will run the risk of red eyes and swimmers itch. It is anticipated the water will never be changed, especially if the above chlorine levels are maintained. In the unlikely event that the water quality becomes so poor it would be apparent that the chlorine level has fallen well below the required parameters and be virtually non-existent. If the water is to be removed for maintenance or repair it will be necessary to lower the chlorine level by adding an appropriate quantity of ammonia. Under test, when the chlorine level is noted as below 1 PPM the water will be pumped via the rainwater soakaway crates. The original rainwater calculation was based upon a roof area of 160m² and a rainfall of 75mm per hour. $(75 \times 160) / 3600$ gives a guide rate of 3.33 litres per second. The drain will be at no more than this rate and not at the same time as it is raining. For guidance the potable water provided by water board has been tested at the kitchen tap at a chlorine level of 1 parts per million. The drainage of the pool will be at a chlorine level no higher than that".

7.22 The drainage of the swimming pool can be dealt with as a condition as requested by the Internal Drainage Board. Therefore, the proposal complies with ENV8 of the Local Plan 2015.

7.23 Conclusion

7.24 The proposal is considered to comply with the relevant policies shown above and it is concluded that the proposed development will not have a detrimental impact on residential amenity for nearby occupiers or on the visual amenity of the nearby area.

8.0 APPENDICES

8.1 Appendix 1 – Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/00231/FUL	Emma Barral Room No. 011 The Grange Ely	Emma Barral Planning Officer 01353 665555 emma.barral@eastcambs.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>

APPENDIX 1 - 21/00231/FUL Conditions

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

Plan Reference	Version No	Date Received
Tree Survey		30th March 2021
L(PL)BD_02		15th February 2021
L(PL)BD_03		15th February 2021
L(PL)BD_EX01		15th February 2021
L(PL)BD_EX02		15th February 2021
L(PL)BD_L01		15th February 2021
L(PL)BD_L02		15th February 2021
L(PL)B.01	A	26th March 2021
L(PL)BD.05		26th March 2021

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 The materials to be used in the construction of the external surfaces of the development shall be either:
 - a. As detailed on the application forms.
 - b. Submitted to and approved in writing by the Local Planning Authority prior to their use in the construction of the development.

All works 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 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

- 4 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.
- 5 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.
- 5 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.
- 6 No development shall take place until a scheme to dispose of surface water (including draining of the swimming pool) has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to completion of the works.
- 6 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.



21/00304/FUL

8 The Brook
Sutton



East Cambridgeshire
District Council

Date: 17/05/2021
Scale: 1:1,250



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MAIN CASE

Reference No:	21/00304/FUL		
Proposal:	Demolition of existing conservatory & construction of new two storey and single storey rear extensions, along with internal additions & alterations		
Site Address:	8 The Brook Sutton Ely Cambridgeshire CB6 2PU		
Applicant:	Mr & Mrs S Oliver		
Case Officer:	Rachael Forbes Planning Officer		
Parish:	Sutton		
Ward:	Sutton		
	Ward Councillor/s:	Lorna Dupré Mark Inskip	
Date Received:	24 February 2021	Expiry Date:	
		9th June 2021 (requested)	
			Report Number W14

1.0 RECOMMENDATION**1.1** Members are recommended to REFUSE this application for the following reason:

The proposed development by virtue of the depth and scale is considered to be an inappropriate addition to the existing dwelling, resulting in an unacceptable level of additional bulk and mass. The proposed materials are not cohesive with or complementary to, the existing dwelling, further exacerbating the scale of the proposed extension. The proposed development is therefore contrary to Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 as it does not provide a complementary relationship with the existing dwelling and the scale, massing and materials do not relate sympathetically to the existing dwelling. The proposal is also contrary to the design principles set out in the adopted District Design Guide SPD.

2.0 SUMMARY OF APPLICATION**2.1** The application seeks the demolition of the existing conservatory and the construction of a two storey and single storey rear extensions. The proposal also includes the addition of a front porch.

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

2.3 The application has been called in to Planning Committee by Cllr Dupré for the following reason:

"I am calling this application in to committee because I believe the recommendation for refusal gives insufficient weight to the reasoned justification for the details of the application. The proposed rear extension sits in a lengthy garden—its dimensions do not extend beyond the existing build line established by the properties at 1-19 Mepal Road and 2 The Brook, and are necessary for the proposed use of the dwelling to accommodate the needs of the owner. The materials palette and design elements of the extension have been carefully considered to result in an interesting building of some design merit, and are in any case barely visible from the road. The scheme has the additional merit of providing one more lifetime home in the village."

3.0 PLANNING HISTORY

3.1 No relevant planning history

4.0 THE SITE AND ITS ENVIRONMENT

4.1 8 The Brook is an end of terrace dwelling situated in the development envelope of Sutton. The dwelling is situated in a long plot with the dwelling itself situated towards the front of the plot. The surrounding area is largely residential and comprises dwellings of various designs and styles.

5.0 RESPONSES FROM CONSULTEES

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

Local Highways Authority - No Comments Received

Parish Council - 24 March 2021

'No concerns – ECDC to determine'

Ward Councillors – 14 May 2021

"I am calling this application in to committee because I believe the recommendation for refusal gives insufficient weight to the reasoned justification for the details of the application. The proposed rear extension sits in a lengthy garden—its dimensions do not extend beyond the existing build line established by the properties at 1-19 Mepal Road and 2 The Brook, and are necessary for the proposed use of the dwelling to accommodate the needs of the owner. The materials palette and design elements of the extension have been carefully considered to result in an interesting building of some design merit, and are in any case barely visible from the road. The scheme has the additional merit of providing one more lifetime home in the village."

- 5.2 A site notice was displayed near the site on 16 March 2021.
- 5.3 **Neighbours** – 7 neighbouring properties were notified. No responses have been received.
- 6.0 The Planning Policy Context
- 6.1 East Cambridgeshire Local Plan 2015
- | | |
|----------|--|
| GROWTH 2 | Locational strategy |
| GROWTH 5 | Presumption in favour of sustainable development |
| ENV 1 | Landscape and settlement character |
| ENV 2 | Design |
| ENV 4 | Energy efficiency and renewable energy in construction |
- 6.2 Sutton Neighbourhood Plan 2019
- | | |
|-----|-----------------------------|
| NP3 | Sutton Development Envelope |
|-----|-----------------------------|
- 6.3 Supplementary Planning Documents
- Design Guide
Climate Change SPD
- 6.4 National Planning Policy Framework 2019
- 2 Achieving sustainable development
12 Achieving well-designed places
14 Meeting the challenge of climate change, flooding and coastal change
- 6.5 Planning Practice Guidance
- 7.0 PLANNING COMMENTS
- 7.1 The main considerations in the determination of this application are visual amenity and residential amenity.
- 7.2 Visual Amenity**
- 7.2.1 Policy ENV 1 of the East Cambridgeshire Local Plan, 2015 states that development proposals should ensure that they provide a complementary relationship with the existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlements. Policy ENV 2 states all new development proposals, including extensions and alterations to existing buildings and structures will be expected to ensure that the location, layout, scale, form, massing, materials and colour of buildings relate sympathetically to the surrounding area and each other, as well as creating quality new schemes in their own right.
- 7.2.2 The District Design Guide SPD states that extensions should not be dictated by a particular amount of additional floor space and the form and proportions of the

original dwelling will determine the extent to which it can be extended. When a dwelling has been extended, the original building should be legible and pre-dominate and, in most circumstances, the extension should be subservient to the existing dwelling.

- 7.2.3 The existing dwelling is approximately 6.8 metres (22.3ft) in depth. There is an existing single storey element to the rear, the main body of which is approximately 4 metres (13.1ft) in depth at its deepest point. There is a small projection adjacent to the eastern boundary of the site which is approximately 2 metres (6.56ft) in depth. This is proposed to be demolished and replaced by a part single, part two storey rear extension.
- 7.2.4 At ground floor level, the extension will project approximately 7 (22.9ft) metres from the rear elevation. At first floor level, the proposed extension will project approximately 5.7 (18.7ft) metres from the rear elevation; the roof will be approximately 8.3 (27.2ft) metres in length. The existing rear projection is approximately 2.5 (8.20ft) metres in height; the proposed extension will be approximately 5.7 (18.7ft) metres in height. It is considered that the proposed extension would result in a disproportionate addition to the existing dwelling by virtue of the depth and height of the proposed extension. While it is noted that there is a single storey element at present, this of a modest scale and height. The proposed extension will double the depth of the existing dwelling at ground floor level and although it is slightly shorter at first floor level, the roof line is of a greater depth than the existing dwelling adding considerable bulk to the host dwelling. The proposed extension does have a slightly lower ridgeline than the existing dwelling but this only amounts to 0.3 (0.98ft) metres and is considered to contribute to the bulky appearance.
- 7.2.5 The existing dwelling is constructed from facing brickwork on the principal elevation and render on the side and rear elevations. The materials to be used in the extension are Cambridge Whites facing brickwork on the ground floor and Colorcoat Urban Cladding for the first floor with cedar boarding around the Juliet balcony. The agent has confirmed that the colour of the cladding would be Anthracite, which from the brochure, is a black/grey colour. While it is noted that the street scene does have a variation of dwelling types, styles and materials (although largely brick and render), the proposal introduces three new materials to the existing materials palette of the host dwelling, which is considered to appear at odds with the predominant brick and tile host dwelling. The use of Cambridge Whites brick would be a very pale contrast against the buff brick on the existing dwelling, even though the side flank wall is rendered in white. Cambridge Whites are not a traditional brick within East Cambridgeshire, although it is similar to the Burwell Whites which is more creamy than white. Nonetheless, it is considered that the brick would represent a poor match against the buff brick on the existing property. The anthracite cladding is also considered to relate poorly with the existing property. It is noted that the existing roof tiles are dark grey and it is understood that the anthracite cladding is intended to blend in with this, however, this type of cladding is not prevalent within the locality and is considered to contrast negatively against the existing dwelling and its impact on the street scene.
- 7.2.6 It is also noted that there are somewhat limited public views of the proposed extension, however, it will be visible on approach from the west. It is considered that

the inappropriate scale of the proposed extension will be further exacerbated by the materials chosen, particularly the dark cladding at first floor level against the light render on the existing side elevation.

- 7.2.7 The Local Planning Authority sought amendments to the proposal in respect of the depth of the proposed extension, the materials and the scale of the front porch. The front porch element has been reduced in width and the Local Planning Authority now consider this element of the proposal acceptable. However, the applicants did not want to amend the rear extensions and therefore these elements remain as originally submitted.
- 7.2.8 The Local Planning Authority also questioned the need for the parapet above the proposed single storey element and whether the intention was to use the flat roof as a balcony and if this was the case then there would be concerns with regards to residential amenity. The agent has confirmed this is not the case and could be controlled by planning condition and the reason for the parapet was to prevent the flat roof being visible where it projects beyond the first floor element. However, the Local Planning Authority consider that the parapet is an unnecessary feature and adds further height to the single storey element which cumulatively results in further bulk.
- 7.2.9 The Local Planning Authority have been made aware that the scale of the proposed extension is due to the applicant's personal circumstances. Officers cannot consider personal circumstances when determining a planning application, although Officers always aim to work with applicants to seek alternative approaches. Furthermore, the Local Planning Authority are not objecting to a two storey extension in principle but consider the proposed extension to be unacceptable for the reasons set out above. In Cllr Dupre's comments, she has stated that the scheme has the additional merit of providing one more lifetime home in the village. Lifetime homes are mentioned in Policy HOU 1 – Housing Mix, which refers to new housing developments and is required for 50 dwellings or more and therefore does not apply in this case. The application is seeking permission for a household extension and as such has been assessed in accordance with the relevant policies for this type of development.
- 7.2.10 Cllr Dupré has also raised that the proposed extension would not result in the proposal stepping beyond the built form line of The Brook and that the rear garden is large so can accommodate an extension of this scale. It is agreed that the proposed extension does not step beyond the line of built form and the rear garden is large, however, when using the principles of the District Design Guide, it is the form and proportions of the original dwelling that should determine the extent to which it can be extended.
- 7.2.11 The proposed extension by virtue of the depth and scale is considered to be an inappropriate addition to the existing dwelling and will result in an unacceptable level of additional bulk and mass. The chosen materials are not cohesive with or complementary to the existing dwelling and it is considered that they will further exacerbate the scale of the proposed extension. The proposal is therefore contrary to Policies ENV 1 and ENV 2 of the Local Plan, 2015 as it does not provide a complementary relationship with the existing dwelling and the scale, massing and materials do not relate sympathetically to the existing dwelling.

7.2.12 The proposed development is therefore considered contrary to Policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 and the District Design Guide, SPD.

7.3 Residential Amenity

7.3.1 8 The Brook has two adjacent neighbours; 6 The Brook which is the attached dwelling to the east and 10a The Brook which is detached, situated to the west.

7.3.2 Policy NP3 of the Sutton Neighbourhood Plan states that sustainable development proposals within the development envelope will be supported in principle subject to being of an appropriate scale and not having an unacceptable impact on the amenity of residents.

7.3.3 In respect of overlooking, the proposal introduces three new windows and two rooflights at first floor level. One window will be on the rear elevation (the Juliet balcony) and two windows will be on the side (west) elevation to serve an en-suite and a bathroom. The rooflights will serve the bedroom. There is already a window serving a bedroom on the rear elevation and it is considered that although the Juliet balcony will project further from the rear elevation that it would not result in a significant overlooking impact to either neighbouring dwelling. The windows on the side elevation could be conditioned to be obscure glazed to avoid overlooking and this is also noted on the plan.

7.3.4 The proposed extension is likely to create an overshadowing impact when the sun is in the east towards 10a The Brook and when the sun is in the west towards 6 The Brook. 10a The Brook does have a window on the side elevation and it is believed that this serves a kitchen but that the kitchen and lounge are one room with double doors and rooflights. Furthermore, any impact would pass once the sun was in the south east and therefore it is considered that any overshadowing impact would not be significant. The proposed extension is situated approximately 3.9 (12.7ft) metres from the neighbouring dwelling at number 6 The Brook and it is considered that any overshadowing impact would only occur once the sun was in the west.

7.3.5 A 45 degree line has been shown on the submitted plans from the centre of the first floor neighbouring window at number 6 The Brook which aims to illustrate the extent of any loss of light impact and given the separation distance it is considered that the proposed extension would not result in a significant loss of light to number 6 The Brook and is therefore considered to be acceptable.

7.3.6 It is considered that the proposed development would not result in any significantly detrimental effects on the residential amenity of nearby occupiers and therefore complies with Policy ENV2 of the East Cambridgeshire Local Plan, 2015 in respect of residential amenity.

7.4 Climate Change and Sustainability

Policy CC1 of the Council's Climate Change SPD is relevant and supports Policy ENV4 of the Local Plan in which it seeks applicants to demonstrate how they have considered maximising all aspects of sustainable design and construction. The agent has confirmed that the development will take a fabric first approach to

sustainability and they are committed to delivering robust projects that exceed the minimum requirements of the Building Regulations. The proposed development is therefore in accordance with policy.

7.5 Planning Balance

The proposed development is not considered to have a significant impact on the residential amenity of adjacent neighbours. However, the proposed extension is considered to be an inappropriate addition by virtue of the depth and scale, resulting in an unacceptable level of additional bulk and mass. The proposed materials are not cohesive with, or complementary to, the existing dwelling, further exacerbating the scale of the proposed extension. Furthermore, it does not provide a complementary relationship with the existing dwelling and the scale, massing and materials do not relate sympathetically to the existing dwelling.

On balance, although the proposal would not have a significant impact on the residential amenity of neighbouring properties, it is considered that this is outweighed by the proposal causing significant and demonstrable harm to the visual amenity of the host building. The development, by virtue of its mass, bulk and materials would result in a proposal that is out of keeping with the existing dwelling and is therefore considered contrary to Policies ENV1 and ENV2 of the Local Plan 2015 and the Design Guide SPD. The application is therefore recommended for refusal.

8 APPENDICES

None

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/00304/FUL	Rachael Forbes Room No. 011 The Grange Ely	Rachael Forbes Planning Officer 01353 665555 rachael.forbes@eastcambs.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>

Sutton Neighbourhood Plan, 2019 -

<https://www.eastcambs.gov.uk/sites/default/files/Made%20Sutton%20Neighbourhood%20Plan%20May%202019%20SMALL%20FILE.pdf>

Planning Performance – April 2021

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

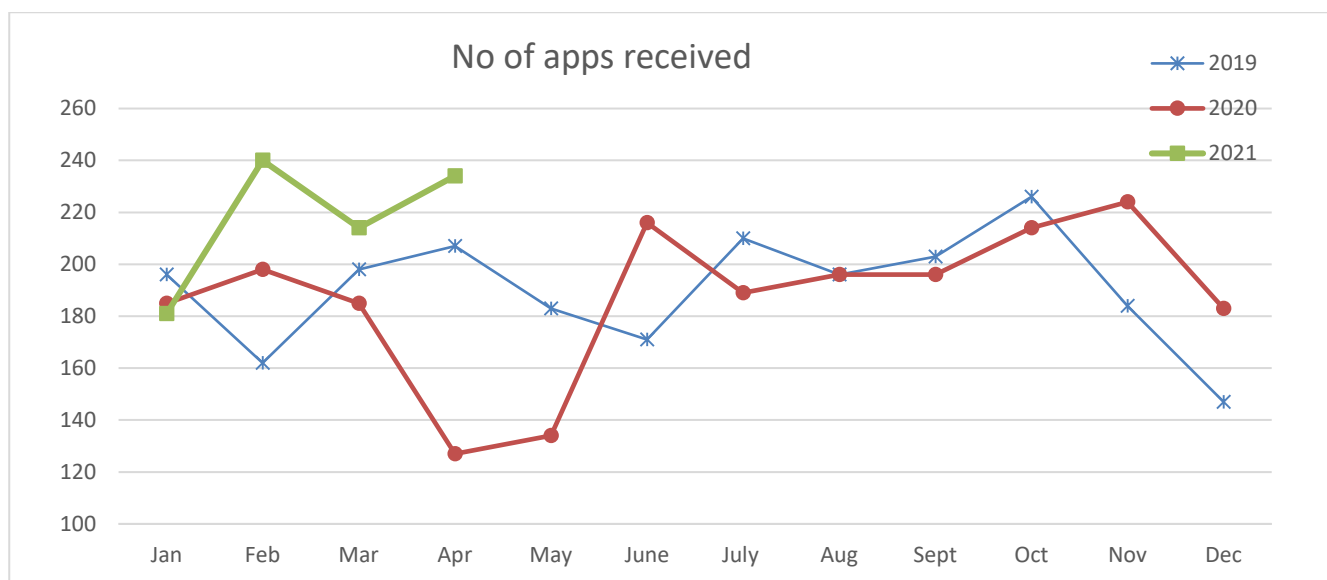
All figures include all types of planning applications.

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
Validation	206	9	37	61	26	37	36
Validated within 5 days (%)	82%	(ECDC target of 75%)					
Determinations	174	2	37	54	17	33	31
Determined on time (%)		100% (90% within 13 weeks)	89% (80% within 8 weeks)	93% (90% within 8 weeks)	100% (90% within 8 weeks)	64% (80% within 8 weeks)	100% (100% within 8 weeks)
Approved	154	2	30	47	12	32	31
Refused	20	0	7	7	5	1	0

Open Cases by Team (as at 17/05/2021)							
Team 1 (3.8 FTE)	201	10	68	33	27	63	0
Team 2 (4 FTE)	157	12	34	57	19	35	0
Team 3 (4 FTE)	185	12	47	48	34	44	0
No Team (3 FTE)	56	9	2	0	8	4	33

No Team includes – Trees Officer, Conservation Officer and Agency Worker

The Planning department received a total of 234 applications during April which is a 84% increase of number received during April 2020 (127) and 9% increase to the number received during March 2021 (214).



Valid Appeals received – 4

Planning reference	Site Address	Decision Level
20/01761/FUL	15 High Street Cheveley Newmarket Suffolk	Delegated
20/00895/FUL	The Reindeer 62 The Street Saxon Street Newmarket Suffolk	Delegated
20/00669/FUL	Land to the Rear of 39 Toyse Lane Burwell	Committee
20/00918/FUL	53 Celandine View Soham	Delegated

Appeals decided – 4

Planning reference	Site address	Decision Level	Appeal outcome
18/01611/OUM	Site South Of 85 To 97 Main Street Witchford	Delegated	Dismissed
17/02217/OUM	Land South Of Main Street Witchford	Delegated	Dismissed
18/01703/OUT	Land West of 19 Station Road Fordham	Delegated	Appeal Withdrawn
20/00526/FUL	Land between 31 & 37 Brinkley Road Dullingham Suffolk	Delegated	Dismissed

Upcoming Hearing dates - 0

Enforcement

New Complaints registered – 28 (0 Proactive)

Cases closed – 21 (3 Proactive)

Open cases/officer (2.5FTE) – 228 cases (18 Proactive)/2.5 = 91.2 per FTE

Notices served – 0

Comparison of Enforcement complaints received during April

Code	Description	2020	2021
ADVERT	Reports of unauthorised adverts	0	2
COND	Reports of breaches of planning conditions	0	9
CONSRV	Reports of unauthorised works in a Conservation Area	0	0
DEM	Reports of unauthorised demolition in a Conservation Area	0	0
HEDGE	High Hedge complaints dealt with under the Anti-Social Behaviour Act	0	0
LISTED	Reports of unauthorised works to a Listed Building	0	0
OP	Reports of operational development, such as building or engineering works	7	8
OTHER	Reports of activities that may not constitute development, such as the siting of a mobile home	1	0
PLAN	Reports that a development is not being built in accordance with approved plans	0	1
PRO	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	0	0
UNTIDY	Reports of untidy land or buildings harming the visual amenity	0	1
USE	Reports of the change of use of land or buildings	0	7
TOTAL		8	28