

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

11 March 2020

AUTHOR/S: Joint Director of Planning and Economic Development

Application Number:	S/3777/19/VC
Parish(es):	Caldecote
Proposal:	Variation of condition 23 (water drainage scheme) of planning permission S/2510/15/OL for Outline planning permission for up to 140 residential dwellings (including up to 40% affordable housing) removal of existing temporary agricultural structures and debris introduction of structural planting and landscaping informal public open space and children's play area community orchard and allotments surface water flood mitigation and attenuation vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access
Site address:	Land East of Highfields Road Highfields Caldecote Cambridgeshire CB23 7NX
Applicant(s):	Linden (Highfields Caldecote) LLP
Recommendation:	Delegated Approval, subject to completion of a Deed of Variation and the final wording of conditions being reviewed and agreed by officers in consultation with the Chairman and Vice-Chairman of the Committee prior to a Decision Notice being issued, where conditions may have been formally discharged
Key material considerations:	Surface Water Drainage
Committee Site Visit:	No
Departure Application:	Yes (advertised 27 November 2019)
Presenting Officer:	Michael Sexton, Principal Planner
Application brought to Committee because:	The officer recommendation of approval conflicts with the recommendation of Caldecote Parish Council.
Date by which decision due:	27 March 2020 (extension of time agreed)

Executive Summary

1. Outline planning permission was granted at appeal in June 2017 for the development of up to 140 dwellings and associated infrastructure.
2. The outline application was supported by a site specific Flood Risk Assessment (June 2015), which included details of surface water drainage for the overall site. This document was secured by condition 23 of the appeal decision to inform further details of surface water drainage for the development by way of a pre-commencement condition.
3. The Planning Committee considered the reserved matters application for phase 1 (66 dwellings) on 09 October 2019 and gave officers delegated powers to approve the application, subject to alterations and agreement on final wording of certain conditions. The reserved matters application was subsequently granted in November 2019.
4. The reserved matters application was supported by a Drainage Strategy & SuDS Report (November 2018). The November 2018 proposed drainage strategy followed that which had been submitted and approved as part of the outline consent. The 2018 document, as amended, contained the proposed surface water drainage strategy and SuDS maintenance details for the development of phase 1 (66 dwellings).
5. The time limit for the submission of a reserved matters for phase 2 expired in June 2019, as set out by condition 2 of the outline consent.
6. As a consequence of the time limit for the submission of a reserved matters application for phase 2 having expired, only 66 of the possible 140 dwellings are to be developed under the original outline planning permission.
7. At Planning Committee on 09 October 2019, the Council's Legal Officer advised that he felt would be necessary to submit a Section 73 application to vary condition 23 of the outline consent. The variation would require the addition of specific reference to the Drainage Strategy & SuDS Report (November 2018) submitted in support of the reserved matters application for phase 1.
8. This application therefore seeks consent to vary condition 23 to include reference to the 2018 Drainage Strategy & SuDS Report which accompanied the approved reserved matters application.
9. The application has been subject to formal consultation with the Lead Local Flood Authority, who raise no objection to the proposed variation.
10. Because the section 73 application will, if approved, give rise to a new planning permission, officers recommend that the Committee grants delegated powers for the completion of a Deed of Variation (to attach the Section 106 from the 2017 outline consent to the current Section 73 application) and the final wording of conditions being reviewed and agreed by officers in consultation with the Chairman and Vice-Chairman of the Committee prior to a Decision Notice being issued, where conditions may have been formally discharged.

Site History

11. S/4388/19/DC – Discharge of conditions 8 (Ecology enhancement) and 10 (Badger Set) pursuant to planning appeal APP/W0530/W/16/3149854 (S/2510/15/OL) – *pending*.

S/4074/19/DC – Discharge of conditions 2 (External materials), 4 (Landscape and Ecological Management plan (LEMP)) and 9 (Scheme to retain and improve the hedgerow) pursuant to planning permission S/4619/18/RM – *pending*.

S/3660/19/DC – Discharge of conditions 13 (Fire hydrants), 14 (Artificial lighting scheme), 22 (Foul water drainage) and 23 (Surface water drainage) pursuant to planning appeal APP/W0530/W/16/3149854 (S/2510/15/OL) – *pending*.

S/3347/19/DC – Discharge of conditions 8 (Habitat and Species Mitigation) and 10 (Badger Mitigation Strategy) of planning permission S/2510/15/OL – Refused 27.11.2019.

S/3338/19/DC – Discharge of conditions 5 (Arboricultural method statement), 6 (Hard and Soft landscaping), 15 (Car Parking and secure bike storage), 18 (Shared use cycleway), 19 (Upgrade bus stops) and 21 (Renewable energy) of planning permission S/2510/15/OL – *pending*

S/0292/19/PO – Modification of planning obligations contained in a unilateral undertaking dated 23 March 2017 – Approved 03.12.2019.

S/1082/19/AD – 1 x stack sign advertisement – Approved 15.05.2019.

S/4836/18/DC – Discharge conditions 17 (electric vehicle charging infrastructure strategy and implementation plan), 21 (renewable energy), 24 (archaeological investigation), 25 (construction method statement) of appeal decision APP/W/0530/W/16/3149854 for Outline planning permission for up to 140 residential dwellings, (including up to 40% affordable housing), removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access – *pending*.

S/4619/18/RM – Approval of matters reserved for appearance, landscaping, layout and scale following outline planning permission S/2510/15/OL for phase 1 (66 dwellings) of the residential development with associated infrastructure – Approved 14.11.2019.

S/1216/16/OL – Outline planning permission for up to 140 residential dwellings at land east of Highfields Road, Highfields Caldecote (including up to 40% affordable housing), removal of existing temporary agricultural structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access – Refused 04.08.2016.

S/2510/15/OL – Outline planning permission for up to 140 residential dwellings, (including up to 40% affordable housing), removal of existing temporary agricultural

structures and debris, introduction of structural planting and landscaping, informal public open space and children's play area, community orchard and allotments, surface water flood mitigation and attenuation, vehicular access points from Highfields Road and associated ancillary works. All matters to be reserved with the exception of the main site access – Appeal Allowed 05.07.2017.

S/2440/15/E1 – Screening Opinion – No objections 22.09.2015.

National Guidance

12. National Planning Policy Framework 2019
National Planning Practice Guidance 2018
National Design Guide 2019

Development Plan Policies

13. **South Cambridgeshire Local Plan 2018**
 - S/1 – Vision
 - S/2 – Objectives of the Local Plan
 - S/3 – Presumption in Favour of Sustainable Development
 - S/5 – Provision of New Jobs and Homes
 - S/7 – Development Frameworks
 - S/10 – Group Villages
 - CC/1 – Mitigation and Adaptation to Climate Change
 - CC/3 – Renewable and Low Carbon Energy in New Developments
 - CC/4 – Sustainable Design and Construction
 - CC/6 – Construction Methods
 - CC/7 – Water Quality
 - CC/8 – Sustainable Drainage Systems
 - CC/9 – Managing Flood Risk
 - HQ/1 – Design Principles
 - HQ/2 – Public Art and New Development
 - NH/2 – Protecting and Enhancing Landscape Character
 - NH/3 – Protecting Agricultural Land
 - NH/4 – Biodiversity
 - NH/14 – Heritage Assets
 - H/8 – Housing Density
 - H/9 – Housing Mix
 - H/10 – Affordable Housing
 - H/12 – Residential Space Standards
 - SC/2 – Health Impact Assessment
 - SC/6 – Indoor Community Facilities
 - SC/7 – Outdoor Play Space, Informal Open Space and New Developments
 - SC/9 – Lighting Proposals
 - SC/10 – Noise Pollution
 - SC/11 – Contaminated Land
 - SC/12 – Air Quality
 - TI/2 – Planning for Sustainable Travel
 - TI/3 – Parking Provision
 - TI/8 – Infrastructure and New Developments
 - TI/10 – Broadband
14. **South Cambridgeshire Supplementary Planning Documents (SPD):**
 - Caldecote Village Design Guide SPD – Adopted January 2020
 - Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Affordable Housing SPD – Adopted March 2010
District Design Guide SPD - Adopted March 2010
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
Open Space in New Developments SPD - Adopted January 2009
Trees & Development Sites SPD - Adopted January 2009

Consultation

15. **Caldecote Parish Council** – Objects.

Ref: S/3777/19/VC

Members of Caldecote Parish Council object to the variation 23 (Water Drainage Scheme).

The proposals are inadequate!

We received a presentation from Mrs Mary Claridge, who has been acting on behalf of the council in researching this application.

Members fully endorse the letter of objection sent by Mrs Claridge (copy enclosed). Mrs Claridge will be representing our council at the Planning Committee.

Ref: S/4836/18/DC

Members are considered that this proposal only covers 11 properties and should cover the whole development.

A full copy of the Parish Council's comments with accompany letter of objection is attached as appendix 1.

16. **Anglian Water** – No comments to make.

The variation of condition application condition number 23 is not proposing to connect to Anglian Water's assets, therefore this is outside our jurisdiction for comment

17. **Contaminated Land Officer** – No comments to make.

18. **Designing Out Crime Officer** – No comments to make.

19. **Ecology Officer** – No objection.

The LPA has received confirmation that the new badger sett has been constructed, but that efforts to move the badgers to the new sett have not yet started and will not begin until after the swale construction is completed. Construction of the swales can therefore go ahead, as long as all avoidance and mitigation provisions secured by condition 8 of the outline consent are followed.

20. **Historic England** – No comments to make.

21. **Historic Environment Team** – No objection.

22. **Landscape Officer** – Objection.

Preliminary drainage and levels layout 01-03 is incomplete. The proposed swale

which runs along the southern boundary appears to run through the proposed badger sett. This drawing conflicts with Landscape Proposals LIN21931-11J Sheet 6 of 8. Applicant to revisit.

23. **Lead Local Flood Authority** – No objection.

We wish to reiterate our comments submitted for application S/3660/19/DC. They are copied below for clarity.

We have received the following documents:

- Drainage and External Levels Plan (1 to 5)
- Drainage Strategy Plan
- Balancing Pond and Details
- Drainage Strategy and SuDS Report

Based on these we can recommend discharge of condition 23 for phase 1 only pursuant to planning appeal APP/W053/W/16/3149854 (S/2510/15/OL).

The proposal is for surface water to be managed via a series of SuDS including swales, permeable paving and an attenuation basis. Attenuation will be provided to manage events up to and including the 1 in 100 year plus 40% climate change storm. Permeable paving will be connected to the wider drainage network via a series of fin drains and as such will not rely on infiltration into the ground.

In addition to managing surface water arising directly from the development and in an attempt to alleviate flooding issues along Highfields Road, the applicant has also proposed to *'install a French drain along the southern boundary of the site to prevent any runoff from entering adjacent properties along this edge'* and *'install an overflow weir from the existing ditch along Highfields Road to a new ditch system running through the development site'*.

Informatives

Ordinary Watercourse Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

24. **Local Highways Authority** – No comments to make.
25. **Natural England** – No comments to make.
26. **Sustainable Drainage Engineer** – The development proposed is acceptable.
27. **Trees Officer** – No comments.
28. **Urban Design Officer** – No objections.

Representations

29. Six representations have been received raising objection to the proposed variation, including the submission of the representation appended to the comments of Caldecote Parish Council (see appendix 1). Objection has been raised on the following grounds:
 - Drainage Strategy calculation and based on sandy soil but the site clay and should therefore be recalculated.
 - The drainage strategy is inadequate, the site holds a lot of water, at almost the highest point in a village susceptible to surface water flooding.
 - Permeable road paving will not work on heavy clay and requires additional drainage.
 - The planned ditch dimensions are inconsistently and inadequately stated.
 - Minor re-routing of the ditch is required away from Damms Pastures.
 - The Drainage Strategy & SUDS Report specifies only drainage of the northern (Phase 1) part of the site. It does not address drainage of the remainder of the site at all. The original inspector's condition refers to the whole site. If the variation is accepted, there would be no requirement to specify any drainage conditions of developments on the southern (Phase 2) part of the site.
 - Site currently holding a lot of standing water.
 - In order to work on the site, the developers have had to actively drain the site into the village Award ditch, almost filling sections of the ditch which drains into the village system which is liable to flooding.
 - History of flooding in the village.
 - Pumping station already overloaded.

Site and Surroundings

30. The whole site comprises approximately 7.17 hectares of agricultural land on the east side of Highfields Caldecote, at the northern end of the village. The site abuts Highfields Road on its western boundary, with residential properties opposite. The southern boundary of the site abuts existing residential properties on Clare Drive and Damms Pastures.
31. To the north the site adjoins an unadopted roadway leading from Highfields to St Neots Road, which serves several residential properties. It is also the line of Public Footpath No.1 Caldecote. To the east of the site is agricultural land.
32. There is a tall mature hedgerow and ditch on the west boundary of the site fronting Highfields Road, and a hedgerow on the south boundary with existing properties. There is also a hedgerow on the north boundary. The block of woodland planting extends along part of the east boundary, with the remainder of that boundary being more sporadically planted.

Proposal

33. This application seeks permission to vary condition 23 (surface water drainage) of outline consent S/2510/15/OL, allowed at appeal in June 2017.

Planning Assessment

34. The key issue to consider in the determination of this application is the impact on surface water drainage.

Surface Water Drainage

35. The 2015 outline application was supported by a site specific Flood Risk Assessment dated July 2015 (reference 5933/R2), which included details of surface water drainage for the site. This document, which considered the development of 140 dwellings across the site, was secured by condition as part of the appeal decision to inform further details of surface water drainage for the development.

36. Condition 23 (surface water drainage) of the appeal decision stated:

The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the NPPF and PPG, and the results of the assessment provided to the local planning authority in writing. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event +30% allowance for climate change. The submitted details shall be in accordance with the Site Specific Flood Risk Assessment (5933/R2) dated July 2015 and shall provide:

- i) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/ or surface water;
- ii) Details of a management and maintenance plan for the lifetime of the development;
- iii) A timetable for the provision of the surface water drainage scheme;
- iv) A scheme for the maintenance of the ditch adjacent to Highfields Road.

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

37. There has been local concern that the drainage strategy calculations (original provided on the outline drainage strategy) are based on 'sandy soil type' rather than 'clay soil type', the Lead Local Flood Authority are satisfied that the calculations for sandy soil type lends its self to more conservative estimations. In turn, this has required the scheme to provide drainage features over and above what would normally have been expected in this area. This is in recognition of the past flooding events in the village.
38. The 2018 reserved matters application, which sought permission for phase 1 (66 dwellings) on the northern portion of the site, was supported by a Drainage Strategy & SuDS Report (project ref 7135) dated November 2018. The proposed drainage strategy followed that which was submitted and approved as part of the outline consent. The 2018 document, as amended, contained the proposed surface water

drainage strategy and SuDS maintenance details for the development of phase 1 (66 dwellings).

39. The reserved matters application was subject to formal consultation with the Lead Local Flood Authority, who raised no objection to the amended Drainage Strategy & SuDS Report.

40. The current application seeks permission to vary condition 23 (surface water drainage) to read:

The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the NPPF and PPG, and the results of the assessment provided to the local planning authority in writing. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event +30% allowance for climate change. The submitted details shall be in accordance with the Site Specific Flood Risk Assessment (5933/R2) dated July 2015 and the Drainage Strategy & SuDS Report (project ref 7135) dated November 2018 and shall provide:

- i) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/ or surface water;
- ii) Details of a management and maintenance plan for the lifetime of the development;
- iii) A timetable for the provision of the surface water drainage scheme;
- iv) A scheme for the maintenance of the ditch adjacent to Highfields Road.

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

41. The proposed variation to the condition is therefore specifically the addition of the wording "and the Drainage Strategy & SuDS Report (project ref 7135) dated November 2018", all other wording is unaltered.

42. The proposed variation is driven by the fact that the time limit for the submission of a reserved matters for phase 2 expired in June 2019. The site can no longer be developed for its maximum threshold of 140 dwellings under the original outline planning permission and will only comprise the phase 1 development of 66 dwellings and associated open space areas, pending any new outline or full planning permission to take numbers above 66.

43. Consequently, the existing wording of condition 23 is outdated and not as precise and relevant to the development to be permitted as it needs to be. The 2018 report is more specific to the 66 dwellings and associated open space areas which are to be developed on the site. Therefore, it is, in the view of officers, necessary to update condition 23 to reflect the change in circumstances, with the 2015 and 2018 report working in conjunction with one another.

44. The application has been subject to formal consultation with the Lead Local Flood Authority who raise no objection to the proposal. In their response the Lead Local Flood Authority cite their comments made to application S/3660/19/DC which seeks to discharge condition 23, that the details submitted to that application are sufficient to

discharge the condition for phase 1 only. The decision on that application cannot be released until condition 23 of the outline consent has been varied, as detailed above.

45. Officers consider that it is appropriate and necessary to vary condition 23 of the outline consent to include reference to the Drainage Strategy & SuDS Report (project ref 7135) dated November 2018 submitted with the consented reserved matters application as the development of the site will, pending any new outline or full permission to take numbers above 66, comprise phase 1 only (66 dwellings) and associated open space areas and not up to 140 as initially secured under outline consent.

Other Matters

Application Form

46. Officers note that the application form submitted with the application states “Drainage Strategy & SUDS Report (project ref 7135) dated October 2019” while the document cover is dated November 2018.
47. The reference to October 2019 relates to the revision history contained within the document itself. Paragraph 2.1 of the report details that since the drainage strategy for Phase 1 has been developed further and drawing Ref 5933 0101 contained within the Lees Roxborough report has now been superseded by the strategy plan contained within the November 2018 report.

Badger Set

48. The comments of the Council's Landscape Officer in respect of the badger set are noted; the Council's Ecology Officer initially raised the same concerns.
49. The agent has provided further information on this point, with the Council's Ecology Officer providing further comment as detailed above. Officers have received confirmation that the new badger sett has been constructed, but that efforts to move the badgers to the new sett have not yet started and will not begin until after the swale construction is completed. Construction of the swales can therefore go ahead, providing all avoidance and mitigation provisions secured by condition 8 (badger set) of the outline consent are followed.
50. Condition 8 of the outline consent has been formally discharged through application S/4388/19/DC, which is to be varied to a compliance condition as part of this recommended consent as detailed below, securing the necessary details and works.

Outline Conditions

51. 26 conditions were attached to the 2017 appeal decision and outline consent for the development. All conditions are to be re-imposed as part of the current application and as worded in the outline consent with the exception for the conditions detailed below.
52. Condition 2 of the appeal decision set out the timescale for the submission of an application(s) for approval of the reserved matters, stating:
Application for approval of the reserved matters shall be made to the local planning authority not later than 2 years from the date of this permission.
53. Officers recommend that as part of the current application condition 2 is updated to specifically refer to the date of the appeal decision so that the appeal timescales are retained. The updated condition would therefore read as follows:
Application for approval of the reserved matters shall be made to the local

planning authority not later than 2 years from the date of appeal decision APP/W0530/W/16/3149854 dated 05 July 2017.

54. The update is necessary to ensure the variation of conditions application does not provide for a further two years for reserved matters application(s) to be submitted for development on the site, i.e. phase 2.
55. Conditions 8 (ecology enhancement) and 10 (badger Set) have been formally discharged through application S/4388/19/DC in consultation with the Council's Ecology Officer. It is therefore necessary to alter these conditions to compliance conditions, in accordance with the details submitted to and approved under discharge of conditions application S/4388/19/DC.
56. Conditions 5 (Arboricultural method statement), 6 (Hard and Soft landscaping), 15 (Car Parking and secure bike storage), 18 (Shared use cycleway), 19 (Upgrade bus stops) and 21 (Renewable energy) are currently the subject of a discharge of conditions application S/3338/19/DC.
57. Conditions 17 (electric vehicle charging infrastructure strategy and implementation plan), 21 (renewable energy), 24 (archaeological investigation) , 25 (construction method statement) are currently the subject of a discharge of conditions application S/4836/18/DC.
58. At the publication of this report applications S/3338/19/DC and S/4836/18/DC have not been determined, therefore the conditions are to be re-imposed as stated in the outline consent. However, it may be necessary to update some or all of these conditions to compliance conditions in the event that they are formally discharged prior to the determination of this application, which will be subject to a deed of variation.
59. In such an event, the final wording can be reviewed and agreed by officers in consultation with the Chairman and Vice-Chairman of the Committee prior to a Decision Notice being issued.

Third Party Representations

60. The concerns and comments from third party representations are noted.
61. Concern has been raised that the drainage strategy calculations are based on sandy soil but the site is clay. This matter has been considered as part of the outline and reserved matters applications and no objection to this point has been raised by the Lead Local Flood Authority who are satisfied that the originally submitted report is conservative in its estimations and therefore do not object to it.
62. Concern has been expressed about the site currently holding a lot of standing water and how surface water drainage will be addressed during construction. Condition 25 of the outline consent requires the applicant to prepare a Construction Method Statement; the Lead Local Flood Authority have requested that they be consulted on this matter.
63. Concern has been raised that permeable road paving will not work on heavy clay and require additional drainage. The Lead Local Flood Authority have clarified that permeable paving does not require permeable soils as it can be tanked and served by a pipe beneath the surface.
64. It has been suggested that minor re-routing of the ditch is required away from Damms

Pastures. This matter has been discussed with the Lead Local Flood Authority who have noted that although they would support this it would be difficult to require it formally as it would not have a material impact on the surface water network.

65. Reference is made to the fact that if the proposed variation is accepted there would be no requirement to specify any drainage conditions for development on the southern part of the site (phase 2). As noted above, the time period for phase 2 to be submitted has expired. If such a proposal is submitted, it would need to be in the form of a new outline or a new full application which would be subject to its own drainage assessment and conditions and would not be reliant on any conditions imposed on the 2017 outline consent.

Conclusion and Recommendation

66. Officers consider that it is appropriate and necessary to vary condition 23 (surface water drainage) to include reference to the Drainage Strategy & SuDS Report (project ref 7135) dated November 2018 submitted with the consented reserved matters application as the development of the site will, pending any new outline or full permission to take numbers above 66, comprise phase 1 only (66 dwellings) and associated open space areas and not up to 140 as initially secured under outline consent.
67. Officers recommend that the Committee grants delegated authority to officers to issue a new planning permission conditional on the completion of a Deed of Variation (to attach the Section 106 from the 2017 outline consent to the current Section 73 application) with conditions as to reflect the principles as set out below, but where the final wording may need to be reviewed and agreed by officers in consultation with the Chairman and Vice-Chairman of the Committee prior to a Decision Notice being issued, where conditions may have been formally discharged.

Conditions

68. a) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
(Reason - The application is in outline only.)
- b) Application for approval of the reserved matters shall be made to the local planning authority not later than 2 years from the date of appeal decision APP/W0530/W/16/3149854 dated 05 July 2017.
(Reason - The application is in outline only.)
- c) The development hereby permitted shall take place not later than 1 year from the date of approval of the last of the reserved matters to be approved.
(Reason - The application is in outline only.)
- d) Details of the dwelling mix of housing for the entire scheme hereby approved including market and affordable housing shall be submitted with any reserved matters application. The details submitted shall provide the housing mix for all dwellings to be implemented on the site. The details shall be approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
(Reason - To ensure an appropriate mix of housing in accordance with Policy H/9 of the South Cambridgeshire Local Plan 2018).

- e) Prior to the commencement of development an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall include final tree surveys, schedule and timing of works, methods of construction close to trees and the location of services. The development shall be undertaken in full accordance with the approved details. (Reason -To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with the policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).
- f) No development shall take place until there has been submitted to and approved, in writing, by the local planning authority a scheme of hard and soft landscaping works (including boundary treatments, play areas, attenuation pond and any works to footpaths). The details shall include an implementation programme, proposed changes in ground levels, and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837:2012 Trees in relation to design, demolition and construction". (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).
- g) All hard and soft landscaping works, shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the local planning authority up to the first use or first occupation of the development.

Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, are seriously damaged or seriously diseased, within a period of 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018).

- h) No works or development shall be commenced until details of a scheme to secure habitat and species mitigation and enhancement in line with the submitted FPCR Ecological Appraisal dated June 2015 Rev C, have been submitted to and approved in writing by the local planning authority. The detailed protection measures shall include a timetable and arrangements for maintenance and shall be implemented in accordance with the approved timetable. (Reason – To protect and provide habitat for wildlife and enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.)
- i) If during the course of development, contamination is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for a remediation strategy detailing how the contamination shall be dealt with. The remediation strategy shall be implemented as approved.

(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 SC/11 of the South Cambridgeshire Local Plan 2018).

- j) No development shall take place except in accordance with the Badger Mitigation Strategy identified in the submitted FPCR Ecological Appraisal dated June 2015 Rev C. The layout of the site shall provide for badgers to cross the site in accordance with the principles set out in the illustrative Badger Corridor Plan 6663-L-08, unless otherwise approved by the local planning authority in writing. (Reason - To minimise disturbance, harm or potential impact upon protected species in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018 and their protection under the Wildlife and Countryside Act 1981.)
- k) The development hereby permitted shall be carried out in accordance with the following plans: 6663-L-03 Rev B, GA0008-001-001A, GA0008-002-001, 6663-A-03 Rev B. (Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).
- l) No more than 140 dwellings (Class C3) shall be erected as part of the development hereby approved. (Reason - To ensure compliance with the outline consent)
- m) No development shall take place until a scheme for the provision and location of fire hydrants to serve the development hereby approved has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved scheme has been implemented in accordance with the approved scheme. (Reason - To ensure an adequate water supply is available for emergency use.)
- n) No dwelling hereby permitted shall be first occupied until an artificial lighting scheme has been submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the artificial lighting scheme has been carried out in accordance with the approved scheme. (Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy SC/9 of the South Cambridgeshire Local Plan 2018).
- o) No development shall begin until a scheme for car parking and secure bicycle storage has been submitted to and approved in writing by the local planning authority. The car parking scheme shall include specific provision for parking for the allotments within the scheme which shall not be from Clare Drive. The car parking and bicycle storage scheme shall be implemented in accordance with the approved scheme and retained and not used for any other purposes. (Reason - To ensure the provision of appropriate car parking and covered and secure cycle parking in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018).
- p) The main site access onto Highfields Road shown on drawing GA008-001-001A shall be constructed using a bound material in such a way that no surface water from the site drains across or onto the public highway. (Reason – To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and

paragraphs 108 and 110 of the National Planning Policy Framework 2019.)

No development shall commence until an electric vehicle charging infrastructure strategy and implementation plan has been submitted to and approved in writing by the local planning authority. The approved charging points shall be implemented prior to occupation and retained and maintained in accordance with the approved strategy.

(Reason - To ensure the provision of appropriate electric charging points in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018).

- q) No development shall commence until a scheme for a shared use footway/cycleway along the western side of Highfields Road, from the new development northern access to St Neots Road, has been submitted to and approved in writing by the local planning authority. The scheme shall be completed prior to the occupation of the first dwelling on site.
(Reason - To mitigate the impact of development traffic upon the local highway network and provide a high standard of facilities for walkers, cyclists and public transport users in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.)
- r) No development shall take place until a scheme for the upgrade of the bus stops at the roundabout on St Neots Road and on Highfield Road to include flag, shelters, raised kerbs and timetable information has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before the occupation of the first dwelling on site.
(Reason - To mitigate the impact of development traffic upon the local highway network and provide a high standard of facilities for walkers, cyclists and public transport users in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018.)
- s) No development shall take place until a scheme for the design and materials to be used for access and public rights of way including their widths, gradients, landscaping and signposting, together with the concurrent extinguishing of part of public footpath No. 9 and the creation of a circular public bridleway, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before the occupation of the 50th dwelling on site.
(Reason - To provide safe and convenient access and to achieve a permeable development in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018.)
- t) No development shall take place until a scheme for the provision of onsite renewable energy to meet 10% of the projected energy requirements of the development has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved scheme.
(Reason – In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2019 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)
- u) No development shall commence until a scheme for foul water drainage has been submitted to and approved in writing by the local planning authority. No dwelling

shall be occupied until the foul water drainage works have been carried out in accordance with the approved scheme.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018).

- v) The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the NPPF and PPG, and the results of the assessment provided to the local planning authority in writing. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event +30% allowance for climate change. The submitted details shall be in accordance with the Site Specific Flood Risk Assessment (5933/R2) dated July 2015 and shall provide:
- i) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/ or surface water;
 - ii) Details of a management and maintenance plan for the lifetime of the development;
 - iii) A timetable for the provision of the surface water drainage scheme;
 - iv) A scheme for the maintenance of the ditch adjacent to Highfields Road.

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

(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. in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018).

- w) No development including preliminary excavation shall take place on the site until a Written Scheme of Archaeological Investigation has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- a) The programme, including phasing, and methodology of site investigation and recording;
 - b) The programme for post investigation assessment;
 - c) The provision to be made for analysis of the site investigation and recording;
 - d) The provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - e) The provision to be made for archive deposition of the analysis and records of the site investigation; and
 - f) The nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the approved Written Scheme of Archaeological Investigation.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy NH/14 of the South Cambridgeshire Local Plan 2018).

- x) No phase of development shall commence until a Construction Method Statement has been submitted to and approved, in writing, by the local planning authority. The statement shall include:

- i) Proposals to minimise harm and disruption to the adjacent local area from ground works, construction noise and site traffic;
- ii) Details of routes that delivery and muck away vehicles serving the development will take and how they will be loaded and unloaded;
- iii) Measures to identify how construction traffic shall normally access the site from Highfields Road avoiding any HGV traffic through the village of Highfields Caldecote and Clare Drive;
- iv) Details of the on-site parking arrangements for contractors and other operatives;
- v) Details of measures to avoid dust and discharges into watercourses or ditches;
- vi) Complaints and complaints response procedures;
- vii) Details of a facility for the washing of the wheels of construction traffic entering and leaving the site; and
- viii) Screening and hoarding details.

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

Reason - In the interests of residential amenity in accordance with Policies HQ/1 and CC/6 of the South Cambridgeshire Local Plan 2018).

- y) Construction works on the site shall not be carried out other than between the hours of 08.00 to 18.00 on Mondays to Fridays and 08.00 to 13.00 on Saturdays. No construction work shall take place on Sundays and bank/public holidays. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018).
- z) No dwelling hereby approved shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall accord with the Gladman Residential Travel Plan G008 (August 2015). The Travel Plan shall include a programme for its execution, details of its monitoring and any further actions that shall be taken to secure the objectives of the agreed Travel Plan for a period of 2 years after the occupation of the last dwelling. The approved Travel Plan shall be implemented in accordance with the agreed programme.
- aa) As part of the reserved matters submitted pursuant to condition 1 a document setting out the design principles (hereafter referred to as a 'Design Code') for the development hereby approved shall be submitted to the local planning authority for approval. The Design Code shall set out how the principles and objectives of the Design and Access Statement Rev A (July 2015) shall be met by the development hereby approved and shall include the following matters:
 - i) The design, form and general arrangement of external architectural features of buildings including the walls, roofs, chimneys, porches and fenestration. The height of dwellings shall not exceed 2 storeys except at limited defined 'nodes' as an aid to direction finding and to contribute to a sense of place.
 - ii) The hierarchy for roads and public spaces;
 - iii) The colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;
 - iv) The design of the public realm to include the colour, texture and quality of surfacing of footpaths, streets, parking areas and other shared surfaces;
 - v) The design and layout of street furniture.
 - vi) Waste and refuse bin storage arrangements

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

(Reason - To ensure the provision of a high quality development in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).

Informatives

69. This permission is subject to an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated 23 March 2017 and Deed of Variation dated

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Supplementary Planning Documents (SPDs)
- Planning File References: S/3777/19/VC, S/3660/19/DC, S/3347/19/DC, S/3338/19/DC, S/0292/19/PO, S/4836/18/DC, S/4619/18/RM and S/2510/15/OL

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