

20/01006/FUM

Heaton Drive and Land to the West, Heaton Close, Kilkenny Avenue, Gunning Close And
Nigel Road

Ely

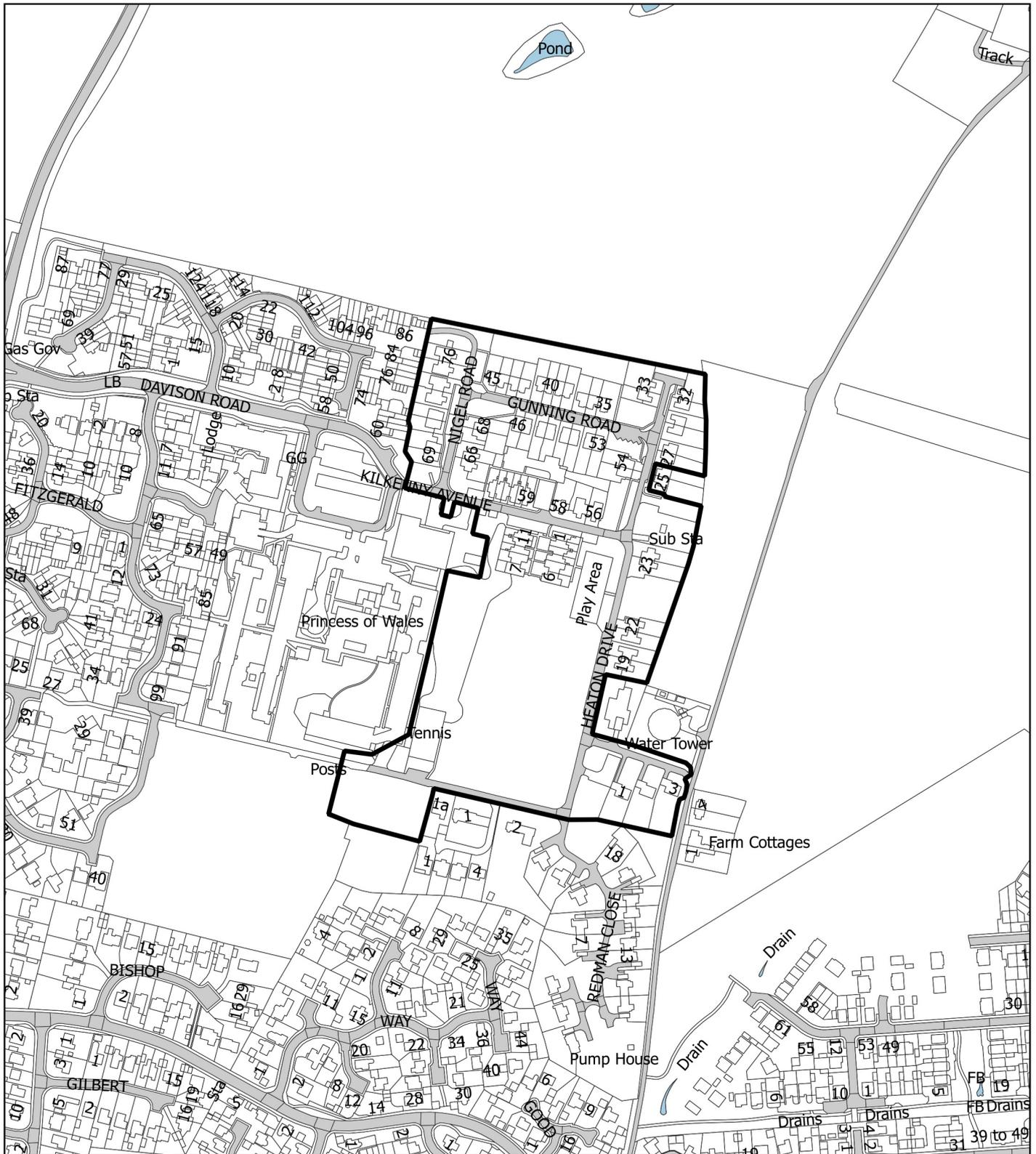
Cambridgeshire

Erection of 27 dwellings, to include parking for existing dwellings and
landscaping.

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QEHSZ1GGG4K00>





20/01006/FUM

Heaton Drive And Land To The
West, Heaton Close, Kilkenny
Avenue, Gunning Close And
Nigel Road
Ely



East Cambridgeshire
District Council

Date: 22/08/2022
Scale: 1:4,043



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MAIN CASE

Reference No: 20/01006/FUM

Proposal: Erection of 27 dwellings, to include parking for existing dwellings and landscaping

Site Address: Heaton Drive And Land To The West, Heaton Close, Kilkenny Avenue, Gunning Close And Nigel Road Ely Cambridgeshire

Applicant: East Cambs Trading Company Ltd

Case Officer: Anne James Planning Consultant

Parish: Ely

Ward: Ely North
Ward Councillor/s: Simon Harries
Alison Whelan

Date Received: 3 August 2020 **Expiry Date:** 7th October 2022
Report Number X76

1.0 RECOMMENDATION

Members are recommended to approve the application subject to the signing of the S106 Agreement and the following draft conditions with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission. The recommended planning conditions can be read in full within Appendix 1.

- 1 Approved Plans
- 2 Time Limit
- 3 Site Characterisation
- 4 Unsuspected contamination
- 5 Piling
- 6 Construction Hours
- 7 Construction Environmental Management Plan
- 8 Fire Hydrants
- 9 Soft Landscaping
- 10 Hard Landscaping Landscape
- 11 External Materials
- 12 Landscape Maintenance
- 13 Biodiversity enhancements

- 14 Written Scheme of Investigation
- 15 Energy and Sustainability Strategy
- 16 Welcome Travel Packs
- 17 Electric Charging Strategy
- 18 Broadband
- 19 Details of bin and recycling storage
- 20 Surface Water Strategy
- 21 Management and Maintenance of SUDS
- 22 Pedestrian Access
- 23 Reptile and Badger Surveys

2.0 SUMMARY OF APPLICATION

- 2.1 An application to develop parts of the former RAF housing estate for housing and parking (both existing residents as well as for the new dwellings) has been submitted.
- 2.2 A number of amendments to the scheme has resulted in the reduction of units from 53 dwellings to 27 dwellings. The mix of accommodation now proposed within the scheme comprises the following market housing mix:

8 x 1no bedroom dwellings
10 x 2no bedroom dwellings
9 x 3 bedroom dwellings
- 2.3 The proposal would provide 33% affordable housing equating to 9 affordable units, as follows:
 - 6 units of affordable rent (3no x 1bed flats and 3no x 2 bed flats)
 - 3 of Low Cost Ownership (1no x 1 bed flat, 1no x 2 bed flat and 1no 3 bed house).
- 2.4 In terms of on-site parking, there would be a total of 60 car parking spaces for the proposed dwellings and 171 proposed for the existing housing stock. All dwellings would be provided with secure cycle storage.
- 2.5 The scheme would require the removal of a line of white poplar trees along the northern boundary, as well as seven individual trees and a small group of trees, none of which are protected.
- 2.6 The application is supported by the following documents:
 - Arboriculture Impact Assessment;
 - Archaeological Evaluation Report;
 - Design and Access Statement;
 - Energy Statement;
 - Phase II Ground Contamination Report;
 - Planning Statement & Supplementary Planning Statement
 - Preliminary Ecological Appraisal;
 - Statement of Community Involvement;

- Transport Assessment

2.7 A S106 Agreement would be entered into requiring the following contributions:

- Affordable Housing
- Education
- Libraries and Lifelong learning;
- Commuted Lumpsum Payment towards POS
- Proportionate payment towards habitat creation
- Waste
- SuDS

2.8 The application is being considered by Committee as it is a matter of public interest.

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/>.

3.0 **PLANNING HISTORY**

3.1

19/01213/CLE	To establish lawful use as C3 (Dwelling Houses) for 88 dwellings	Approved	15.10.2019
18/00216/TPO	T14 Malus - Crown lift path to approx 2.5m T23- Ash - Crown lift by approx 3m and prune back from roof of house T32- Oak - Crown lift tree to approx 3m T36 & T37 Lime Trees X2 - Prune off epicormic growth	Consent	26.03.2018
16/00995/TPO	T52 Lime - Prune back branches to clear roof of building by 2-3m, and prune off epicormic growth T14 Malus - Crown lift over path to approx 2.5m T23, T24, T25 Ash x3 - Crown lift by approx 3m T36 & T37 Lime x2 - Prune off epicormic growth. T38 Lime - Prune back branches by 2-3m to clear roof of building and crown lift T48 Oak - as for T38. T52 Lime - Prune back branches to clear roof of building by 2-3m and prune off epicormic growth.	Consent	09.09.2016

T53 Lime - Prune back branches from roof to clear by 2-3m
 T71 Lime - Prune off epicormic growth
 T80 Ash - Crown lift over garden by approx 3m
 T82 Mallis - Clear large amount of bramble/scrub around tree and remove any deadwood.
 TT90 Purple Leaved Maple - Fell dying tree (plant new replacement tree).
 T95 Cherry - Fell dead tree and plant new replacement tree.
 T96 Weeping Willow - Crown lift by 2-3m.
 T99 Weeping Willow - Crown lift by 2-3m.
 G14 Maple x1 Remove deadwood and broken, hanging branches in canopy.
 G16 1 Field Maple and 2 Lime - Crown lift by 2-3m.

4.0 **THE SITE AND ITS ENVIRONMENT**

- 4.1 The application site comprises approximately 8.79 ha (21.65 acres) of land which is occupied by 88 existing dwellings as well as 3 ancillary buildings on the northern edge of Ely, off Lynn Road/Davison Road, and west of the residential development which was built in the early 90s.
- 4.2 The Princess of Wales Hospital abuts the site to the west. Abutting the site to the south west are playing fields with agricultural fields abutting the northern and eastern boundaries. It is on these latter boundaries that the site abuts the Ely North urban housing extension which benefits from planning permission' for up to 3,000 dwellings.
- 4.3 The site was originally built for the Royal Air Force (RAF) in the 1960s and later occupied in 1992 by the United States Air Force. It was then deemed surplus to requirements in 2011 and the development was returned to the MOD in September 2012. Since then the accommodation has remained unoccupied until 2018 when the MOD sought to dispose of the entire site. The existing ex-servicemen/women dwellings have been refurbished in phases and therefore parts of the site are occupied and other areas are being modernised. There are also three ancillary buildings on the site, one of which is currently in use as an Air Cadet Centre. The other 2 buildings, at the time of writing this report, remain unoccupied.
- 4.4 This is an attractive site which benefits from a generous amount of public open space which is fringed by mature trees, many of which are protected.

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.

City of Ely Council – 22nd August 2022 (comments on amended scheme)

No concerns with regard to this application

17th May 2022

No concerns with regard to this application.

9 November 2021 – objects

The City of Ely Council agreed to the principle of infill development around the existing houses in this area, but felt this application should be refused due to the loss of this green space. This is a major concern, that such an amenity will be lost, especially as the 2012-13 ECDC Play area report concludes that there is a shortage of such areas, failing to meet the minimum open space requirement. This will also result in increased traffic numbers in a very narrow road, Kilkenny Avenue, which is not suitable for such high numbers, especially as it also joins the feeder road to the hospital.

9 September 2020 – Objects

Planning application 20/01006/FUL was considered at the City of Ely Council's Planning Committee on the 7 September 2020. The City of Ely Council's comments are as follows:-

The City of Ely Council agreed to the principle of infill development around the existing houses in this area, but felt this application should be refused due to the loss of this green space. This is a major concern, that such an amenity will be lost, especially as the 2012-13 ECDC Play area report concludes that there is a shortage of such areas, failing to meet the minimum open space requirement. This will also result in increased traffic numbers in a very narrow road, Kilkenny Avenue, which is not suitable for such high numbers, especially as it also joins the feeder road to the hospital.

Ward Councillors - No Comments Received

Consultee For Other Wards In Parish - No Comments Received

Anglian Water Services Ltd - 23 December 2020 – No objection

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated.

Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station.

The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

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

Section 3 - Used Water Network

This response has been based on the following submitted documents: Drainage Report. 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.

Section 4 - Surface Water Disposal

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

Anglian Water has reviewed the submitted documents (Drainage Reports and Drainage Plans) and can confirm that these are acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted. Note to applicant -Discharge of surface water will only be permitted once all other methods of surface water drainage have been explored in line with the Surface Water Hierarchy. Surface Water Hierarchy evidence will need to be submitted at 106 application stage.

Anglian Water Services Ltd - 18 November 2020

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

This response has been based on the following submitted documents: Drainage Report.

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.

Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this

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

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 re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Anglian Water Services Ltd - 13 October 2020

The development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

The foul drainage from this development is in the catchment of Ely Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Cadent Gas Ltd - 26 August 2020

Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Cambs Wildlife Trust – 10th August 2022

This professional ecological advice has been provided in accordance with the Service Level Agreement held with East Cambridgeshire District Council. The submitted ecological report covers all the relevant issues and makes appropriate avoidance, mitigation and enhancement recommendations. If planning permission is granted, the recommendations in the report should be secured through the use of appropriately worded planning conditions. I don't have any comments to make on the BNG assessment. The report shows no net loss for habitats (a very marginal and certainly not a significant gain), but a significant gain in hedgerow units. As the development is just one small parcel and a small part of a much larger urban extension, and was also allocated prior to the Environment Act there would appear to be little justification for requiring a significant net gain in habitats. Should the council require one, then the development should make a proportionate contribution to the habitat creation within the Ely North Country Park.

Ely Cycle Campaign – 14th February 2022

The proposed cycling access to PoW is proposed to remain via Lynn Road, which is readily shown to be incapable of being improved to make the route cyclable. The proposed pedestrian and cycling route between your scheme and the centre of Ely and Ely Railway Station provides access to PoW by a route that runs west across the northern boundary of the old MoD site. We have proposed that this access to the hospital could, with benefit to all concerned, run across the MoD site, which is also under development. We proposed this idea at the planning meeting for the PoW redevelopment and have subsequently remained in contact with East Cambridgeshire Planning. We would be very grateful if you would consider this proposal and perhaps have a discussion with your planning officer.

10th November 2021

It appears that the applicant has not addressed Ely Cycling Campaign 18 June issues; namely 1. Lynn Road being hostile to cycling and 2. Connectivity from this site eg via Heaton Close to the Ely North Development (The 2014 Joint Transport Strategy for the North Ely Development [Church Commissioners and Endurance]), not only for access for this development but also to provide cycling access to and from the Princess of Wales Hospital. I await feed back from Ely Cycling Campaign members on further comments.

The Ely Group Of Internal Drainage Board - 28 October 2021 – No objection.

The Board has no further comment to make from a drainage point of view

25 August 2020 – No objection

The application states that surface water will be disposed of via soakaways. Provided that soakaways form an effective means of surface water disposal in this area, the Board will not object to this application. It is essential that any proposed soak away does not cause flooding to neighbouring land. If soakaways are found not to be an effective means of surface water disposal, the Board must be re-consulted in this matter, as the applicant would need the consent of the Board to discharge into any watercourse within the District.

Environment Agency – 16th May 2022 (Comments on amended scheme)

No further comments to add.

22 October 2021 – No objection

The amendment doesn't change our previous comments.

14 September 2020 – No Objection

The site is underlain by Oadby Deposits a secondary U Aquifer and Woburn Sands (a Principal Aquifer) which in turn overlies the Kimmeridge Clay Formation Unproductive Strata.). Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They can support water supply and river base flow on a strategic scale.

The site is considered to be of moderate sensitivity and could present potential pollutant/contaminant linkages to controlled waters. Environment Agency Position Based on the information provided, we do not consider this proposal to be high priority. Therefore we will not be providing detailed site-specific advice or comments with regard to land contamination issues for this site at this time. We would appreciate being informed if contamination is subsequently identified that poses a significant risk to controlled waters.

The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.

Unsuspected Contamination If, during development, contamination not previously identified is found to be present at the site then the development should cease and the local planning authority should be informed in writing. In such case, a remediation strategy should be developed and submitted to the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as detailed. General Advice to Applicant

1. Preliminary Risk Assessment The PRA should include historical plans of the site, an understanding of the sites environmental setting (including geology, hydrogeology, location and status of relevant surface water and groundwater receptors, identification of potential contaminants of concern and source areas), an outline conceptual site model (CSM) describing possible pollutant linkages for controlled waters and identification of potentially unacceptable risks. Pictorial representations, preferably scaled plans and cross sections, will support the understanding of the site as represented in the CSM.

2. Site Investigation Land contamination investigations should be carried out in accordance with BS 5930:1999-2015 'Code of Practice for site investigations' and BS 10175:2011 A2:2017 'Investigation of potentially contaminated sites - Code of Practice' as updated/amended.

3. SuDS We consider any infiltration Sustainable Drainage System (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.

Soakaways must not be constructed in contaminated ground where they could re-mobilise any pre-existing contamination and result in pollution of groundwater.

Soakaways and other infiltration SuDS need to meet the criteria in our Groundwater Protection Position Statements G1 and G9 to G13.

Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components.

Cambridge Ramblers Association - 29 September 2020

We are objecting to the application on the grounds of the loss of valuable open space which serves to provide recreational opportunities for neighbouring residents. We note that this area of Ely has very few public rights of way in or close to open countryside and the development would reduce even further the critically important access to green space.

Natural England –18th August 2022 – (comments on amended scheme)

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

NHS England - No Comments Received

Padnal and Waterden Internal Drainage Board – 28th October 2021

The above application is outside of the Padnal and Waterden Internal Drainage District but within an area that drains into it. The Board has no further comment to make from a drainage point of view.

Wildfowl & Wetlands Trust - No Comments Received

CCC - Archaeology – 9th June 2022 (comments on amended scheme)

Thank you for your consultation regarding the amendment to the above planning application. We consider our previous recommendation for a condition of planning permission requiring a programme of archaeological investigation to be appropriate.

23 September 2020

The site is located in a landscape of high archaeological potential on the northern edge of the historic City of Ely, with evidence for Bronze Age, Iron Age, Saxon and post medieval activity known in the vicinity. A Bronze Age barrow and associated Beaker burial is recorded on the southern edge of the proposed development area (HER 06136). An additional barrow has recently been excavated as part of the Highflyer Farm excavations undertaken to the east (HER ECB5194). Recent excavations to the north and west of the site have identified extensive land use and settlement in the Iron Age (HER ECB3853). A trackway associated with the Iron Age land use was reused for the location of an early-middle Saxon cemetery. The excavations to the east of the site have identified settlement of Roman date, with further areas of settlement known to the north-east (HER ECB3643). Post medieval

land use includes the site of a kiln to the north. Limited archaeological evaluation undertaken in 1994 ahead of development to the west of the hospital site did not positively identify archaeology, but noted that geophysics within the playing field which was excluded from development did identify anomalies interpreted as probable archaeological features (HER ECB947). It is likely that important archaeological remains survive in the area and that these would be severely damaged or destroyed by the proposed development.

We do not object to development from 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, such as the example condition approved by DCLG.

CCC - Asset Information Definitive Map Team - No Comments Received

CCC - Cambridgeshire Design Out Crime Officers - 22 October 2021

Having reviewed the amended documents and drawings this office is supportive but no further comments in regards to community safety or vulnerability to crime - we would like to see external lighting plan when available.

3 September 2020

No objection subject to further information submitted by condition.

The documents in relation to crime, disorder and the fear of crime and researched the Constabulary crime and incident systems covering this location for the last 2 years, have been reviewed. This area is considered to be at low risk to the vulnerability to crime at present.

There is no mention in either the DAS or planning statements regarding security and crime prevention.

While it is obvious that some crime prevention measures have been considered the following comments are provided for further consideration as the application progresses,

- Footpath to access rear gardens of the terraced houses - shared gates should be fitted with self-closers, private gates should be fitted with self-closers and be lockable from both sides.
- There appears to be good surveillance over parking spaces from active rooms of flats.
- External Lighting - our recommendation is that all adopted and un-adopted roads, private roads, shared drives, footpaths and parking areas, should be lit with columns to BS5489:1 2013 (or BS5489:1 2020). It would be good to see the lighting plan and calculations when available. Care should be taken in relation to the location of lighting columns with the entry method for the majority of dwelling burglary being via rear gardens. Lighting columns located next to rear/side garden walls with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens.

This office would be happy to discuss Secured by Design and measures to help reduce crime and anti-social behaviour.

Cambridgeshire Fire And Rescue Service - 27 October 2021

The Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition. The position of fire hydrants are generally agreed upon when the Water Authority submits plans.

26 August 2020 – No objection subject to condition.

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 – 25th May 2022 (comments on amended scheme)

No objection subject to contributions towards Education, libraries and lifelong learning.

7 September 2020

No objection subject to contributions towards Education, libraries and lifelong learning.

CCC - Lead Local Flood Authority – 30th May 2022 (comments on amended scheme)

No objection subject to condition.

19 January 2021 – No objection

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

Surface water from the site will be managed through the use of permeable paving and soakaways for infiltration. This is subject to further groundwater investigations to confirm that the appropriate groundwater clearance can be achieved in parts of the site where a perched aquifer is present. An alternative strategy has therefore been proposed to manage surface water from perched aquifer areas by means of a surface water pump, which will discharge surface water into the Anglian Water surface water sewer in Davison Road at a maximum rate of 3 l/s.

The site is located within Flood Zone 1. Whilst existing impermeable hardstanding areas are currently at high risk of surface water flooding, the proposals to replace this with permeable paving are likely to act in mitigating this flood risk.

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

We request the following conditions are imposed:

30 November 2020 – Objects.

At present we maintain our objection to the grant of planning permission for the following reasons:

1. Proposed discharge rates too high

The applicant has proposed an alternative strategy to discharge surface water into the Anglian Water surface water sewer. This strategy would be implemented if additional groundwater investigations conclude infiltration to not be a viable method of surface water disposal at the site.

The existing QBAR rate according to the calculations you have provided is 2.34 l/s. The proposed combined discharge rate of 6 l/s is therefore too high and could pose a flood risk to downstream areas. The overall discharge rate from the site must be restricted to no greater than the QBAR greenfield rate.

2. Pump failure modelling required

As the alternative strategy involves surface water pumping, this must be supported by pump failure modelling, demonstrating that any flooding to the site in the event of pump failure can be contained safely within the site. We would require that the flood level be determined under the following conditions:

- The pumps were to fail; and
- The attenuation storage was 50% full; and
- A design storm occurred

The floor levels of the affected properties must be raised above this level and all flooding must be safely stored onsite.

3. Anglian Water agreement required

As the alternative strategy proposes to discharge surface water into the Anglian Water surface water sewer, evidence is required from Anglian Water, demonstrating that they agree, in principle, to the proposed discharge into their system at an agreed rate.

-5 October 2020 - Objects

For the following reasons:

1. Localised high ground water

2. As stated in our previous response, groundwater has been identified at the site as shallow as 1.25m below ground level in WS06 which is close to SA03 and PT03. This is thought to be a localised groundwater level associated with a perched aquifer. It must be demonstrated across all areas where infiltration is proposed that there will be 1m clearance between the base of these infiltration features and peak groundwater.

Whilst we agree that infiltration should be sought as the most favourable option for surface water disposal, with the alternative being an unsustainable pumped system into a surface water sewer, infiltration should be avoided where the perched aquifer is present. Surface water from this part of the site should be re-directed to a part of the site with lower groundwater to protect the perched aquifer from potential pollution.

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should

not be overlooked as these watercourses may flow or even flood following heavy rainfall.

8 September 2020 – Objects

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

1. Infiltrating at Site

The submitted Phase II Ground Investigation Report shows areas of shallow ground water at the site. The groundwater can be found as shallow as 1.25m below ground level in WS06 which is close to SA03 and PT03. The parking areas are proposed with base around 0.5m depth, which would not provide the required 1m clearance between the base of infiltration features and peak groundwater levels. It must be demonstrated across all areas where infiltration is proposed that there will be 1m clearance between the base of these infiltration features and peak groundwater. Until it can be shown that this clearance is provided at all soakaways locations, we are unable to support this application.

2. FEH Rainfall Modelling Required

The submitted calculations are using FSR rainfall data. However, FSR rainfall data is now outdated and there are more accurate data sets in FEH 1999 and 2013 models. This due to recording of rainfall over a longer period of time, as well as updated calculations behind the model. Therefore, FEH rainfall data is now required on all applications to ensure the hydraulic modelling is an accurate representation of the proposed network.

CCC - Local Highways Authority – 13th May 2022 (comments on amended scheme)

No observations beyond those previously made in correspondence dated 17th September 2020, which remain applicable.

17 September 2020 – No objection, subject to conditions.

The proposed development areas are to be served by existing roads which are to remain private.

The submitted information has been reviewed noting that the development proposed is of a level where a qualitative 'Transport Statement' would normally be considered sufficient to assess the broad development impact.

The following is apparent:

- o The Transport Assessment capacity assessments indicate sufficient capacity at the junction of Davison Road with Lynn Road to cater for the development in the future year assessment;
- o On reviewing the local accident data, the junction of Davison Road Lynn Road operates in a safe manner, and is again acceptable to accommodate the additional traffic which may be generated by the proposed development.
- o The approach road, Davison Road, is adequate to cater of the additional level of traffic the proposal may generate in terms of geometry and footway provision.
- o Beyond the ingress to the hospital, Kilkenny Avenue/ Heaton Drive and the network of surrounding streets serving the development are private; the LHA therefore has no observations in relation to the standard of the infrastructure therein.

ECDC Building Control - 29 October 2021

Drainage proposals sound OK in principle and appear to be designed by drainage engineer.

ECDC - Environmental Health - 21 October 2021

Thank you for reconsulting us on the above application with regard to: The amendment involves a reduction in the number of dwellings proposed on site and to address concerns identified by technical consultees

There is a vast amount of new information on the Portal since I last commented but I cannot see anything that would change my previous comments below.

19 August 2020

No objection subject to conditions regarding construction times and deliveries, CEMP, piling,

No immediate concerns to raise concerning the proposed play areas but would advise against noisier equipment such as 'splash pads'.

Finally as the property consists of flats EHP would advise the developer to gain advice from the Fire Authority to ensure the correct precautions are in place.

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

ECDC – Environmental Health (Scientific Officer) 12th April 2022

No objection subject to conditions regarding standard contamination.

ECDC Commercial Director - No Comments Received

ECDC Housing Section - 7 September 2020 – No objection

The Strategic Housing Team supports the above application in principle, as it will meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 to deliver 30% affordable housing on site. (53 dwellings will deliver 16 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.

Based on the latest housing needs evidence from East Cambridgeshire's Housing Register, the Strategic Housing Team requests the following affordable housing mix on site:

Affordable rented (12 dwellings)

6 x 1 bedroom apartments
2 x 2 bedroom apartments

2 x 2 bedroom house
2 x 3 bedroom house

Shared Ownership (4 dwellings)

2 x 2 bedroom house
2 x 3 bedroom house

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG; National Described Space Standards.

ECDC - Economic Development - No Comments Received

ECDC Trees Team – 17th August 2022 (comments on amended scheme)

The Soft landscaping scheme indicates where certain types of trees (garden trees or specimen trees) will be planted and a list of species for each type but it doesn't identify what species will be used where, these details can be confirmed by condition if required

10th August 2022

Due to the stated condition being poor branch attachments on decayed stems of the pollarded poplars in group G4 indicated for retention and that several of them have suffered catastrophic structural failures within the last 12 months it is still strongly recommended that they are removed and replaced with trees that are more suitable for long term-retention in such a setting despite the category B categorisation given in the 2019 tree report. Due to the space available a replacement ratio of 1 to 1 would be appropriate on this occasion

16th June 2022

No tree related objections to the reduced scale development though it should be worth considering the removal of the low quality Poplar tree between the two developments on the northern boundary (circled in green) and replacing them with trees more suitable for long term retention within a domestic area.

17th November 2021

The use of an existing gap in the tree line adjacent Heaton Drive means that no trees will require removal to facilitate access, my tree related concerns for the site are as follows:

Plot 17 could have its entire garden for a significant portion of the day. This can be clarified via a shade analysis plan. Plots 21 to 24 also appear to have potential shading/over shadowing issues. This can be clarified via a shade analysis plan and could potentially be solved by a realignment of the properties as indicated below.

22 January 2021 – expresses concern

The submitted Arboricultural assessment is very useful and raises concerns regarding future conflicts regarding shade from high quality trees and future occupiers requesting potentially harmful pruning this will likely be an issue for trees T65 a Cat B Horse Chestnut, tree T65 a cat A Horse Chestnut, Group of mixed broad leaved trees G14 and tree T76 a cat B Norway Maple that shades current gardens as well. Trees that require pruning to facilitate construction are likely to require ongoing regular pruning due to conflict with buildings as their crowns will re grow, this will effect trees T76 a cat B Norway Maple, tree T65 a cat A Horse Chestnut and G20 a group of mixed species trees.

Tree T130 a cat B Hornbeam is identified for removal but as the adjacent roadway is already in position why does it need to be removed?

Although I do not object to this application I would like the issues mention above considered as although trees may be protected by the TPO pressures to prune cannot just be routinely refused if the shade for example effects residents reasonable enjoyment of their indoor and outdoor space.

ECDC Trees Team - 11 September 2020

The Arb Impact assessment is an initial survey of the trees on site to categorise them, it also identifies those subject to the TPO E/03/11 but does not provide the detail of the proposed layout and potential conflict with the RPAs.

The layout plans submitted ref 1942-WWA-00-XX-DR-L 0306 Rev P00 Sheet 1, 1942-WWA-00-XX-DR-L 0307 Rev P00 Sheet 2, 1942-WWA-00-XX-DR-L 0308 Rev P01 Sheet 3, 1942-WWA-00-XX-DR-L 0309 Rev P00 Sheet 4 show the trees and there 'category' under BS 5837 but only show an indicative canopy and not the RPA. The western boundary behind plots 15 - 19, 36 -40 is of concern as this indicates a new access road to parking spaces, the RPAs of G14 will be significantly compromised as the line of the access road encroaches into the canopy spread.

Plot 15 - 16, G28 3 x Fined Maple (TPO) is indicated for retention - 'C' grade - these are in the rear garden of plot 16 which is not appropriate retention, although the tree schedule only identifies moderate tear outs, not saying if there physical damage, storm damage or.....either way if they are to be retained they will need space not to succumb to post development pressure.

Adjacent to G28 is T78 a 'B' grade Alder (TPO) with no details of its RPA and the layout as with the above the overall impact of the layout is difficult to determine.

The selection of specimen trees is rather 'utility' in species choice and the selection of 'garden' trees is questionable and their locations within small gardens, as an urban environment any planting close to dwellings should be appropriate using trees of interest and all year round colour.

The overall layout sees virtually no trees on the frontages to break up the form and provide softening of the hard landscaping, along with the environmental factors they provide. Taking an approach of less is more with some consideration the inclusion of specimen trees within the grass areas adjacent to a parking space which is constructed using a no-dig cellular system to provide the rooting environment, trees

can be established within this current barren environment which is being proposed within a verdant location.

To provide a comprehensive response the layout needs to be plotted in relation to the RPA of all the trees surveyed because at present only their canopy spreads have been used on the layout plans which is not acceptable, there are also 'pinch' points as identified which need to be reviewed and a decision on practical retention, revised layout or removal needs to be made.

ECDC - Waste Strategy (ECDC) - 3 September 2020 No objection

The waste team would like confirmation that the car park serving units 2-5 is suitable for a waste vehicle to reverse onto and roadway directly opposite units 45-53 is suitable for waste vehicles and a swept path analysis for all these locations.

Technical Officer Access - 3 September 2020

Please provide accessible parking throughout the site. None shown.

Continue footpath between units 22/23 to Simeon Close. For the benefit of those in wheelchairs, but also for everybody as they will use it as a short cut, (pedestrians walk in straight lines).

Why are there no units someone in a wheelchair can live in?

Consider children with disabilities when designing the play equipment.

Some properties appear to access direct on to the public footpath. Will there be sufficient space for ramps to the front doors (namely the properties on the west side of Heaton Drive and the south side of Gunning Road).

5.2 A site notice was displayed near the site on 4 September 2020 and a press advert was published in the Cambridge Evening News on 27 August 2020.

5.3 Neighbours – 475 neighbouring properties were notified and approximately 390 letters of representation have been received which has resulted in further amendments to the scheme. The responses received are summarised below. A full copy of the responses are available on the Council's website.

Comments relating to the current scheme for 27 dwellings:

- Still an overdevelopment of the site;
- Focus on making Ely a sustainable city;
- Traffic issues
- Open space required for mental health as well as environmental factors for wild life;
- No trees should be removed;
- Added pressure on GP surgeries;
- Affects public view
- Affects streetscene
- Contrary to Policy;

- Form and character;
- Implications of additional traffic and highway safety;
- Landscape impact;
- Residential amenity, noise, loss of privacy and loss of light;
- Noise sensitive;
- Parking and Turning;
- Cladding of existing housing completely at odds with all the other houses. Concerned as to how this was allowed
- No pavement in Redman Close and the construction of eight houses will significantly increase the number of cars making loss of useable and safe cycle paths;
- Inconsiderate builders;
- More playgrounds required;
- Loss of trees;
- Clarification required on planned footpath that gains access to Kings Avenue;
- Lack of existing open space in Ely;
- Need to encourage active travel and better public transport;
- Energy Strategy just a box ticking exercise and unless new development is carbon neutral then it cannot comply with the definition of sustainable development;
- suggest that permanent public access to all estate roads, footways and green space be conditions of approval. construction of the footpath/cycle path between Nigel Road and an east-west bridleway on the northern boundary of this development also be a condition of approval;
- Biodiversity Net Gain Report needs amending
- Bats may be affected
- Bin store may cause loss of amenity to resident
- Space for air cadets to practice

5.4 There have been overriding concerns expressed repeatedly regarding the protection of the existing greenspace within the site to prevent it being built on by means of a planning condition or via the s106 Agreement. However, para 55 of the NPPF makes clear that conditions should meet with the following '6 tests' in that they are:

1. Necessary;
2. Relevant to planning
3. Relevant to the development to be permitted;
4. Enforceable;
5. Precise and
6. Reasonable in all other respects.

5.5 The act of tying public open space within an application would not meet with the s122 of the Community Infrastructure Levy Regulations 2019 NPPF. Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms and may only constitute a reason for granting planning

permission if they meet the tests that they are necessary to make a development acceptable in planning terms.

It is not practice adopted by the Council to condition public open space so that it remains as public open space in perpetuity. To do so would set an undesirable precedent in all applications for housing development within the district and this would be open to challenge. Notwithstanding this fact, every application is assessed on the individual merits of a scheme and is a matter of planning judgement.

5.6 *Comments concerning previous amendments:*

Loss of trees and impact on those retained
Loss of established greenspace which is a public amenity
Flooding and drainage
Global warming
Increase in traffic
Pollution
Re-instate playpark and increase leisure activities in the area
Impact on Conservation Area
Landscape impact
Housing should have solar panels and heat pumps
Affordable housing already being built in the area
Affects right of way/access
Affects public views
Duty of care for citizens of Ely and their well-being
Site is full of empty houses

6.0 The Planning Policy Context

6.1 *East Cambridgeshire Local Plan 2015*

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
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 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Developer Contributions and Planning Obligations

Design Guide
Contaminated Land
Flood and Water
Natural Environment
Climate Change

6.3 *National Planning Policy Framework 2021*

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

6.4 *Planning Practice Guidance and National Design Guide*

Due regard has been had to this guidance.

7.0 PLANNING COMMENTS

7.1 The main issues to consider in the determination of this application are:

- Principle of Development
- Residential amenity
- Visual amenity
- Highways and parking
- Ecology and Biodiversity
- Archaeology
- Flood Risk and Drainage
- Other

7.2 Principle of Development

7.2.1 The starting point for decision making is the development Plan i.e. 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.

7.2.2 The housing scheme has been significantly reduced from 53 to 27 dwellings which include both market and affordable housing. Amid concerns expressed in letters of

representation, the existing open space would remain intact and therefore no housing is proposed within the central area. The new development would be pepper-potted around the site on areas that do not form part of usable public open space. As such the visual amenities of the area have not been harmed and the scheme would complement the existing pattern of development.

- 7.2.3 The site is located within the development envelope of Ely which has been identified as an area of growth in Policy GROWTH 2 of the adopted Local Plan 2015. The image below indicates the Masterplan for the site:



- 7.2.4 The proposal would provide an acceptable standard of living for future occupiers and would not compromise the living environment of existing residents. The site is within a sustainable location benefitting from a range of transport options, close to the hospital as well as other services, infrastructure and employment opportunities. The Local Highways Authority have raised no concerns and mitigation measures and enhancements would create more active travel with safer routes which encourage walking and cycling.
- 7.2.5 It is considered the scheme meets with the policy requirements of both national planning policy and the adopted Local Plan 2015 and is considered acceptable in principle, subject to the satisfactory completion of a S106 Agreement.

7.3 Residential Amenity

- 7.3.1 The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Policy ENV2 of the Local Plan requires development to respect the residential amenity of existing and future occupiers.
- 7.3.2 The East Cambridgeshire Design Guide SPD takes into account the requirement to provide sufficient plot sizes and amenity space for all new development. Therefore,

a minimum of 10m separation distance should be achieved from the rear elevation of any dwelling to the rear boundary. The distance between rear inter-visible windows should be a minimum of 20m (66 ft) and the scheme complies with this guidance. The Design Guide also seeks 300 sqm (~3230 sq ft) plot sizes, at least 50 sqm (~540 sq ft) amenity space and ratio of built form to plot. In this respect the design criteria have been met.

- 7.3.3 Plots 1-2 would comprise one 2no bedroom detached maisonette located on the junction of Kilkenny Avenue and Nigel Road. This area was previously occupied by a single storey building which has since been demolished. To the rear of the site is a 1.8m high close boarded fence with a grassed amenity area to the rear of that. An entrance into the maisonette would be located on the southern flank wall with a communal front door fronting on to Nigel Road. The maisonette would replicate the same building line as the existing properties with 4 parking spaces to the front. There is a shared amenity space which would be suitably screened to provide privacy for the future occupants.
- 7.3.4 In terms of the residential amenity of existing occupiers is concerned, there would be one property to the north of the site in Nigel Road. There are no windows on the flank elevation abutting the shared boundary and the first floor windows relating to the new dwelling, on the opposing flank wall, have been positioned to avoid overlooking and any loss of privacy. There are windows on the first floor rear wall where there would be some overlooking into the garden area of the neighbouring property, however, as all properties along Nigel Road share a similar orientation a degree of overlooking already occurs. As such the residential amenity of this adjoining occupier would not be materially harmed.
- 7.3.5 Plots 3-6, 7-10 12-15 and 16-19 all comprise two storey flats. The accommodation mix and the layout are replicated within these units with 1 x no1 bed and 1 x 2no bed on the ground and first floors. The overall approximate height to ridge would be 9.5m (31.2ft) with a depth of 18.4m (59ft) x width of 9m (29.5ft) These units are located to the north and east of the site. The flats have been designed to reduce the degree of overlooking to neighbouring properties and this has been achieved by reducing the number of windows which would overlook a neighbouring property. These two boundaries currently abut open countryside but as planning permission has been granted for the future North Ely urban extension, then it has also been necessary to assess the residential impact on the adjacent site. All ground floor flats have been designed to comply with Part M of the Building Regulations [Access to and use of Buildings].
- 7.3.6 When looking at the Masterplan for North Ely, it is proposed to place a landscaped "Greenway" which would run the length of the northern boundary of the application site. The Greenway would be planted with trees and hedgerow. On the eastern boundary of the application site, there would be a number of allotments which would also be suitably screened on the shared boundary.
- 7.3.7 Within the site there would be a number of properties along Gunning Road which would have a rear garden to flank wall relationship with the new flats (3-6 and 7-10). The separation distances achieved along here are approximately 20 – 22.5 m (66ft-72ft) respectively and in Heaton Close the relationship with existing dwellings would be sharing the linear layout with existing development approximately 9m (29.5ft) from plots 16-19. Again, sufficient separation distance has been provided to ensure

there would be no visual intrusion, loss of privacy/overlooking or overshadowing. New occupiers would be provided with an acceptable area of communal garden space.

- 7.3.8 Plot 11 comprises a 2no bedroom chalet bungalow located on the corner of Gunning Road and Heaton Drive. Although, this site would have a shallow depth garden at 7m (23ft), the width of the plot would be 27m (88.5ft) and as such is acceptable. There would be no overlooking or loss of privacy to adjoining occupiers, due to the size and location of this dwelling.
- 7.3.9 Plots 20-27 comprise 4 pairs of semi-detached dwellings located to the south-west of the site and abut Merrifield Gardens to the east and the park to the west. All are 3no bedroom dwellings and measure 8.8m high (28.8ft). Due to their linear layout all dwellings share a similar orientation to the existing dwellings and therefore there would be no visual intrusion or loss of amenity in terms of overlooking/loss of privacy/loss of light or overshadowing. In general, whilst there would be a degree of general disturbance from construction traffic and working practices, a number of mitigation measures have been imposed by condition in the form of restrictions on times of delivery and construction, as well as a Construction Environmental Management Plan which would ensure the residential amenity of existing occupiers is safeguarded for the duration of the construction period.
- 7.3.10 All dwellings benefit from an acceptable outlook with adequate sunlight/daylight penetration to all habitable rooms and meet with the requirements of the East Cambridgeshire Design Guide.
- 7.3.11 In terms of the design of these new dwellings/flats, a traditional approach has been taken on the external elevations with boarding on the flat blocks and brick headers on the housing. Details of the materials would be provided by condition. Concerns have been identified with regard to the materials used on the existing housing and how has this been allowed. It is acknowledged that the existing housing stock has remained vacant since the previous residential use ceased and has not been upgraded. A number of renovation works have therefore been carried out that would not necessarily require planning permission as these can be undertaken as permitted development.
- 7.3.12 On balance, the scheme meets with the criteria established in the Council's Design Guide and there would be no material loss of residential amenity to existing occupiers due to the size and location of these dwellings. The amenity of future occupiers is also considered to be acceptable.
- 7.3.13 The scheme would comply with Policy ENV2 of the adopted Local Plan and the Design Guide.

7.4 Visual Amenity

- 7.4.1 Policy ENV1 of the Local Plan 2015 requires new development to provide a complementary relationship with existing development and conserve, preserve and where possible enhance the distinctive and traditional landscapes and key views in and out of settlement. Policy ENV2 of the Local Plan 2015 requires that new

development should ensure its location, layout, form, scale and massing and materials are sympathetic to the surrounding areas.

- 7.4.2 The existing development within the application site has been designed specifically for the families of servicemen and women and has been laid out around a central area of public open space. An avenue of trees abut this area to the east and south with a tree copse located to the west. There are other buildings on the site, besides the housing, which would have provided the ancillary services and facilities enabling the residents to live independently within a closed community. The whole area benefits from screens of mature trees which contribute to the area's verdant character. A tennis court within the south-western corner has been brought back into use and there is a disused play area on the junction of Heaton Drive and Kilkenny Avenue.
- 7.4.3 In assessing the impact of the additional housing on the visual amenities of the area, upon entering the site to the north-west, there would be a new dwelling (maisonette) located adjacent to the entrance. It is not considered that this property would detract in any way from the visual amenities, in view of its positioning within the existing streetscene. The area in question was previously occupied by a derelict building either associated with the hospital or the existing military use. Moreover, a multi-storey car park is planned on the area of land to the south-west of Nigel Road as part of the re-development of the Princess of Wales Hospital site.
- 7.4.4 Parts of the site, where it is planned to construct the flatted development, would be to the rear of properties in Gunning Road or again within the streetscene in Heaton Drive and the impact of these new dwellings would be minimal when considered against the prevalent character of existing development and emerging character of development planned within the wider area. The row of semi-detached dwellings complete an existing line of dwellings to the south of the site opposite the refurbished tennis courts.
- 7.4.5 The prevalent character of dwellings within this estate is that of purpose-built dwellings all of two storeys in height comprising a mix of terraced, semi detached and detached housing using a combination of buff and red facing brick, boarding and render. Whilst the proposal would introduce a number of apartment blocks these would be two storeys in height. The scheme would also introduce a single storey bungalow at the junction of Gunning Road and Heaton Drive. The design of the new housing takes as reference the existing properties and as such retains the character of development within the surrounding area. Further details of the materials proposed would be sought by condition.
- 7.4.6 In all respects the proposal would comply with national policy and Policies ENV1 and ENV2 of the adopted Local Plan 2015.

7.5 Highways and parking

- 7.5.1 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.

7.5.2 The site would utilise the existing access and internal highway layout taken from Davison Road a single carriageway road and then into Kilkenny Avenue. A Transport Assessment [Paul Basham Associates Ltd dated 23rd July 2020] was initially submitted with the scheme for 53 dwellings and indicates within the capacity

7.5.3 Although the Transport Assessment relates to a larger number of dwellings than is currently proposed within this scheme, the Local Highways Authority considers that there is sufficient capacity at the junction of Davison Road with Lynn Road to cater for the development. They have also reviewed the local accident data at this specific junction, and agree with the findings. The junction currently operates in a safe manner, and would be able to accommodate the additional traffic generated by the scheme. Bearing in mind the quantum of development has been further reduced since, then the LHA are raising no objection in this respect. The LHA also consider the approach road, Davison Road, "is adequate to cater for the additional level of traffic, the proposal may generate, in terms of geometry and footway provision". However, as the network of surrounding streets serving the development are private, the LHA would not be commenting on the standard of the infrastructure within the site. In this respect, a view has been formed by virtue of the infill nature of the development proposed, and the reduction in the number of dwellings, in that the new dwellings are located in different parts of the site and therefore unlikely to result in congestion at any one junction and at any specific time.

7.5.4 The application site is within a sustainable location on the edge of Ely City Centre 1.8 km (1.1 miles), and is served by a range of sustainable modes of transport.

Bus

7.5.5 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.

By rail

7.5.6 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.

By foot/cycle

7.5.7 A continuous pedestrian link from the site to Lynn Road provides a safe walking route to Ely City Centre which is approximately 1.8km (1.1 miles). There are regular crossing facilities located along Lynn Road and a pedestrian refuge island 50m (164 ft) south of Davison Road/Lynn Road junction.

7.5.8 In terms of cycling, the site is close to Route 11 of the National Cycle Network (NCN) which runs primarily along Lynn Road and can be accessed approximately 1.5km (0.9 miles) south of the site, and 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.

- 7.5.9 The government recommends that local authorities prepare Local Cycling and Walking Infrastructure Plans (LCWIPs) in line with LT1/20, in order to create good quality cycle networks. Although the Council has not adopted an SPD on this as yet, active travel is a consideration in planning for the future.
- 7.5.10 The Ely Cycling Campaign (ECC) has raised a number of issues in respect of promoting further cycling opportunities and providing links with the North Ely Urban Housing Extension which abuts the application site to the north and east.
- 7.5.11 The scheme does make provision for a new future connection to be created at the northern end of Nigel Road so that access can be obtained when Phase 2 of the North Ely housing scheme is built out. This will allow north-south foot and cycle linkages between the application site through to the Princess of Wales Hospital site and Lynn Road etc. Further details will be provided by condition.
- 7.5.12 Moreover, it is also possible to cycle north/south through the application site from the hospital to Kings Avenue at its junction with High Barns (via Kilkenny Avenue / Heaton Drive / Heaton Close past the water tower and along the bridleway at Highflyer Farm Cottages). The same connection by the water tower at Heaton Close will also permit an east-west link between Williams Close and the new foot/cyclepaths that are to be constructed by others in the future on the part of Phase 2 development that lies to the east of application site.

Travel Plan

- 7.5.13 A Travel Plan has been submitted as part of the submission, [Paul Basham Associates July 2020] and includes suitable measures and incentives to promote sustainable travel and reflect the existing location of the site. However, as the document relates to a development of 53 dwellings, a revised document would need to be submitted and a condition would be imposed on any consent to this effect.

Car Parking

- 7.5.14 Policy COM8 of the adopted Local Plan 2015 requires that dwellings benefit from 2 car parking spaces and 1 cycle park space with visitor parking.
- 7.5.15 The scheme would provide a total of 60 car parking spaces for the proposed dwellings and 171 proposed for the existing housing stock. The layout successfully accommodates sufficient parking on the site both allocated and unallocated parking spaces being provided on site with opportunities for cycle storage within the rear garden areas which avoids a car dominant development and complies with the terms of the policy. Further details of the secure cycle storage would be required by condition.
- 7.5.16 The applicants would be required to provide an electric car charging strategy which can be imposed by condition. 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.

7.5.17 The scheme would not impact on the existing highway network and a range of mitigation measures would ensure highway and pedestrian safety would not be compromised with benefits to active travel applied. The proposal is therefore considered to comply with Policies COM7 and COM8 of the adopted Local Plan 2015.

7.6 Ecology and Biodiversity

7.6.1 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.

7.6.2 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. However, the application was submitted prior to the adoption of the SPD.

7.6.3 A Preliminary Ecology Assessment (PEA), [agb Environmental dated 22nd March 2019] has accompanied the initial scheme for 53 dwellings and a Habitat Survey was undertaken on the parcels of land where development was proposed. The number of dwellings has now been reduced, however, it is acknowledged that due to the prominence of existing buildings, amenity grassland, hardstanding, heavy management of its habitats with poor plant diversity and extensive use of artificial lighting, the site holds negligible ecological importance. The Wildlife Trust has stated that “ecological report covers all the relevant issues and makes appropriate avoidance, mitigation and enhancement recommendations” and the recommendations can be secured through the use of appropriately worded planning conditions

7.6.4 In terms of designated sites of national importance that are within 5km (3.1 miles) of the application site the site falls within the Ely Pits and Meadows SSSI IRZ, and Natural England have been consulted and have raised no objection. The SSSI is 1.2km (0.7 miles) north west of the site, the Little Downham LNR is 2.7km (1.7 miles) west of the site and the Delph Bridge Drain SSSSI 4.9 km (3 miles) south east of the site. However, the site is 7.7km (4.8 miles) distant from the Ouse Washes, SAC, SPA and Ramsar.

7.6.5 Non-statutory sites are Ely Cemetery CWS which is within 0.6km (0.4 miles) and to the south of the site; Chettisham Meadow CWS which is 1.2km (0.7 miles) north, with the River Great Ouse 1.4km (0.86 miles) east of the site.

7.6.6 Turning to species recorded on the site a survey of trees was undertaken to establish their potential to support bats, owls, and birds. The PEA records bird interest is likely to be confined to the hedgerows, trees and scrub as well as buildings. There was no evidence of barn owls although parts of the site would be suitable for foraging purposes. The PEA also considered there would be roosting potential for bats within a number of trees present and further surveys were recommended should those trees be found suitable for roosting. However, since this report was commissioned, the amount of development has been significantly

reduced and would not affect the trees in question. It is therefore not considered necessary to undertake further survey work.

- 7.6.7 A Reptile and Badger Report [Greenlight Environmental Consultancy dated October 2020] has been submitted and records that no badger sets, or set entrances were recorded on site. Likewise, no reptiles were recorded within the survey area. A number of precautionary measures set out in the Report have been proposed and should be observed prior to construction of development. These will be conditioned accordingly.
- 7.6.8 The Biodiversity Net Gain (BNG) Metric is designed to provide ecologists, developers, planners and other interested parties with a means of assessing changes in biodiversity value (losses or gains) brought about by development or changes in land management. A Biodiversity Net Gain Report has also been submitted [Richard Graves Associates Ltd dated July 2022]. The report uses the current Biodiversity Metric 3.1 which was launched in April 2022 by DEFRA. This document has been amended to indicate that 23 trees are due to be removed and replanted with 24. As a result, the scheme would achieve a small (0.16%) net gain.
- 7.6.9 BNG is now mandated in The Environment Act 2021, where a minimum of 10% net gain will be required once regulations are issued, (by most developments), but currently this is an aspirational percentage. Enhancements to ecology proposed within the site apart from tree and hedgerow planting would also include bird boxes, underground bumble been boxes in hedgerows, two reptile hypernacula and insect houses. The Cambs Wildlife Trust had no comments to make on the BNG assessment, only commenting that the report shows no net loss for habitats (a very marginal and certainly not a significant gain), but a significant gain in hedgerow units. The Wildlife Trust consider “as the development is just one small parcel and a small part of a much larger urban extension, and was also allocated prior to the Environment Act there would appear to be little justification for requiring a significant net gain in habitats. Should the council require one, then the development should make a proportionate contribution to the habitat creation within the Ely North Country Park”. In view of the small net gain in biodiversity the developers have agreed to provide a proportionate contribution to habitat creation in Ely North Country Park and this will be set out within the S106 Agreement.
- 7.6.10 The Council's Tree Officer has raised no objection citing that the pollarded poplar trees in G4 (along the northern boundary), which have been indicated for retention, should be removed as they have suffered catastrophic structural failures and should be replaced with trees more suitable for long term retention. As such, although a landscaping scheme has been submitted which indicates the location of the new specimen and garden tree planting, hedgerow etc, a revised scheme would be required by condition which can then be reviewed by the Tree Officer.
- 7.6.11 The proposal is considered to meet with the criteria of Policy ENV7 of the adopted Local Plan 2015 and the Natural Environment SPD.

7.7 Archaeology

- 7.7.1 The NPPF and Policy ENV14 emphasise that the conservation of archaeological interest is a material consideration in the planning process and requires

development proposals that affect sites of known or potential archaeological interest to have regard to their impact upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains.

- 7.7.2 The County Archaeologist has commented on the scheme in view of the site's location to the north of Ely and considers there has been evidence of Bronze Age, Iron Age Saxon and post medieval activity known within the vicinity of the site.
- 7.7.3 County have raised no objection to the proposal, however, request that a Written Scheme of Investigation is submitted by condition. Such a condition would therefore be applied.
- 7.7.4 The proposal is considered to meet with the criteria of Policy ENV14 of the adopted Local Plan 2015.

7.8 Flood Risk and Drainage

- 7.8.1 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.
- 7.8.2 A Flood Risk Assessment and Drainage Strategy [Palace Green Homes dated July 2020] has been submitted with the application and indicates that of the three pump stations within the site curtilage only one has been adopted by Anglian Water with the remaining two in private ownership. The existing arrangement for the disposal of surface water is a mixture of soakaways and existing connections to a combined sewer.
- 7.8.3 It is proposed to dispose of all surface water runoff via infiltration to ground via porous paving and soakaways. The Lead Local Flood Authority has raised no objection in principle to the development subject to two conditions requiring "further groundwater investigations to confirm that the appropriate groundwater clearance can be achieved in parts of the site where a perched aquifer is present". In perched aquifer areas it is proposed to manage surface water by means of a surface water pump to discharge into the Anglian Water sewer in Davison Road. A further condition is proposed to provide details of the long-term maintenance arrangements.
- 7.8.4 In terms of the management of foul water, there is a private sewer network serving the existing dwellings. Wastewater drains by gravity to one of three pump stations located on the estate.
- 7.8.5 Anglian Water have raised no objection to the reduced amount of housing and have indicated that the foul drainage from the development would be in the catchment of Ely Water Recycling Centre where there is capacity for these flows. The location of their sewage pumping station is within 15m of the site. In line with guidance provided by Anglian Water, all residential dwellings would be required to be located outside of the 15m *cordon sanitaire* as development would be potentially sensitive to noise or other disturbance. In order to ensure future amenity issues are not

created no development is proposed within this exclusion zone. The proposal would not intrude into this area.

7.8.6 It is considered that the scheme would comply with Policy ENV8 of the adopted Local Plan 2015.

7.9 Other Material Matters

Infrastructure

7.9.1 Policy GROWTH 3 of the Local Plan requires residential development of 20 or more dwellings to provide or contribute towards the cost of providing children's playing space and open space.

7.9.2 For a new development of this size and scale the provision of on-site open space is calculated by the amount of space required per person multiplied by the average dwelling occupancy rates to produce the amount of land required per dwelling. In this respect, taking account of existing and proposed occupants of the site there would be a requirement for approximately 0.84ha (2.07 acres) of public open space. The site has in excess of this amount and benefits from 2.13 ha (5.26 acres) of public open space.

7.9.3 In assessing the scheme, it is acknowledged that the site benefits from more public open space than is required by policy but the proposal would also result in the loss of existing public open space. In amending the scheme in line with public sentiment, the central area within the site is to remain undeveloped with just pockets of development on the periphery of the site, on areas which are not being used for recreational or amenity purposes. The Council's Supplementary Planning Document on Developer Contributions is implicit in that it has a preference to secure on-site provision of new informal open space and areas on developments of 20 dwellings or more, however, it has already been acknowledged that this site already has in excess of the required amount of public open space and as such is not able to provide any more on site. As a consequence, a financial contribution in lieu, towards securing provision nearby or upgrading and extending existing provision will be sought via the s106 Agreement. As such this would comply with Policy GROWTH 3 and the guidance of the SPD.

7.9.4 There have been concerns raised within the letters of representation that this part of the district is deficient in public open space. However, each application is assessed on the individual merits of the case and in view of the location of the development on areas that do not form usable public open space and equally do not contribute to the visual amenities or character of the area, then a contribution towards the upgrading or extension of existing provision would, in this case, be acceptable.

7.9.5 It is considered the scheme meets with the requirements of Policy GROWTH 3 and the Developer Contributions SPD.

Housing mix

7.9.6 Policy HOU2 of the adopted Local Plan 2015 requires the appropriate density of a scheme to be judged on a site-by-site basis taking account of the existing character

of the locality and the settlement and housing densities within the surrounding area, the need to make efficient use of land; the biodiversity of the site; the need to accommodate open space and parking; the level of accessibility and the impact on residential amenity of both existing and future residents.

- 7.9.7 As mentioned above, the site has been built to house families of servicemen and women in the RAF and later for the United States Air Force. The existing number of houses is 88 and these are arranged around an attractive area of open space. The dwelling mix of the existing housing stock comprises predominantly 3 bedroom properties (66%) and 4 bedroom properties (26%), with 8 properties of 2 bedroom accommodation (8%).
- 7.9.8 Policy HOU1 of the Local Plan, 2015, requires that all housing developments of 10 or more dwellings (or allocations where specified) should provide an appropriate mix of dwelling types and sizes that contribute to current and future housing needs as identified in the most recent available evidence relating to the locality.
- 7.9.9 The scheme would introduce more 1 and 2 bedroom accommodation as set out in paras 2.2 and 2.3 above with 9 x 3no bedroom dwellings. 18 of which would be accommodated in 2 storey flats with 9 within houses. All the houses and ground floor apartments would be M4(2) compliant for adaptable and accessible dwellings. All dwellings would comply with the Government's Nationally Described Space Standards which ensure all accommodation is of an adequate size for the number of proposed occupants. As the scheme encompasses the existing housing stock, some of which is still being upgraded, and as a result is unoccupied, the scheme is considered to be consistent with the requirements of Policy HOU1 of the adopted Local Plan.
- 7.9.10 The scheme constitutes 'infill development' which is supported by the NPPF (para 124) and requires schemes to make efficient use of land by 'taking into account a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; b) local market conditions and viability; c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and e) the importance of securing well-designed, attractive and healthy places'.
- 7.9.11 In terms of the density of development, Policy HOU2 requires that a scheme should be judged on a site-by-site basis taking account of the existing character of the locality and the settlement, and housing densities within the surrounding areas as well as the need to make efficient use of land. As the site is located adjacent to the North Ely urban housing extension, it can longer be judged as an edge of city location as the open countryside beyond has permission for up to 3,000 new homes as well as a Neighbourhood centre, primary school and associated infrastructure and open space. The infill nature of the scheme and the existing open space from which the new occupiers would benefit, coupled with the limited number of houses proposed, gives further weight to the fact that the scheme would be sensitive to its location adjacent to the major urban extension of Ely.

- 7.9.12 The scheme would comply with Policies HOU1 and HOU2 of the adopted Local Plan 2015

Accessibility

- 7.9.13 Whilst the East Cambridgeshire Access Group responded initially on the scheme for 53 dwellings, no further comments have been received concerning the amended scheme. A number of their concerns have been addressed within the report to Committee, and their comments would be forwarded to the applicants with the planning permission.

Sustainability and Climate Change

- 7.9.14 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.

- 7.9.15 An Energy Strategy Statement [Briary Energy – March 2022] which states that the total energy demand and associated CO₂ emissions arising from the development and demonstrates that a 19% carbon reduction can be achieved through Air Source Heat Pumps (ASHP) and improved fabric efficiency measures. The Strategy indicates that it will provide a 43.83% carbon reduction over the development and would comply with the CO₂ targets under Part L1A of the Building Regs 2013 and represents approximately 28% energy demand reduction. ASHP capture heat from the air circulating outside of the property and boost the temperature to provide heat and hot water. This type of energy does not rely on the combustion of fuels such as gas or oil.

- 7.9.16 The development would be expected to comply with the Strategy as submitted and will be conditioned as such. The proposal would therefore comply with Policy ENV4 of the Local Plan, 2015, and the Climate Change SPD.

Education

- 7.9.17 Cambridgeshire County Council, as the Education Authority, have commented that they would be seeking a contribution towards early years places at North Ely Primary School. However, there will be capacity at the Ely primary schools for primary education and at Ely College for secondary education and therefore no contributions would be required for primary and secondary education. A contribution towards Libraries and Lifetime learning would be sought. These contributions would be requested in the S106 Agreement.

Ground contamination

- 7.9.18 All applications for residential use are 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.

CIL

- 7.9.19 There would be a requirement to provide satisfactory management of the site concerning waste awareness, storage and collection and the scheme would be CIL liable.

Matters Raised that are not material planning considerations

- 7.9.20 A number of matters have been raised within the letters of representation that cannot be considered within this planning report as they are not material planning considerations, the following matters have been raised:
- Air cadets can no longer practice on an area of hardsurfacing due to it being built on;
 - Wrong decision for Ely;
 - Money making enterprise;
 - Senseless and unnecessary – such a rich and diverse piece of land for just a few residential flats when 3,000 new homes are being built at the Highflyer Farm.

8 Planning Balance

- 8.1 The application site is located within the development envelope of Ely which is defined by policy as a growth area.
- 8.2 The scheme has been significantly reduced from 53 dwellings to 27. The central area of public open space would remain undeveloped with the proposed dwellings pepper-potted about the site, the majority of which would be located adjacent to the northern and western boundaries.
- 8.3 The proposal demonstrates an appropriate mix of accommodation types and would provide an acceptable standard of living for future occupiers. The size and location of development would not compromise the living environment of existing residents.
- 8.4 In terms of the impact on visual amenity, the scheme would fit comfortably into its surroundings and would not impact on the character of the area. There are no highway implications.
- 8.5 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.
- 8.6 The proposal would comply with the policy aspirations of Policy GROWTH 2 where limited infilling is considered acceptable and Policies HOU1, HOU2, ENV1, ENV2,

ENV7, ENV8, COM7 and COM8 of the East Cambridgeshire Local Plan 2015 as well as national policy and is considered to represent sustainable development. The proposal is therefore recommended for approval, subject to conditions and completion of a S106 legal agreement.

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:
- Location of the site within the development envelope of Ely.

10 APPENDICES

- 10.1 Appendix 1 - Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
20/01006/FUM	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

CONDITIONS

1 Approved Plans

084-19-6300	P5	18th October 2021
084-19-6301	P1	18th October 2021
084-19-6305	P5	18th October 2021
084-19-6306	P2	18th October 2021
084-19-6307	P2	18th October 2021
084-19-0100	P23	1st April 2022
084-19-0202	P25	1st April 2022
084-19-0700	P6	1st April 2022
ELYMOD-PGH-XX-02-DR-K-0208	P1	1st April 2022
ELYMOD-PGH-XX-02-DR-K-0209	P1	1st April 2022
ELYMOD-PGH-XX-02-DR-K-0202	P3	1st April 2022
ELYMOD-PGH-XX-02-DR-K-0203	P3	1st April 2022
ELYMOD-PGH-XX-02-DR-K-0204	P3	1st April 2022
ELYMOD-DR-K-0205_S1	P2	6th December 2021
ELYMOD-PGH-XX-02-DR-K-0205	P4	1st April 2022
Statement of Community Involvement Appendix A Statement		3rd August 2020
Statement of Community Involvement Appendix B		3rd August 2020
Statement of Community Involvement Appendix C		3rd August 2020
Statement of Community Involvement Appendix D		3rd August 2020
Statement of Community Involvement Appendix E		3rd August 2020
Statement of Community Involvement Appendix A Plan		3rd August 2020
Transport Assessment inc APPENDICES A- E		3rd August 2020
Transport Assessment APPENDICES F-J		3rd August 2020
Travel Plan		3rd August 2020
Archaeological Desk-Based Assessment		3rd August 2020
Ecological Appraisal Preliminary		3rd August 2020
1942-WWA-00-XX-DR-L-0309	P03	9th August 2022
1942-WWA-00-XX-DR-L-0308	P06	9th August 2022
1942-WWA-00-XX-DR-L-0307	P04	9th August 2022

1942-WWA-00-XX-DR-L-0306	P04	9th August 2022
1942-WWA-00-XX-DR-L-0106	P05	9th August 2022
Landscape Spec. & Maint Plan		9th August 2022
Biodiversity Net Gain Report		9th August 2022
Preliminary Ecological Assessment		9th August 2022
Design Access Statement		1st March 2022
Arboricultural Impact Assessment		1st March 2022
Energy Statement		1st March 2022
Supplementary Planning Statement		1st April 2022
CIL Additional Info		9th May 2022
084-19-6303	P6	1st June 2022

2 Time Limit

The development hereby permitted shall be commenced within 2 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. Site Characterisation

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 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 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. 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.

3 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.

4 Unsuspected contamination

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.

4 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.

5 Piling

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.

5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

6 Construction times and deliveries,

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.

6 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

7 Construction Environmental Management Plan (CEMP)

Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by 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.

- 7 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.

8 Fire Hydrants

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 97 of the NPPF.

9 Soft Landscaping works

Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of trees/ plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

10 Hard Landscaping works

No above ground construction shall commence until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include boundary treatments; parking areas; driveways. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning Authority prior to first occupation.

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

11 External Materials

No above ground construction shall take place on site until details of the external facing materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

12 Landscape Maintenance

The Landscape maintenance measures for the development as set out within the submitted Landscape Specification and Maintenance Plan August 2022 shall be carried out in accordance with the approved strategy and implemented prior to occupation and thereafter maintained in perpetuity.

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

13 Biodiversity improvements

The biodiversity improvements as set out in the Preliminary Ecology Assessment (PEA), [agb Environmental dated 22nd March 2019] shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of 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.

14 Written Scheme of Investigation

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work which has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no

demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

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

- 14 Reason To ensure that the significance of historic environment assets is conserved in line with NPPF section 16. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

15 Energy and Sustainability Strategy

The energy and sustainability measures for the development as set out within Energy Strategy Statement dated March 2022 submitted shall be carried out in accordance with the approved strategy and implemented prior to occupation and thereafter maintained in perpetuity.

- 15 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, 2021.

16 Welcome Travel Packs

Prior to first occupation the form and content of Welcome Travel Packs to be issued to new residents on the first occupation of each new dwelling shall be agreed with the Local Planning Authority. The Packs should encourage residents to travel using sustainable modes of transport and shall be provided to new occupiers of the development.

- 16 Reason: In order to encourage future residents to travel using sustainable modes of transport in accordance with Policy COM7 of the East Cambridgeshire Local Plan 2015.

17 Electric Charging Strategy

Prior to first occupation of any dwelling a scheme for the provision of facilities for electric plug-in vehicles shall be submitted to and approved in writing by the Local Planning Authority and thereafter, provided prior to first occupation of the dwelling to which it relates.

- 17 Reason: In accordance with the aims of the NPPF to provide for sustainable transport modes.

18 Broadband

No above ground works shall commence until a strategy for the facilitation of latest technology broadband provision to future occupants of the site has been 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.

- 18 Reason: To ensure that the opportunity to provide any necessary enabling works is not missed and 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.

19 Details of bin and cycling storage

No above ground construction shall commence until details of the bin and cycle stores have been submitted to and agreed in writing with the Local Planning Authority. The bin and cycle stores shall be in situ in accordance with the approved details prior to the occupation of the development.

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

20 Surface Water Strategy

No above ground works shall commence 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 full accordance with the approved details prior to occupation of the first dwelling.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy prepared by Palace Green Homes dated July 2020, or the Alternative Drainage Schematic Sheets 1 to 2 Strategy prepared by Palace Green Homes, reference: ELYMOD-PGH-XX-02-DR-K-0204-5) dated 4th December 2020 and shall also include:

- a) Full results of the proposed drainage system modelling for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;

- b) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
 - c) Full details of the proposed infiltration measures and/or attenuation and flow control measures;
 - d) Site Investigations to confirm groundwater levels;
 - e) 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.

20 Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development

21 Management and Maintenance of SUDS

Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. 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.

21 Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

22 Access Point

Notwithstanding the details shown on Drawing No: 1942_WWA_00_XX_DR_L_0106 REV P06 in relation to the non-vehicular routes to the north-west of the site. Prior to above ground construction works taking place, detailed specifications in relation to this access point shall be submitted to and approved in writing by the Local Planning Authority.

22 Reason: In order to encourage future residents to travel using sustainable modes of transport in accordance with Policy COM7 of the East Cambridgeshire Local Plan 2015.

23 Reptile and Badgers

The precautionary measures outlined in the Reptile and Badger Report [Greenlight Environmental Consultancy dated October 2020] shall be undertaken prior to the commencement of development.

23 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.

