

Appendix A

To: Cambridgeshire County Council acting as agent for the Local Planning Authority

TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR AN ORDER TO PERMANENTLY DIVERT
A PUBLIC RIGHT OF WAY

Name of applicant Hill Marshall LLP C/O Denis Devane
Address The Power House, Gunpowder Mill, Powdermill Lane, Waltham Abbey, Essex
EN9 1BN
Tel. (work) 07966 317874 Tel. (home)

I hereby apply for the diversion of the footpath/bridleway* known as Teversham No.1 and Fen Ditton No.9
..... [parish][no.] under s.257 of the Town and Country Planning Act
1990 and undertake, if an order for the diversion of the path is made, to carry out
such work on the diverted route of the path as may be required to bring the path into
a fit condition for public use to the satisfaction of the County Council (the Highway
Authority), prior to the confirmation of the order.

(*Delete the term that does not apply.)

Signed PlanSurv Ltd (Agent) Date 14/05/2020
On behalf of Hill Marshall LLP

Consent of other landowner/s and other requirements

Written consent of any other landowner/s affected by your proposed diversion (for both the existing line and proposed new line) must be obtained prior to submission.

A copy of the County Council's requirements for making diversion orders can be found at the end of this application form. The County Council will require all of these to be met. Please note in particular:

The requirement for pre-application consultations: The applicant must consult with the relevant Parish Council and local user groups, and must append copies of any correspondence to this application

The path to be diverted

Parish Teversham.No.1 and Fen Ditton.No.9..... No..... 1 and 9.....
From Old Railway Line Fen Ditton..... OS grid ref. 548924 259929.....
To Newmarket Road west of the park and ride..... OS grid ref. 549151 259249.....

General description of path Land to the west of Teversham No.1 and to the south
of Fen Ditton No.9. The path is formed of an earth track that passes diagonally south east from
the old railway line, Fen Ditton, through agricultural field where it crosses the jubilee cycle way and turns south
towards and emerging at Newmarket Road, to the east of the Petrol Filling Station and west of the Park and Ride.

Landowner – please provide a map showing landownership/other interests

Name Hill Marshall LLP
Address The Power House, Gunpowder Mill, Powdermill Lane, Waltham Abbey, Essex EN9 1BN

Lessee/tenant

Name
Address

Occupier

Name
Address

Reasons for the diversion

Local Planning Authority: South Cambridgeshire District Council

Planning application No: S/2682/13/OL and subsequent reserved matters and discharge of condition applications.....

Date of Planning Permission: 30/11/2016

Description of proposed development:

Up to 1,300 homes, primary school, food store, community facilities, open spaces, landscaping and associated infrastructure and other development.
.....

The proposed new route of the path

Please enclose a signed and dated plan, preferably at scale of not less than 1:2,500 and based on an Ordnance Survey map.

From Old Railway Line Fen Ditton OS grid ref. 548924 259929

To Newmarket Road east of the Park and Ride OS grid ref. 549363 259544

General description of new path The path (Hoggin surface) will travel north east along the disused railway line,

.. heading south east up a ramp into Kingley Woods where the path will join a bridleway surface path, running parallel to

High Ditch Road, before turning south west towards the Park and Ride, where it will join a cycle path for cyclists and pedestrians

(with a 2 m grass strip for equestrians) briefly turning east before travelling south towards Newmarket Road (to the east of The Park and Ride).
.....

Landowner

Name Hill Marshall LLP

Address The Power House, Gunpowder Mill, Powdermill Lane, Waltham Abbey, Essex EN9 1BN

Lessee/tenant

Name

Address

Occupier

Name

Address

Other Legal Interests

Please give details of any other person(s) having a legal interest in the land over which the right of way is to be diverted, for example other landowners, mortgagees or other persons having an easement over the land:
.....
.....
.....

Has the written consent of all such persons been obtained?

Yes/no [Delete as applicable]

The consents must accompany this application, together with a map showing all ownership and legal interests.

Pre-application consultations

Please append copies of all correspondence with user groups and the relevant Parish/Town/City Councils. Have any objections been raised?

.....
This was discussed with James Stringer via email (09.04.2020) who confirmed no pre-application consultations would be required.
.....

Works

Following receipt of this application, if not already undertaken, the County Council's rights of way officer will contact you to arrange to meet you to inspect the proposed new route and to agree the works that will be needed to bring it into a fit condition for use as a public path. These works will be confirmed in writing following the site inspection. Please note that the Council will require a minimum width of 2m to be provided for the new route of a public footpath, and a minimum of 4m for the new route of a public bridleway. The new path will be signposted and/or waymarked to the extent deemed necessary by the Council.

Coming into operation of an alternative route

Please note that the existing route of the path to be stopped up will **not** be extinguished until an officer of the Rights of Way Team acting on behalf of the Highway Authority (Cambridgeshire County Council) has certified that the new route of the alternative path has been provided on the ground to a suitable standard for use by the public. It is the applicant's responsibility to ensure that works to provide the new route of the path are completed.

Recovery of fees and costs

Under the 'Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 as amended by SI 1996 No 1978, the County Council may recover from the applicant the reasonable administrative costs of processing applications for, and making, public path orders. The County Council will invoice you for:

- the administrative costs of processing your application up to the making of a public path order, as set out in the Cambridgeshire Highway Records Guide which contains a Schedule of Charges that are available at www.cambridgeshire.gov.uk/highwaysearches;
- staff travelling expenses @ 45p per mile plus VAT;
- the cost of inserting one Public Notice in a local newspaper at the time of the making of the order, one Public Notice in a local newspaper at the time of the confirmation of the order and one Public Notice in a local newspaper at the time of the coming into operation of the order

The costs of taking an opposed order to a public inquiry will be met by the County Council or District Council, but the County Council will expect the applicant to provide their own legal representation at the inquiry. Please note that both Councils reserve the right to decline to proceed to a public inquiry for an opposed order.

For further information see the County Council's guidance:

- *Guidance and Check List for Public Path Order Applicants*
- *Public Rights of Way – A guide for planners and developers* available on our website at

<http://www.cambridgeshire.gov.uk/rightsofway>

Highways Service – Asset Information Definitive Map Team: Data Protection Privacy Notice

We collect and use information about you - such as your name, address, email address, telephone number, and payment details - so that we can provide you with our services acting in our capacity as the Highway Authority and Commons Registration Authority under the Commons Registration Act 1965, Highways Act 1980, Wildlife & Countryside Act 1981, Town & Country Planning Act 1990, Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Commons Act 2006.

Full details about how we use this data and the rights you have around this can be found in our privacy notice at www.cambridgeshire.gov.uk/privacy. If you have any queries, please contact the Data Protection Officer at data.protection@cambridgeshire.gov.uk. The national regulator for Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>

Statement

I hereby agree to put the new route(s) into a fit condition, as approved by the Council, for use by the public within 28 days of a request by the Council to do so.

I hereby undertake to defray any compensation which becomes payable in consequence of the coming into operation of the order, and to pay in full the County Council's administrative costs of making the order and the costs of the public notices.

I also undertake with Cambridgeshire County Council to meet in full the requirements of any statutory undertaker in respect of any apparatus which may be over, in or under the right of way in respect of which I am making this application. I understand that the consent of the statutory undertakers (i.e. gas, water, electricity, telecommunications, the Post Office and the Civil Aviation Authority) is required before the order can be confirmed by the council and that their consent may be conditional on my carrying out works to protect the statutory undertakers' apparatus and/or rerouting it. (The Council will consult with statutory undertakers on your behalf.)

I have read and understand this application and make my application acknowledging the conditions specified in it.

Signed PlanSurv Ltd (Agent) on behalf Date 14/05/2020.....
of Hill Marshall LLP

Appendix B

**HIGHWAY MAINTENANCE
MEMORANDUM**

To : James Stringer
Asset Information Definitive Map Officer

From : Emma Murden
Interim Assistant Director, Highway Maintenance

Date : 30/09/2021

Reference : P106

SUBJECT : Report on the proposed stopping up of part of Public Footpath No. 9 and provision of alternative bridleway, and the creation, by agreement, of additional public bridleways in the parish of Fen Ditton

With reference to your report of 29th September, I agree with your recommendation that the stopping up of part of Public Footpath No. 9 and the provision of an alternative public bridleway proposed under the Town and Country Planning Act is acceptable to the County Council as the Local Highway Authority.

This approval should be reported to South Cambridgeshire District Council as Local Planning Authority to allow them to make a formal decision on whether or not to make a public path order under Section 257 of the Town and County Planning Act 1990.

I further agree with your recommendation that public path creation agreements should be entered into with the landowner for the dedication of public bridleways between Points E-M-N, J-Q and G-P-Q-R as shown on the plan at Appendix D of your report.

My determination is subject to a width of at least two metres being recorded in any signed public path creation agreement for the sections between Points M-N and four metres for the sections between Points E-M, J-Q and G-P-Q-R.



Emma Murden
Interim Assistant Director, Highway Maintenance

Appendix C



A 30.10.13 Revised further to comments made by SCDC on 25.10.13		HYT AB	
rev.	date	notes	dm aud
OUTLINE PLANNING APPLICATION			
Diespeker Wharf 38 Graham Street London N1 8JX		PTEa POLLARD THOMAS EDWARDS architects	
T: 020 7336 7777	URL: www.ptea.co.uk		
F: 020 7336 0770	E: forename.surname@ptea.co.uk		
project	Wing Masterplan, Cambridge	drawn	audited
scale	1:2500@A1 1:5000@A3	KH	RSC
date	10.12.2013	job no.	12-592
draw title	Illustrative Masterplan layout	draw no.	PL - 09
rev	A		

0 10 50 100 200 500 m

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TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

Miss Julia Jardine,
Terence O'Rourke Ltd
Everdene House
Deansleigh Road
Bournemouth
Dorset
BH7 7DU

The Council hereby grants permission for up to 1,300 homes, primary school, food store, community facilities, open spaces, landscaping and associated infrastructure and other development.

At: Land north of, NEWMARKET ROAD, Cambridge
For: Marshall Group Properties Limited

In accordance with your application dated 18 December 2013 and the plans, drawings and documents which form part of the application, subject to conditions set out below.

1. The development hereby permitted shall be carried out in accordance with the following approved plans save for only minor variations where such variations do not deviate from this permission nor have any additional or materially different likely significant environmental effects to those assessed in the Environmental Statement accompanying the application:
12-592_PL_01_Location_Plan Revision B
12-592_PL_02_Aerial_Plan Revision A
12-592_PL_03_Demolition_Plan Revision A
0060_GA_005 Rev M_Boulevard_east (sheet 1 of 2)
0060_GA_005 Rev M_Boulevard_west (sheet 2 of 2)
0060_GA_006E_Construction_Access
12-592_PL_04_Land Use_PP Revision F
12-592_PL_05_Building_Heights_PP Revision C
12-592_PL_06_Access_Movement_PP Revision D
12-592_PL_07_Landscape_Open_Space_PP Revision C
REASON: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990 and to ensure the details of the development are acceptable to the Local Planning Authority.
2. The first application for approval of reserved matters shall be made to the Local Planning Authority no later than three years from the date of this permission.
REASON: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.
3. Application(s) for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 12 years from the date of this permission.
REASON: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004 and provide a consistent approach to the development of the site alongside adjoining

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

developments.

4. The commencement of each reserved matters area pursuant to this outline permission shall begin before the expiration of two years from the date of the last reserved matters to be approved for that reserved matters area.
REASON: To prevent the accumulation of unimplemented planning permissions and in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

5. No development on any individual Development Parcel or Strategic Engineering and Landscape Element shall commence, apart from Enabling Works, until approval of the details (where appropriate) of the appearance, landscape, layout and scale (hereinafter called the reserved matters) within that Development Parcel or related to that Strategic Engineering and Landscape Element has been obtained from the Local Planning Authority in writing. The development shall be carried out as approved.
REASON: To ensure that all necessary details are acceptable. In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004

6. The development pursuant to this permission of the uses listed below shall not exceed the following development levels:
Use class / type of use - Quantum
 - Primary school (D1), potentially including community hall - 2.3 ha primary school site
 - Community hall of 200 m2 gross internal floorspace (excluding any parish office)
 - Foodstore (A1) - Up to 1,500sqm gross internal floorspace
 - Petrol Filling station
 - Flexible mixed-use units (A1 – 5, B1, D1, D2) - Up to 3,000 m2 gross internal floorspace
 - Park pavilion comprising: café, public wc's, park store, offices, and gym (A1 – 5, B1, D1, D2) - 2,600 m2 of which 1,600 m2 offices gross internal floorspace
 - Sports pavilion (D2) - 200 m2 gross internal floorspace
 - Allotment clubhouse and amenities (D2) - 200 m2 gross internal floorspace
 - Replacement car dealerships (sui generis) - Up to 4 haREASON: To ensure that the development is implemented within the approved parameters upon which the Environmental Statement is based, in accordance with LDF policies DP/1, DP/2 and DP/3.

7. Prior to, or concurrently with the submission of the first reserved matters application(s) a site-wide Phasing Plan which accords with the S106 triggers shall be submitted to the Local Planning Authority for approval.

No development shall commence apart from Enabling Works until such time as the site-wide Phasing Plan has been approved in writing by the Local Planning Authority.

The site-wide Phasing Plan shall include the sequence of providing the following elements:

- a) Major infrastructure including all accesses, primary roads, segregated footpaths and cycleways and timings of such provision;
- b) Residential development parcels (including numbers and reference to indicative delivery dates);
- c) The local centre;
- d) The primary school and children's nursery;

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

- e) Surface water drainage features, SUDS and foul water drainage network;
- f) Formal and informal public open space, provision for children and teenagers, playing fields, and allotments;
- g) The sports pavilion, allotment club house and pavilion building in Beta Square;
- h) Strategic electricity, telecommunications, potable water mains provision and gas networks;
- i) Structural landscape planting;
- j) Environment mitigation measures.

The site-wide Phasing Plan shall also include a mechanism for reviewing and amending the sequencing of the above elements.

The development shall be carried out in accordance with the site-wide Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To clarify how the site is to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that the community spaces are provided in time to cater for the needs and impacts arising out of the development in accordance with Cambridge East Area Action Plan policies CE1 and CE2, which set out the vision and development principles for the delivery of the community

8. Prior to, or concurrently with, the submission of the first of the reserved matters application(s), a site-wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence apart from Enabling Works and Strategic Engineering and Landscape Elements (save for strategic landscaping) until the Design Code has been approved in writing by the Local Planning Authority. The Design Code shall be prepared in accordance with the approved parameter plans established in this outline permission and having regard to the Design and Access Statement and the approved parameter plans and shall include the following:
- a) The overall vision of the development;
 - b) The character and heights established through the approved parameter plans, reference to the phasing of Development Parcels;
 - c) The street hierarchy, including the principles and extent of the highway that would be potentially be offered for adoption, along with traffic calming measures;
 - d) Typical street cross-sections which will include details of tree planting, tree species, underground utility/service trenches, and on street parking;
 - e) How the design of the streets and spaces takes into account mobility and visually impaired users;
 - f) Block principles to establish use, density and building typologies. In addition, design principles including primary frontages, pedestrian access points, fronts and backs and threshold definition shall be provided;
 - g) Key groupings and other key buildings including information about height, scale, form, level of enclosure, building materials and design features;
 - h) Approach to incorporation of ancillary infrastructure/buildings such as substations, pumping stations, pipes, flues, vents, meter boxes, external letterboxes, fibres wires and cables required by statutory undertakers as part of building design;
 - i) Details of the approach to vehicular parking across the site including the location and layout of parking for people with disabilities and for each building type, including details of a design approach for access points into and the ventilation of any undercroft/underground parking;
 - j) The approach to cycle parking for all uses and for each building type, including the distribution (resident/visitor parking and location in the development), type of rack, spacing and any secure or non-secure structures associated with the storage of cycles;

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

- k) The approach to the character and treatment of the retained woodland, and new structural planting in the key public open spaces and along the primary and secondary streets;
- l) Outdoor sports and children's play space strategy including the formal playing fields, NEAP, LEAPs and LAPs;
- m) The approach to the treatment of footpaths, cycleways and bridleways through the site;
- n) The conceptual design and approach to the public realm (making reference to the public art strategy, materials, signage, utilities and any other street furniture);
- o) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs, so as to maximise energy efficiency, minimise light pollution and avoid street clutter, in general accordance with the lighting statement approved as part of this outline permission;
- p) Details of waste and recycling provision for all building types and recycling points;
- q) Utility routes, type and specification;
- r) Measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscape, orientation, massing, and external building features;
- s) Details of measures to minimise opportunities for crime;
- t) Measures to show how design will address/minimise the impact of noise (from traffic, aircraft etc.) on future residents;
- u) Details of the Design review procedure and of circumstances where a review of the Design Code shall be implemented.

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code will apply, who should use the Design Code, and how to use the Design Code.

All subsequent reserved matter applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code.
REASON: To ensure high quality design and coordinated development in accordance with policies CE/1, CE/2, CE/13, CE/14 of the Cambridge East Area Action Plan 2008; and to facilitate continuity through cumulative phases of development in accordance with Policy DP/5 of the South Cambridgeshire Development Control Policies Document, Local Development Framework, 2007

9. Prior to, or concurrently with, the submission of the first reserved matters application(s) a site-wide biodiversity management plan shall be submitted to the Local Planning Authority for approval. The plan shall set out how the development will secure the ecological measures and mitigation set out in paragraphs 9.164 – 9.166 and 9.205-9.220, and tables 13.1 and 13.2 of the Environmental Statement, dated December 2013.
REASON: To enhance ecological interests in accordance with policies CE/16 and CE/17 of the Cambridge East Area Action Plan 2008.
10. Prior to, or concurrently with, the submission of the first of the reserved matters application(s) a detailed site-wide surface water drainage strategy shall be submitted to the Local Planning Authority for approval. This shall complement the Site Wide Phasing Strategy and generally accord with the Strategic Surface Water Drainage Strategy for the site as set out in Chapter 11 and Technical Appendix H of the Environmental Statement, dated December 2013 and within paragraph 1.24 and Figure 11.3 of the Addendum to Environmental Statement dated August 2014, and be based on sustainable drainage principles.
The surface water drainage strategy shall include:

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

Evidence based details of existing and proposed drainage routes.

Details of existing infiltration rates where appropriate.

Detailed calculations for any proposed storage requirements, including precautionary factors for biodiversity habitat requirements, if ponds are proposed, and for potential future impermeable expansion areas or extensions that may connect to the system. The calculations must include an appropriate allowance for climate change in accordance with the NPPF.

Detailed calculations for any proposed discharge rates to the receiving watercourse.

Any drainage details including SUDS must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at www.aoa.org.uk/policy-campaigns/operations-safety/).

Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality.

The scheme shall be implemented in accordance with the phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

All reserved matters applications shall be designed in accordance with the approved scheme and the development shall be carried out in accordance with the approval details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent the exacerbation of flooding outside the site by ensuring the satisfactory storage and disposal of surface water from the site in accordance with policy CE/22 of the Cambridge East Area Action Plan 2008.

11. Prior to, or concurrently with, the submission of the first reserved matters application for the first Development Parcel, a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, carbon emissions and water conservation. It will have regard to sections 4.4 and 4.6, and chapter 5 of the Sustainability Statement and Water Conservation Strategy (December 2013) and section 4 of the Energy Statement (December 2013) as updated by pages 1 and 2 of the Sustainability Statement and Water Conservation Strategy and Energy Statement Addendum (August 2014). The strategy will also explain the measures that will make the development an exemplar community having regard to page 1 of the Addendum to the Sustainability Statement and Water Conservation Strategy and Energy Statement (August 2014).

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CE/22, CE/24 and CE/28 of the Cambridge East Area Action Plan 2008.

12. Within any reserved matters application for landscape submitted pursuant to this permission the details required by condition 5 shall include detailed landscape designs and specifications for the Development Parcel or Strategic Engineering and Landscape Element to which the reserved matters application relates. The details must comply with Advice Note 3, 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at www.aoa.org.uk/policy-campaigns/operations-safety/).

The details shall include such of the following as are relevant to the submission for that Development Parcel or Strategic Engineering and Landscape Element:

Soft Landscape

- a) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;

b) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of the relevant area of the site;

c) The landscape treatment of roads (primary, secondary, tertiary and green) through the relevant area of the site;

d) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;

e) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the relevant area of the site as appropriate;

f) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;

g) Drainage details including SUDS – such schemes must comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at www.aoa.org.uk/policy-campaigns/operations-safety/);

h) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works;

i) A specification for the Topsoil Strip, storage, re-spread and remediation in accordance with Defra : Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Hard Landscape

j) Full details, including cross-sections, of all bridges and culverts;

k) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;

l) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;

m) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Parcel and each Strategic Engineering and Landscape Element shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

REASON: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings and to avoid endangering the safe movement of aircraft and the operation of Cambridge Airport through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with policies CE/14 and CE/15 of the Cambridge East Area Action Plan 2008.

13. Any reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of the trees to be removed and retained within that Development Parcel or Strategic Engineering and Landscape Element; and the tree protection measures to be put in place in respect of those trees to be retained within that Development

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

Parcel or Strategic Engineering and Landscape Element, in accordance with BS5837:2012. Tree removal within that Development Parcel or Strategic Engineering and Landscape Element shall be in general accordance with plans Arbtech AIA 01 (West) Arbtech AIA 01 (East) of the Arboricultural Impact Assessment or as otherwise agreed in writing with the Local Planning Authority. The development of a Development Parcel or Strategic Engineering or Landscape Element shall be carried out in accordance with the tree protection measures approved for that Development Parcel or Strategic Engineering and Landscape Element.

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 policies DP/1 and NE/6 of the adopted Local Development Framework 2007.

14. Any reserved matters application for a Development Parcel containing residential development shall include details of any LAP(s) (Local Area of Play) to be provided within that Development Parcel together with details of the dwellings served by each LAP and the timetable for laying out the LAP(s) for approval. The LAP(s) shall be laid out in accordance with the details and timetable approved by the Local Planning Authority.

REASON: To ensure that appropriate facilities for youth and children's play provision are provided in relation to the development of the site, in accordance with policies SF/10 and SF/11 of the adopted Local Development Framework 2007.

15. Prior to or concurrently with the submission of the first of the reserved matters application(s) for residential development, a Strategy for Youth Facilities and Children's Play provision, in accordance with the principles set out in the Design and Access Statement and Planning Statement, shall be submitted to the Local Planning Authority for approval. The strategy shall include sufficient details to demonstrate the implementation of that strategy including specifications, location and phasing. Development shall take place in accordance with the approved strategy.

REASON To ensure that appropriate facilities for youth facility and children's play provision are provided in relation to the development of the site in accordance with policy CE/20 of the Cambridge East Area Action Plan 2008.

16. Any reserved matters applications for a Development Parcel or Strategic Engineering and Landscape Element which incorporate allotment provision shall where appropriate include the following details:

- a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
- b) Proposed management arrangements;
- c) Access and parking arrangements to allow easy and safe access to the allotments;
- d) Details of the allotment clubhouse / store;
- e) Boundary treatment, including security arrangements for the allotments;
- f) Water supply, including use of stored rainwater and SuDS for watering crops.

The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

REASON: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008.

17. Any reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of the ecological measures and mitigation incorporated

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

into that Development Parcel or Strategic Engineering and Landscape Element in accordance with the approved site-wide biodiversity management plan and a timetable for their implementation. The ecological measures and mitigation within that Development Parcel or Strategic Engineering and Landscape Element shall be implemented as approved in accordance with the approved implementation programme for that Development Parcel or Strategic Engineering and Landscape Element.

REASON: To ensure that the development enhances the biodiversity value of the site in accordance with policy CE/16 of the Cambridge East Area Action Plan 2008.

18. Concurrently with each reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element which includes any form of illumination an artificial lighting scheme for that Development Parcel or Strategic Engineering and Landscape Element, to include details of any external lighting of that Development Parcel or Strategic Engineering and Landscape Element such as street, floodlighting, security / residential lighting and a programme for their delivery, as well as an assessment of impact on any sensitive residential premises on and off site, shall be submitted to the Local Planning Authority. The scheme shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the Development Parcel or Strategic Engineering and Landscape Element and on the boundary of the Development Parcel or Strategic Engineering and Landscape Element and at future adjacent properties, including consideration of Glare (direct source luminance / luminous intensity in the direction and height of any sensitive residential receiver) as appropriate, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" including resultant light intrusion / trespass, source glare / luminaire intensity and building luminance.

No development shall commence on a Development Parcel or Strategic Engineering and Landscape Element which includes any form of lighting until the artificial lighting scheme for that Development Parcel or Strategic Engineering and Landscape Element has been approved in writing by the Local Planning Authority.

The approved lighting scheme for a Development Parcel or Strategic Engineering and Landscape Element shall be installed, maintained and operated in accordance with the approved details / measures for that Development Parcel or Strategic Engineering and Landscape Element unless the Local Planning Authority gives its written consent to any variation.

REASON: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with National Planning Policy Framework (NPPF) paragraphs 120, 125 and policy CE/2 of the Cambridge East Area Action Plan 2008. It is also necessary to control the permanent lighting arrangements on this development to avoid confusion with aeronautical ground lights which could endanger the safe movement of aircraft and the operation of Cambridge Airport. For further information please refer to Advice Note 2 'Lighting Near Aerodromes' (available at www.aoa.org.uk/policy-campaigns/operations-safety/).

19. Each reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of the pedestrian and cycle routes for that Development Parcel or Strategic Engineering and Landscape Element. No building shall be occupied or

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

activity brought into use within the relevant Development Parcel or Strategic Engineering and Landscape Element until the approved pedestrian and cycle routes relating to that building or activity (as appropriate) has been carried out.

REASON: To ensure that the development promotes walking and cycling in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

20. Each reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of car parking for that Development Parcel or Strategic Engineering and Landscape Element. No building shall be occupied or activity brought into use within the relevant Development Parcel or Strategic Engineering and Landscape Element until the approved parking provision relating to that building or activity (as appropriate) has been laid out.

REASON: To ensure an appropriate level of car parking provision, and to ensure that highway safety and amenity is not compromised by unsightly on street parking in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

21. With any reserved matters application for layout of a Development Parcel containing residential development there shall be submitted to the Local Planning Authority for approval either: (i) a noise statement explaining why a noise assessment and noise attenuation/insulation scheme is not required in respect of the residential units within that Development Parcel or (ii) a noise assessment and if necessary a noise attenuation/insulation scheme for the residential units in that Development Parcel to protect occupants from noise emanating from the A1303 Newmarket Road, primary internal roads, the local centre and petrol filling station, and flying operations at Cambridge Airport, as appropriate.

Where required, the noise attenuation/insulation scheme for a Development Parcel containing residential units shall demonstrate that the internal noise levels recommended in British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" (or as superseded) shall be reasonably achieved in respect of the residential units within that Development Parcel and shall include a timescale for the phased implementation of the scheme, as necessary.

If a noise attenuation/insulation scheme is required for a Development Parcel the said scheme as approved shall be fully implemented in respect of a residential unit within that Development Parcel before that residential unit is occupied and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that sufficient noise attenuation is provided to all residential properties to protect residents from the impact of the A1303 Newmarket Road and continued flying operations at the airport, to safeguard the amenity and health of future residents in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008.

22. Prior to, or coincident with the submission of any Reserved Matters Application for any non-residential buildings within a Development Parcel details of equipment relating to that non-residential building within that Development Parcel for the purpose of extraction and/or filtration and/or abatement of fumes and or odours including the operation of any in vessel composting, shall be submitted to and approved in writing by the Local Planning Authority. The approved extraction/filtration/abatement scheme/s for a particular non-residential building within a Development Parcel shall be installed before the use of that non-residential building hereby permitted is commenced and shall thereafter be retained. Any approved scheme / system shall not be altered without prior approval. Any approved fume filtration/extraction system installed,

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

shall be regularly maintained in accordance with the manufacturers specification to ensure its continued satisfactory operation to the satisfaction of the Local Planning Authority.

REASON: To ensure that an appropriate environment is created for residents in accordance with policy DP/2 of the adopted Local Development Framework 2007.

23. Prior to or concurrently with any reserved matters application for a Development Parcel the details required by condition 5 shall be accompanied by full details of the appropriate on-site storage facilities for waste (including waste for recycling) within that Development Parcel, including where appropriate:
- a) The detailed position and layout of bin stores and confirmation of acceptable drag distances;
 - b) The provision of home composting facilities;
 - c) For apartments, confirmation of the capacity of the communal bins;
 - d) Proposals for lighting of the communal bin compounds;
 - e) Confirmation, including a tracking diagram, that all bins can be accessed by waste collection vehicles;
 - f) Arrangements for the provision, on-site storage, delivery and installation of waste containers for each dwelling prior to occupation of that dwelling.

The RECAP Waste Management Design Guide will be utilised to ensure the development design will provide adequate space for internal and external waste storage. No development shall commence on a Development Parcel until the details of on-site storage facilities for waste for that Development Parcel have been approved in writing by the Local Planning Authority. The approved facilities for each building that will be used for residential, commercial or employment purposes within a Development Parcel shall be provided prior to the occupation, use or opening for business of that building and shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.

REASON: To ensure the provision of waste collection infrastructure on site and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008.

24. Any reserved matters application for a Development Parcel including housing shall include a plan showing the distribution of market and affordable units (all tenures), including a schedule of dwelling type and size (by number of bedrooms) within the Development Parcel for which approval is sought. The affordable housing units shall be provided in accordance with the approved details.

REASON: To ensure that there is a mixed and balanced distribution of tenure types across the development in accordance with policy CE/7 of the Cambridge East Area Action Plan 2008.

25. The submission of any reserved matters application relating to a Development Parcel which includes residential development, pursuant to this outline permission, shall be accompanied by a schedule of the mix of market dwellings proposed within that Development Parcel demonstrating how the proposed mix relates to the overall mix of market dwellings within all Development Parcels which already have reserved matters approval and taking into account the indicative mix of dwellings detailed within the Planning Statement and local knowledge of market demand. The market dwellings within each Development Parcel for residential development shall be constructed in accordance with the approved market mix for that Development Parcel.

REASON: To ensure that the overall mix of dwellings across the site as a whole is based on the indicative housing mix stated in the Planning Statement, which seeks to ensure development contains a mix of residential units providing accommodation in a range of types, sizes and

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

affordability, to meet local needs, in accordance with policy CE/7 of the Cambridge East Area Action Plan 2008.

26. All non-residential buildings, except for those exempt from BREEAM standards and the primary school, shall achieve BREEAM 'Excellent'. The primary school shall achieve a minimum of BREEAM 'Very Good'. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development. Unless otherwise agreed by the Local Planning Authority, each reserved matters application containing a non-residential building which is not exempt from BREEAM standards will be accompanied by a pre-assessment setting out how the standard will be met.

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CE/22, CE/24 and CE/28 of the Cambridge East Area Action Plan 2008.

27. Prior to or concurrently with any reserved matters application for a Development Parcel containing residential units a statement shall be submitted to and approved in writing by the Local Planning Authority which demonstrates how the residential units within that Development Parcel achieve a standard equivalent to level 4 of the Code for Sustainable Homes. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development. No residential units within a Development Parcel shall be occupied until the statement for that Development Parcel has been approved in writing by the Local Planning Authority. The residential units within that Development Parcel shall be constructed in accordance with the approved statement.

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CE/22, CE/24 and CE/28 of the Cambridge East Area Action Plan 2008.

28. Any reserved matters applications for residential, employment, retail, education, community buildings or the local centre shall include details of how the proposals accord with the site-wide sustainability strategy.

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with policies CE/22, CE/24 and CE/28 of the Cambridge East Area Action Plan 2008.

29. Within any reserved matters application that includes the local centre or part thereof, details shall be provided of the car and cycle parking provision to serve the local centre or relevant part thereof, and where relevant, details of the 'bring' recycling facility, and pedestrian and cycle access to the park and ride site.

REASON: To ensure adequate parking provision, connectivity and provision of recycling facilities in accordance with policies CE/3, CE/6 and CE/11 of the Cambridge East Area Action Plan 2008.

30. Any reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element containing a residential unit, non-residential building or public open space shall include details of facilities for the parking of bicycles. The facilities relating to a residential

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

unit, non-residential building or public open space shall be provided in accordance with the approved details before the use of that residential unit, non-residential building or public open space commences and shall thereafter be retained and shall not be used for any other purpose. REASON: To ensure appropriate provision for the secure storage of bicycles in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

31. Prior to or concurrently with any reserved matters application for a Development Parcel a Public Art Delivery Plan for that Development Parcel shall be submitted to the Council for approval which accords with the approved Addendum to the Public Art Strategy dated August 2014. If no Public Art is proposed within a Development Parcel then the Public Art Delivery Plan for that Development Parcel should comprise a short statement explaining this and referring back to the Public Art Strategy. No building on a Development Parcel shall be occupied until the Public Art Delivery Plan for that Development Parcel has been approved in writing by the Council. Where the approved Public Art Delivery Plan for a Development Parcel contains the provision of Public Art, that Public Art Delivery Plan shall be implemented in accordance with the details and programme approved as part thereof.

REASON: To ensure that the site provides public art in a satisfactory way that relates to the agreed Public Art Strategy in accordance with policy CE/9 of the Cambridge East Area Action Plan 2008.

32. A 5m wide maintenance strip will be provided to the west of the High Ditch Road Ditch for maintenance purposes (as shown on figure 11.3 of the ES Addendum, August 2014). The proposed sports field bund will not be located within 5m of the western bank of High Ditch Road Ditch in order to comply with maintenance requirements.

Any reserved matters applications for the Development Parcel or Strategic Engineering and Landscape Element which includes land proposed for the maintenance strip immediately to the west of the High Ditch Road Ditch shall include details of this maintenance strip and access to it. Following its provision, the approved access shall then thereafter be retained, unless otherwise agreed in writing with the Local Planning Authority.

REASON: to allow maintenance in order to safeguard against the risk of flooding in accordance with policy NE/11 of the adopted Local Development Framework 2007.

33. Details of an access to Thorpe Way Ditch for maintenance purposes shall submitted to and approved in writing by the Local Planning Authority as part of the reserved matters application for the relevant Development Parcel or Strategic Engineering and Landscape Element which includes land adjacent to the Thorpe Way Ditch. The approved access shall thereafter be delivered and retained at all times, unless otherwise agreed in writing with the Local Planning Authority.

REASON: to allow maintenance in order to safeguard against the risk of flooding in accordance with policy NE/11 of the adopted Local Development Framework 2007.

34. Any reserved matters application for a Development Parcel or Strategic Engineering and Landscape Element shall include details of surface water drainage in relation to that Development Parcel or Strategic Engineering and Landscape Element, which must be in accordance with the approved detailed site-wide surface water drainage strategy.

The proposals for a Development Parcel or Strategic Engineering and Landscape Element shall include in respect of that Development Parcel or Strategic Engineering and Landscape Element where appropriate:

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

- details of the design, location and capacity of all such SUDS features including where appropriate the ha-ha and central water feature.
- ownership, long-term management/maintenance and monitoring arrangements/responsibilities, including detailed calculations to demonstrate the capacity of receiving on-site strategic water retention features without the risk of flooding to land or buildings.
- Drainage details including SUDS – such schemes must comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS) (available at www.aoa.org.uk/policy-campaigns/operations-safety/).
- The strategy should also demonstrate that the exceedence of the designed system has been considered through the provision of overland flow routes.

The development on a Development Parcel or Strategic Engineering and Landscape Element shall be carried out in accordance with the approved details for that Development Parcel or Strategic Engineering and Landscape Element and no building pursuant to the particular reserved matters for which approval is being sought shall be occupied or used until such time as the approved detailed surface water measures for that building have been fully completed in accordance with the approved details.

REASON: In order to safeguard against the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and pace of water leaving the site in accordance with policy NE/11 of the adopted Local Development Framework 2007.

35. Prior to the commencement of development, a site-wide Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with and give effect to the principles included in sections 5 – 10 of the Outline CEMP dated December 2013 and paragraph 1.26 of the environmental statement addendum (August 2014) submitted with the outline planning application and shall include, but not be limited to:
- a) Construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers;
 - b) Location of contractors compound and method of moving materials, plant and equipment around the site;
 - c) Construction and demolition hours, which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed procedures for deviation;
 - d) Prior notice and agreement procedures for works outside agreed limits and hours;
 - e) Delivery and collection times for construction purposes;
 - f) Ecological restrictions and considerations including:
 - a. Any removal of trees, scrub or hedgerow shall not take place in the bird-breeding season between 15 February and 15 July inclusive, unless a mitigation scheme for the protection of bird-nesting habitat has been submitted to and approved in writing by the Local Planning Authority.
 - b. No building shall be demolished or tree removed which has been identified as having the potential to support roosting bats until a detailed bat survey has been carried out of that building or tree. Should any buildings or trees be found to support bats, a detailed mitigation strategy will be developed and implemented under licence from Natural England.
 - c. Details of the precautionary measures to ensure that contravention of legislation does not occur with respect to badgers

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

- g) Noise and Vibration (including piling) impact / prediction assessment, monitoring, recording protocols and consideration of mitigation measures in accordance with BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 - Vibration (or as superseded) including the use of best practical means to minimise noise and vibration disturbance from construction works;
- h) Dust suppression management and wheel washing measures, including the deposition of all debris on the highway;
- i) Material management strategy - soil will be stripped, handled, stored and reinstated using best practice procedures, in accordance with appropriate guidelines, such as DEFRA's 2009 Code of Practice for the Sustainable Use of Soils on Construction Sites. Any material used for landscaping, piling or engineering, purposed should be free of contamination and suitable for use;
- j) Lighting details during construction;
- k) Drainage control measures including the use of settling tanks, oil interceptors and bunds;
- l) Screening and hoarding details;
- m) Access and protection arrangements around the site for pedestrians, cyclists and other road users during construction;
- n) Arrangements for community liaison, complaints, and identification of a dedicated point of contact;
- o) Consideration of ecological and other sensitive receptors;
- p) Membership of the Considerate Contractors Scheme;
- q) Details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with Advice Note 4 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/policy-campaigns/operations-safety/);
- r) Control of activities likely to produce dust and smoke etc.;
- s) Details of temporary lighting – Such details shall comply with Advice Note 2 'Lighting Near Aerodromes' (available at www.aoa.org.uk/policy-campaigns/operations-safety/);
- t) Height of storage areas for materials or equipment;
- u) Control and disposal of putrescible waste to prevent attraction of birds;
- v) Site restoration.

Development shall be carried out in accordance with approved details.

REASON: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008; to avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981; to comply with the National Planning Policy for Waste October 2014 and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012; to ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Cambridge Airport and endanger aircraft movements and the safe operation of the aerodrome; and to ensure the development does not endanger the safe movement of aircraft or the operation of Cambridge Airport through interference with communication, navigational aids and surveillance equipment.

36. Development shall not commence until a site-wide Construction Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. This shall be in general accordance with the outline construction site waste management plan submitted as part of the outline planning application. The SWMP shall include details of:

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

- a. the anticipated nature and volumes of waste;
- b. Measures to ensure the maximisation of the reuse of waste;
- c. measures to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;
- d. any other steps to ensure the minimisation of waste during construction;
- e. the location and timing of provision of facilities pursuant to criteria b/c/d;
- f. proposed monitoring and timing of submission of monitoring reports;
- g. the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.

Unless otherwise agreed in writing, thereafter the management and monitoring of construction waste shall be undertaken in accordance with the agreed details.

REASON: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.

37. Prior to the commencement of construction, full detail of a mitigation scheme to address the impacts on air quality arising from the development shall be submitted to, and approved in writing by the Local Planning Authority. The Air Quality mitigation scheme approved shall be implemented in accordance with the approved details before the first occupation of the development and shall thereafter be retained as such.

REASON: To protect human health in accordance with policy CE/27 of the Cambridge East Area Action Plan 2008.

38. No development shall commence, apart from Enabling Works, until a Foul Water Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy should include a programme phasing the delivery of such works. The said works shall be constructed and completed in accordance with the approved plans/specification and the approved programme for their phased delivery.

REASON: To prevent environmental and amenity problems arising from flooding and ensure that sufficient capacity exists within the sewerage network to meet the needs of the development in accordance with policies NE/8, NE/9 and NE/10 of the adopted Local Development Framework 2007

39. No development, hereby approved, shall commence in relation to any Development Parcel incorporating uses other than residential dwellings or landscaping, until an operational noise impact assessment for that Development Parcel including, where appropriate, a scheme for the insulation of any building(s) or use(s) and associated plant / equipment, and / or noise mitigation measures within that Development Parcel to minimise the level of noise emanating from the said building(s) or use(s) and associated plant / equipment has been submitted to and approved in writing by the Local Planning Authority. The approved scheme of insulation / mitigation for a Development Parcel incorporating uses other than residential dwellings and landscaping shall be fully implemented in respect of a particular use, building or plant / equipment in that

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

Development Parcel before that relevant use, building or plant / equipment is commenced (in relation to uses), occupied (in relation to buildings) or used (in relation to plant / equipment) and shall thereafter be maintained in accordance with the approved details.

REASON: To protect the health and quality of life / amenity of nearby properties in accordance with policy in accordance with National Planning Policy Framework (NPPF) paragraphs 109, 120, 123 and policy NE/15 of the adopted Local Development Framework 2007.

40. Development shall not commence on any Development Parcel or Strategic Engineering and Landscape Element until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority for that Development Parcel or Strategic Engineering and Landscape Element. The submitted plan shall include details of:

- monitoring of any standing water within the Development Parcel or Strategic Engineering and Landscape Element temporary or permanent.
- if relevant sustainable urban drainage schemes (SUDS) within that Development Parcel or Strategic Engineering and Landscape Element – such schemes shall comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at www.aoa.org.uk/policy-campaigns/operations-safety/).
- if relevant the management of any flat/shallow pitched/green roofs on buildings within the Development Parcel or Strategic Engineering and Landscape Element which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8 ‘Potential Bird Hazards from Building Design’ (available at www.aoa.org.uk/policy-campaigns/operations-safety/).
- the reinstatement of grass areas.
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow.
- which waste materials can be brought on to the Development Parcel or Strategic Engineering and Landscape Element/what if any exceptions e.g. green waste.
- monitoring of waste imports.
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste.
- signs deterring people from feeding the birds.

The Bird Hazard Management Plan for a Development Parcel or Strategic Engineering and Landscape Element shall be implemented as approved from the commencement of development on that Development Parcel or Strategic Engineering and Landscape Element, and shall remain in force for the life of the development on that Development Parcel or Strategic Engineering and Landscape Element. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Cambridge Airport in accordance with policy DP/2 of the adopted Local Development Framework 2007.

41. Prior to the commencement of development on any Development Parcel or Strategic Engineering and Landscape Element a Detailed Waste Management and Minimisation Plan (DWMMP) in respect of that Development Parcel or Strategic Engineering and Landscape Element shall be submitted to and approved in writing by the Local Planning Authority. The DWMMP shall include details of such of the following as are relevant to that Development Parcel or Strategic Engineering and Landscape Element:

- a) construction waste infrastructure, including an inert / construction material recycling facility to be in place during all phases of construction;

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

- b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste;
- c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;
- d) any other steps to ensure the minimisation of waste during construction;
- e) the location and timing of provision of facilities pursuant to criteria a/b/c/d;
- f) proposed monitoring and timing of submission of monitoring reports;
- g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.

The Detailed Waste Management and Minimisation Plan for each Development Parcel or Strategic Engineering and Landscape Element shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.

42. No development (apart from Enabling Works) shall commence on any Development Parcel until an odour and noise management and monitoring plan has been submitted to and approved in writing by the Local Planning Authority for that Development Parcel.

The plan shall provide for the management and monitoring of odour and noise levels arising from the aircraft and vehicle spraying facilities whilst these operations continue at the existing North Works site in so far as they impact upon the relevant Development Parcel. The plan shall include a methodology and programme for its delivery. The approved plan for a Development Parcel shall be implemented from the first occupation of that Development Parcel.

REASON: To ensure that an appropriate environment is created for residents in accordance with policy DP/2 of the adopted Local Development Framework 2007.

43. No development, apart from Enabling Works on a Development Parcel or Strategic Engineering and Landscape Element shall take place until a remediation strategy for that Development Parcel or Strategic Engineering and Landscape Element which includes the following components to deal with the risks associated with contamination within that Development Parcel or Strategic Engineering and Landscape Element has been submitted to and approved, in writing, by the Local Planning Authority:
1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the relevant area of the site indicating potential sources, pathways and receptors, including those off site. A proposed scope of intrusive investigation works for that development parcel based on the conceptual model shall be included.
 2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
 3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

complete and arrangements for contingency actions. The plan shall also detail a long-term monitoring and maintenance plan as necessary.

No occupation of any building within a Development Parcel or use of a Strategic Engineering and Landscape Element shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3) (other than any long-term monitoring and maintenance plan) for that Development Parcel or Strategic Engineering and Landscape Element has been submitted to and approved in writing by the Local Planning Authority. For each Development Parcel or Strategic Engineering and Landscape Element any long term monitoring and maintenance plans deemed necessary in (3) shall be updated and be implemented as approved.

REASON. To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

44. If, during development of a Development Parcel or Strategic Engineering and Landscape Element, contamination not previously identified is found to be present at the site of that Development Parcel or Strategic Engineering and Landscape Element then no further development of that Development Parcel or Strategic Engineering and Landscape Element (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

45. Prior to the commencement of development on any Development Parcel or Strategic Engineering and Landscape Element, a detailed Construction Method Statement (CMS) relating to that Development Parcel or Strategic Engineering and Landscape Element shall be submitted to and approved in writing by the Local Planning Authority. The CMS shall demonstrate how the construction of that Development Parcel or Strategic Engineering and Landscape Element accords with the Construction Environmental Management Plan (CEMP). In addition the CMS shall in respect of that Development Parcel or Strategic Engineering and Landscape Element also provide a specific construction programme and a plan identifying: the contractor site storage area/compound; screening and hoarding locations; site lighting; wheel washing and dust suppression measures; the need or otherwise for a concrete crushing machine on site; access arrangements for vehicles, plant and personnel; building material, plant and equipment storage areas; contractor parking arrangements for construction and personnel vehicles; and the location of contractor offices. Thereafter the development of that Development Parcel or Strategic Engineering and Landscape Element shall be undertaken in accordance with the agreed details for that Development Parcel or Strategic Engineering and Landscape Element. REASON: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with policy DP/2 of the adopted Local Development Framework 2007.

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

46. No development, apart from Enabling Works, in each of the Areas identified as A, B or C in the Archaeological Mitigation Strategy (Technical Appendix D5 of the Environmental Statement) shall commence until a programme of archaeological fieldwork has been carried out in respect of that particular Area in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the implementation of an appropriate archaeological Investigation, recording, reporting and publication in accordance with policy CH/2 of the adopted Local Development Framework 2007.
47. The playing pitches shall not be laid out unless and until:
a) A detailed assessment of ground conditions of the land proposed for the new playing pitches identified on the approved Landscape Open Space Parameter Plan has been undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The works shall be carried out in accordance with the approved scheme.
REASON: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field in accordance with policy CE/2 of the Cambridge East Area Action Plan 2008.
48. Prior to the commencement of development on any Development Parcel or Strategic Engineering and Landscape Element which includes the proposed headwall along High Ditch Road Ditch a detailed mitigation strategy for the protection of water voles will be submitted to and approved in writing by the Local Planning Authority for the element of the Ditch that is within that Development Parcel or Strategic Engineering and Landscape Element.
Mitigation and compensation measures likely to be included in the water vole mitigation strategy are:
- Suitable design and location of the proposed headwall along High Ditch Road Ditch to avoid killing/injuring/disturbance of water voles; or damage/destruction to water vole habitat
 - Habitat management prior to works to that section of the Ditch to displace water voles from the working area, if present in that section of ditch
 - Construction activities to the headwall at an appropriate time of year so as to avoid sensitive times of the year for water voles, such as the breeding season (March to October)
 - Identification of as smaller working area as possible to minimise damage and disturbance of water vole habitat
- The development of the proposed headwall along High Ditch Road within that Development Parcel or Strategic Engineering and Landscape Element shall be carried out in accordance with the approved details.
REASON: To ensure that sufficient mitigation is in place for the protection of water voles and the enhancement of their habitat in accordance with policy NE/6 of the adopted Local Development Framework 2007.
49. Prior to the occupation of any non-residential building which is not exempt from BREEAM standards, or within 6 months of occupation of that building, a certificate following a post-

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

construction review, shall be issued by an approved BREEAM Assessor to the Local Planning Authority, indicating that the relevant BREEAM rating has been met in respect of that building. Where the certificate shows a shortfall in credits for the required BREEAM rating, a statement shall be submitted identifying how the shortfall will be addressed.

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings.

Cambridge East Area Action Plan Policies CE22, 24 and 28.

50. Prior to the occupation of the first dwelling within a Development Parcel, a water efficiency specification for each dwelling type within that Development Parcel, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the local planning authority. This shall demonstrate that all dwellings within that Development Parcel are able to achieve a design standard of water use of no more than 110 litres/person/day and that the development of that Development Parcel shall be carried out in accordance with the agreed details for that Development Parcel.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction. Cambridge East Area Action Plan Policy CE22.

51. No development of a residential dwelling within a Development Parcel shall take place until evidence, carried out by a Licensed Code for Sustainable Homes/HQM Assessor or equivalent, has been submitted to the local planning authority demonstrating that all proposed dwellings within that Development Parcel meet only the energy requirements associated with Level 4 of the Code for Sustainable Homes (Ene 01) and that the development of that Development Parcel shall be carried out in accordance with the agreed energy requirement details for that Development Parcel.

REASON: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings. Cambridge East Area Action Plan Policy CE22, 24, 28.

52. The re-provision of the Petrol Filling Station hereby permitted shall not commence pursuant to this permission, apart from Enabling Works, until such time as a scheme to install underground tanks has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The underground tanks shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

53. No building within any Development Parcel shall be occupied until a scheme for the provision and location of fire hydrants to serve that Development Parcel to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the phasing and delivery programme contained therein.

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

REASON: To ensure an adequate water supply is available for emergency use.

54. No dwelling shall be occupied until a road and/or footway linking that building to a public highway network is complete to binder course level; and main services are installed and are available for connection to the said building.

REASON: To ensure a safe means of access to residential properties in accordance with policy DP/2 of the adopted Local Development Framework 2007.

55. No dwelling shall be occupied until details of the proposed cycleway forming part of the development along the disused railway linking the site to the B1047 (as shown on parameter plan 12-592_PL_06_Access_Movement_PP) together with a programme for its delivery have been submitted to and approved in writing by the Local Planning Authority. The cycleway shall be constructed in accordance with the approved details and the approved delivery programme.

REASON: To promote the use of cycling throughout the development in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

56. No dwelling shall be occupied until details of the proposed improvement to the junction of Airport Way with Church Road Teversham together with a programme for its delivery have been submitted to and approved in writing by the Local Planning Authority. The junction improvement shall be constructed by the applicant in accordance with the approved details and the approved delivery programme.

REASON: To ensure that sufficient measures are in place to mitigate the impact from vehicular traffic from the development in accordance with policy CE/10 of the Cambridge East Area Action Plan 2008.

57. No dwelling shall be occupied until details of the proposed Toucan Crossing at the junction of Ditton Lane with Fison Road together with a programme for its delivery have been submitted to and approved in writing by the Local Planning Authority. The Toucan Crossing shall be constructed by the applicant in accordance with the approved details and the approved delivery programme.

REASON: To promote the use of cycling throughout the development and beyond in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

58. No dwelling shall be occupied until details of the proposed Toucan Crossing at the junction of Ditton Lane with Newmarket Road together with a programme for its delivery have been submitted to and approved in writing by the Local Planning Authority. The Toucan Crossing shall be constructed by the applicant in accordance with the approved details and the approved delivery programme.

REASON: To promote the use of cycling throughout the development and beyond in accordance with policy CE/11 of the Cambridge East Area Action Plan 2008.

59. All planting, seeding or turfing in the approved soft landscaping details shall be carried out in the first planting season following the completion of the appropriate element of development. Any trees, plants, turf or seeded areas which within a period of 10 years from planting for strategic planting and 5 years from planting for all other planting are removed or are noticeably damaged or diseased, or have failed to establish or make reasonable growth, shall be replaced in the next planting season with others of the same size and species, unless the Local Planning

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

Authority gives written approval of a variation to the type of planting.

REASON: In the interests of accurately establishing the quality and value of trees and hedges on or adjacent to the site and the implications for development in accordance with policies CE/14 and CE/15 of the Cambridge East Area Action Plan 2008.

60. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

61. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any other Order amending, revoking and re-enacting that order):

- (i) If the foodstore premises in the local centre has a gross internal area which exceeds 500 square metres then the foodstore premises in the local centre shall not be used other than for a limited assortment discount retail foodstore only and for no other purpose within Class A1;
- (ii) If the foodstore premises in the local centre has a gross internal area of 500 square metres or less then the foodstore premises in the local centre shall not be used other than for a retail foodstore only and for no other purpose within Class A1.

Further, there shall be no amalgamation of retail units within the local centre which would result in a foodstore premises which has a gross internal area of more than 500 square metres, unless the foodstore premises is used as a limited assortment discount retail foodstore and for no other purpose within Class A1.

REASON: To ensure that the development does not have an adverse impact upon the provision of retail at the nearby local centres in accordance with policy CE/6 of the Cambridge East Area Action Plan 2008.

62. There will be no motor vehicle access to the site from High Ditch Road to the north, or from the Fison Road Estate to the west of the site unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that private motor vehicle traffic would not have an adverse impact upon the highway safety and amenity of Fen Ditton village in accordance with policy CE/12 of the Cambridge East Area Action Plan 2008.

63. The playing fields hereby approved shall be used for outdoor sport and for no other purpose (including without limitation any other purpose in Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) , or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: To protect the playing facilities from loss and/or damage, to maintain the quality of and secure the safe use of sports facilities in accordance with policy CE/20 of the Cambridge East Area Action Plan 2008.

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

Informatives

1. To satisfy the noise insulation scheme condition for the residential building envelope and traffic noise, the applicant / developer must ensure that the residential units are acoustically protected by a noise insulation scheme, to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" derived from the World Health Organisation Guidelines for Community Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30 LAeq (Good) and 40 LAeq (Reasonable) for living rooms and 30 LAeq (Good) and 35 LAeq (Reasonable) for bedrooms. Where sound insulation requirements preclude the opening of windows for rapid ventilation and thermal comfort / summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulations Approved Document F 2006: Ventilation will also need consideration.
2. S23 Land Drainage Act consent will be required for all connections to the award drain. The relevant consenting authority in this case is Cambridgeshire County Council – Flood and Water Management section.
3. The Food & Health & Safety Team, South Cambridgeshire District Council, for advice concerning the proposed premises design/layout, Food and Occupational Safety/Welfare Regulations/requirements and Food Premises Registration, Tel No: 01954 713111.
4. Anglia Water, Tel No: 0800 145145 regarding the installation of a grease trap for the foul water. If drains are to be altered the foul water from the kitchen should be passed through fat/oil/grease interceptor facilities (prior to entering any shared private drain and/or the public sewer), designed and constructed to the satisfaction of the Local Planning Authority (LPA).
5. It is suggested that documentary evidence including receipts, invoices and copies of any service contracts in connection with the maintenance of the extraction equipment, is kept, preferably at the premises and is available for inspection by officers of the Local Planning Authority, to facilitate monitoring of compliance with condition 38.
6. A limited assortment discounter is a retailer as defined in Part 1 of the Groceries Market Investigation (Controlled Land) Order 2010

General

1. **Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions**

The LPA positively encourages pre-application discussions. Details of this advice service can be found on the Planning pages of the Council's website www.scamb.gov.uk. If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will help the applicant to determine whether and how the proposal might be revised to make it acceptable.

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

In relation to this application, it was considered and the process managed in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

2. Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995 [now superseded by Article 30 of the Town and Country Planning (Development Management Procedure)(England) Order 2010], a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission (or reserved matter consent).

The fee is £97 per request or £28 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of a dwellinghouse. The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website www.scambs.gov.uk (application forms - 1app forms-application for the approval of details - pack 25.)

3. It is important that all conditions, particularly pre-commencement conditions, are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.
4. All new buildings that are to be used by the public must, where reasonable and practicable, be accessible to disabled persons and provide facilities for them. The applicant's attention is therefore drawn to the requirements of Section 76 of the Town and Country Planning Act 1990 and the Building Regulations 2000 (as amended) with respect to access for disabled people.
5. In order to obtain an official postal address, any new buildings should be formally registered with South Cambridgeshire District Council. Unregistered addresses cannot be passed to Royal Mail for allocation of postcodes. Applicants can find additional information, a scale of charges and an application form at www.scambs.gov.uk/snn. Alternatively, applicants can contact the Address Management Team: call 08450 450 500 or email address.management@scambs.gov.uk. Please note new addresses cannot be assigned by the Council until the footings of any new buildings are in place.
6. The applicant's attention is drawn to the requirements of the Party Wall etc. Act 1996 if works are proposed to a party wall.
7. If you wish to amend the permitted scheme, and you consider the revisions raise no material issues, you should make an application for a Non Material Amendment. If agreed, the development can go ahead in accordance with this amendment although the revised details will not replace the original plans and any conditions attached to the originally approved development will still apply. If, however, you or the Council consider the revisions raise material issues you may be able to make an application for a Minor Material Amendment. If

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

approved, this will result in a new planning permission and new conditions as necessary may be applied. Details for both procedures are available on the Council's website or on request.

8. If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from Building Control Services at South Cambridgeshire District Council. Their contact details are: tel. 03450 450 500 or building.control@scambs.gov.uk or via the website www.scambs.gov.uk.
9. A delegation report or committee report, setting out the basis of this decision, is available on the Council's website.

To help us enhance our service to you please click on the link and complete the customer service questionnaire: www.surveymonkey.com/s/2S522FZ



Julie Baird

Head of Development Management, Planning and New Communities

South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

THIS PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

SEE NOTES OVERLEAF

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 30 November 2016

NOTES

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so using a form which you can get from the Customer Support Unit, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Alternatively, an online appeals service is available through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Planning Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information you are happy will be made available to others in this way, including personal information belonging to you. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Fully completed appeal forms must be received by the Planning Inspectorate within six months of the date of this decision notice except where the property is subject to an enforcement notice, where an appeal must be received within 28 days.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Appendix D

Memorandum of Agreement for the processing of Public Path Orders between Cambridgeshire County Council and South Cambridgeshire District Council.

This Memorandum outlines agreement reached between Cambridgeshire County Council [The County Council] and South Cambridgeshire District Council [The District Council] concerning the processing of Public Path Orders under the Town & Country Planning Act 1990 in Cambridgeshire.

In this Memorandum 'Public Path Orders' refers to all orders that effectively divert, create or extinguish a public right of way.

Legislative Framework

The Highways Act 1980 and the Town and Country Planning Act 1990 enable both District and County Councils to undertake and process Public Path Orders. Orders made under the Highways Act 1980 can be made by either authority. Orders made under the Town and Country Planning Act 1990 can only be made by the appropriate planning authority. However, the planning authority may contract out the processing of such orders to suitably qualified contractors. The County Council has a statutory duty under the Wildlife and Countryside Act 1981 to modify the Definitive Map in order to show any changes to the route of a path effected by a public path order under either Act. The two authorities already have an Agreement regarding public path orders made under the Highways Act 1980 whereby the County Council undertakes to assess and make all orders requested under that Act through to confirmation if the applications meet the legal tests.

Public Path Orders under the Town and Country Planning Act 1990

The County Council will make all orders under the Town and Country Planning Act 1990 where they are the Planning Authority. The District Council will be consulted on these orders due to their status as a statutory consultee.

The County Council will receive applications from the public for public path orders which are required under the Town and Country Planning Act 1990 on behalf of the District Council. The County Council will process the order according to the procedure set out in the Appendix. The County Council will recover its costs from the applicant direct. No charges shall be made by the County Council to the District Council or by the District Council to the County Council for any aspect of making or confirming the order.

Signed on behalf of Cambridgeshire County Council by:-

Name..... *C. H. Kemp*
Job Title..... *DIRECTOR OF HIGHWAYS + ACCESS*
Date..... *26th JAN 2007*

Signed on behalf of South Cambridgeshire District Council by:-

Name..... *DAVID LORD*
Job Title..... *ASST. SOLICITOR*
Date..... *20th February 2007* *D. Lord*

Memorandum of Agreement –Cambridgeshire County Council and South Cambridgeshire District Council - Public Path Orders

Appendix – Procedure for public path orders under the Town and Country Planning Act 1990 where Cambridgeshire County Council acts as agent for South Cambridgeshire District Council

- Application made direct to Cambridgeshire County Council
- Cambridgeshire County Council formally notifies South Cambridgeshire District Council of application and timescale for processing application
- South Cambridgeshire District Council arranges slot on relevant committee agenda for consideration of report
- Cambridgeshire County Council carries out formal consultations on the proposed diversion, writes report and prepares a draft order and order map
- South Cambridgeshire District Council Planning Committee considers the report and determines whether the order should or should not be made
- South Cambridgeshire District Council seals the draft order and order map if order is to be made
- Cambridgeshire County Council processes the publication of the order
- If no objections, South Cambridgeshire District Council confirms the order and Cambridgeshire County Council processes the publication of the confirmation
- If objections, South Cambridgeshire District Council and Cambridgeshire County Council jointly agree whether or not to submit order to Planning Inspectorate (Secretary of State) for determination

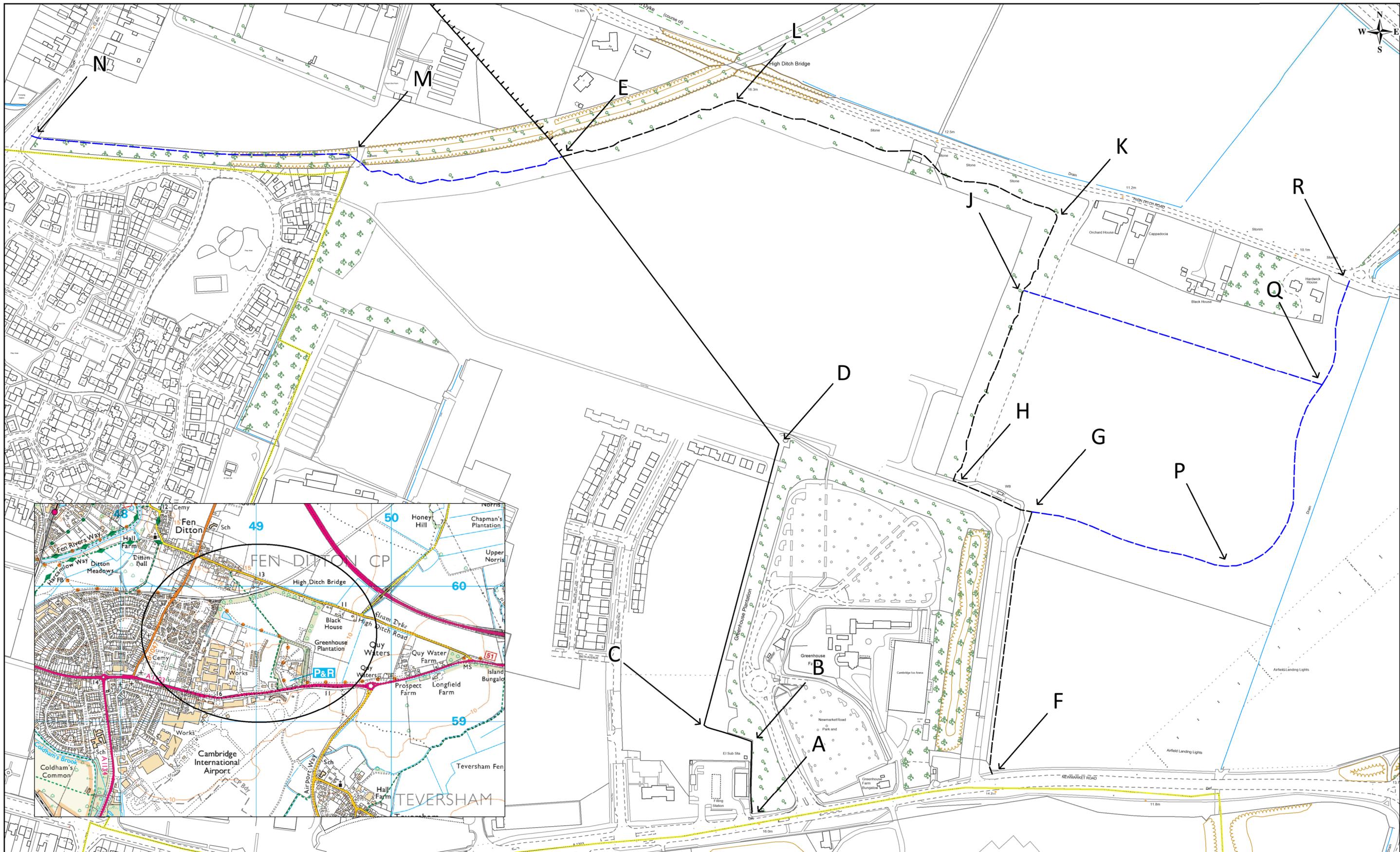
Costs

Cambridgeshire County Council will recoup the costs of making the order direct from the applicant.

The local authority is not permitted to recharge to the applicant the costs of sending an opposed order to the Planning Inspectorate. Therefore, if South Cambridgeshire District Council wishes to submit an order to the Planning Inspectorate, it will meet the Cambridgeshire County Council's costs in doing so or submit the order itself and meet its own costs.

The risk of having to meet these costs should mean that South Cambridgeshire District Council only resolves to make orders where it was reasonably confident that the order would not attract objections. The onus lies with the applicant to provide a diverted route that is acceptable to all parties (including reviewing the proposed diverted route if, after consultations, their original suggestion is not acceptable).

Appendix E



Scale: 1:2500 (A2)
 Date: 21/10/2021
 By: fn303

Key - Drawn from the Definitive Map	
Public Footpath to be Stopped Up	
Public Bridleway to be Created	
Unaffected Public Footpath	
Public Bridleway to be created via CCC	
Parish boundary	

Appendix F

James Stringer
Cambridgeshire City Council
Box No. STA2101
Stanton Way Depot
Huntingdon
PE29 6PY

Plant Protection
Cadent
Block 1; Floor 1
Brick Kiln Street
Hinckley
LE10 0NA
E-mail: plantprotection@cadentgas.com
Telephone: +44 (0)800 688588

National Gas Emergency Number:
0800 111 999*

National Grid Electricity Emergency Number:
0800 40 40 90*

* Available 24 hours, 7 days/week.
Calls may be recorded and monitored.

www.cadentgas.com

Date: 19/07/2021

Our Ref: EA_GE3B_3FWP_061316

Your Ref: P106 (JP)

RE: Formal Enquiry, CB5 8BX Public Footpath No. 9 Fen Ditton at Marleigh, Newmarket Road

Thank you for your enquiry which was received on 14/07/2021.
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.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Are My Works Affected?

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Cadent and/or National Grid therefore formally objects to these activities pending further consultation.

Cadent and/or National Grid objects to the Order on the grounds that the level of protection currently afforded to the apparatus it has in the subject land may be diminished notwithstanding Paragraph 4, Schedule 12, Part II of the Highways Act, 1980.

See Assessment section below for details of how to deal with Cadent and/or National Grid's objection.

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.

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does **NOT** include:

- | Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.
- | Gas service pipes and related apparatus
- | Recently installed apparatus
- | Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the [National Grid](#) or [Cadent](#) website.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Limited, NGGT and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Yours faithfully

Plant Protection Team

ASSESSMENT

Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- I High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment

How to deal with Cadent and/or National Grid's objection

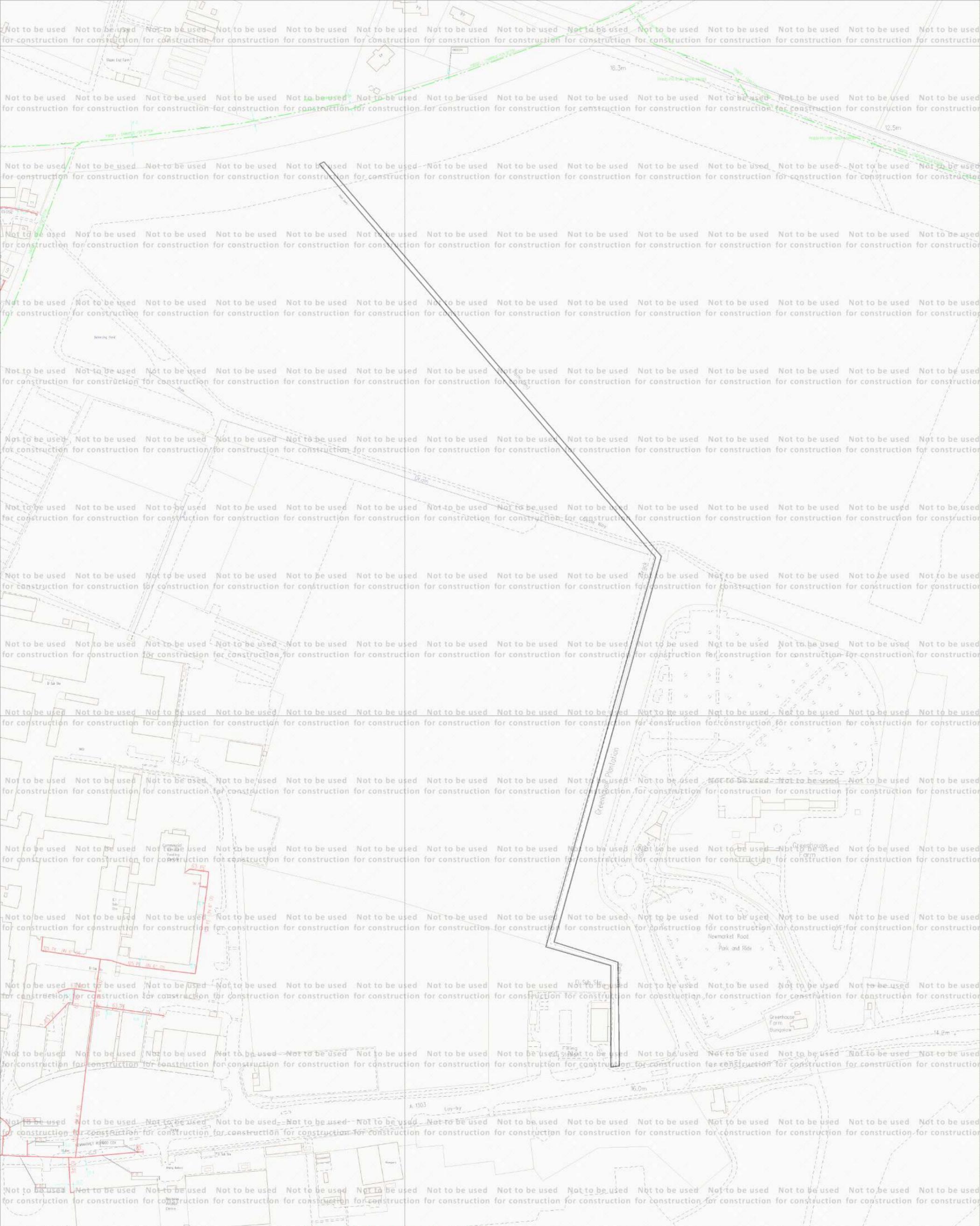
There are two ways of removing this objection for Gas Apparatus:

1. By granting Cadent and/or National Grid an easement over the affected main(s). To do this you must send a cheque for £1,000 + VAT to cover the internal assessment costs. In addition, you will also be responsible for paying for the legal fees in connection with completing our standard Deed of Easement. Please inform us of your solicitor's contact details. Your solicitor will be advised of Cadent and/or National Grid's legal fees and will be required to provide a solicitors undertaking for costs. Please make the cheque payable to Cadent Gas Limited and send to the address above. Upon receipt I will forward your Notice and a copy of this letter to our Easement Service Provider who will arrange for the easement to be processed. **The objection will only be lifted upon completion of the easement.**
2. Alternatively you can request that the affected main(s) are diverted or isolated. These works will be fully chargeable. Please send through your development plans so that we can send these off to our diversion team to issue you the budget estimate for any necessary works. **The objection will only be lifted upon completion of these works.**

Requirements

BEFORE carrying out any work you must:

- I **Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.**
- I Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- I Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- I Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- I In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.



ID: EA_GE3B_3FWP_061316
 USER: James.Parker
 DATE: 19/07/2021
 DATA DATE: 18/07/2021
 REF: P106 (JP)
 MAP REF: TL4959
 CENTRE: 549063, 259576

View extent: 723m, 918m

LP MAINS	
MP MAINS	
IP MAINS	
LHP MAINS	
NHP MAINS	

0m 50m
 Approximate scale 1:2500
 on A3 Colour Portrait

National Grid objects to this application

This plan shows those pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Map 1 of 1 (GAS)

MAPS Plot Server Version 1.11.0

Cadent
 Your Gas Network

Requested by: Cambridgeshire City Council

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Some examples of Plant Items:

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ENQUIRY SUMMARY

Received Date

14/07/2021

Your Reference

P106 (JP)

Location

Centre Point: 549063, 259576

X Extent: 253

Y Extent: 677

Postcode: CB5 8BX

Location Description: CB5 8BX Public Footpath No. 9 Fen Ditton at Marleigh, Newmarket Road

Map Options

Paper Size: A3

Orientation: PORTRAIT

Requested Scale: 2500

Actual Scale: 1:2500 (GAS)

Real World Extents: 723m x 918m (GAS)

Recipients

pprsteam@cadentgas.com

Enquirer Details

Organisation Name: Cambridgeshire City Council

Contact Name: James Stringer

Email Address: James.Stringer@cambridgeshire.gov.uk

Telephone: 01223 715520

Address: Box No. STA2101, Stanton Way Depot, Huntingdon, PE29 6PY

Description of Works

SUO Town & Country Planning Act, Section 257 SP

Enquiry Type

Formal Enquiry

Activity Type

Highways

Notice Types

Notice Type: Section Notice (Town & Country Planning Act, Section 257)

James Stringer

From: Abdul Shukur, Shaik [REDACTED]
Sent: 26 July 2021 06:18
To: James Stringer
Cc: fibreservicesstoppingup@vodafone.com
Subject: No Objection : Proposal to divert Fen Ditton FP9 (part) at Marleigh, Cambridge
Attachments: 2021-03-24 Plan.pdf; HILL22782 17B.pdf; 2021-07-14 Consultation Utilities.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Sirs,

New Roads and Street Works Act 1991
Stopping Up Order / Footpath Diversion / Extinguishment / Gating Order

No Objection

We refer to the below or attached order and confirm that we have no objections

Please email Stopping Ups to osm.enquiries@atkinsglobal.com

To enable us to process your application as quickly as possible, please ensure you include Grid References.

A copy of the Cable and Wireless process 4461 'Special Requirements relating to the external plant network of Cable and Wireless UK Services Ltd' is available on request. The process provides guidance on working in the vicinity of Cable and Wireless's apparatus.

IMPORTANT - PLEASE READ = Your Next Step?:

Where apparatus is affected and requires diversion, please send all the scheme related proposals that affects the Vodafone Network to c3requests@vodafone.com with a request for a 'C3 Budget Estimate'. Please ensure you include a plan showing proposed works. (A location plan is insufficient for Vodafone to provide a costing). These estimates will be provided by Vodafone directly, normally within 20 working days from receipt of your request. Please include proof of this C2 response when requesting a C3 (using the 'forward' option). Diversionary works may be necessary if the existing line of the highway/railway or its levels are altered.

Plant Enquiries Team
T: +44 (0)1454 662881
E: osm.enquiries@atkinsglobal.com

This response is made only in respect to electronic communications apparatus forming part of the Vodafone Limited electronic communications network formerly being part of the electronic communications networks of Cable & Wireless UK (now re-named Vodafone Enterprise UK), Energis Communications Limited, Thus Group Holdings Limited and Your Communications Limited.

ATKINS working on behalf of Vodafone: Fixed 

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James Stringer

From: James Stringer
Sent: 28 July 2021 11:37
To: 'Lynda Warth'
Subject: RE: Proposal to divert Fen Ditton FP9 (part) at Marleigh, Cambridge

Hi Lynda,

Thank you for your/Sophie's comments.

With regard to the questions/queries you posed, I have listed them below and answered them in red:

- 1) In the covering letter the penultimate paragraph says the G, P, Q, R and J-Q are to be delivered at a later phase... It would be great if we could press for these new paths to be created as soon as possible – **The delivery of these paths are secured by the planning permission/S106 and are required by the 450th occupation.**
- 2) I would add that going forward, we need to aware of the opportunities to link into the new Water Treatment Plant development access opportunities at Honey Hill. – **I assume you are aware of the Phase Two consultation for the Anglian Water plant is ongoing and closes on the 18th August? Further details are available here: <https://cwwtprvirtualexhibition.com/> and <https://cwwtpr.com/document-library/>.**
- 3) We also need to establish and identify the continuation of the bridleway when it hits Newmarket Road. What is proposed for this please? Obviously we can't have the bridleway dead ending at Newmarket Road. – **The termination on Newmarket Road is to future proof the bridleway network for whatever comes forward on the airport site in future. I appreciate it doesn't connect into any off-carriageway provision yet, but its delivery now will put us in a very strong position whenever the airport site comes forward to secure provision across Newmarket Road and throughout the airport site. There is also GCP's Cambridge Eastern Access scheme and the proposed new Cambridge United Stadium that could unlock potential improvements off the back of this bridleway. As always, it's a giant puzzle, not everything can be secured or delivery at once by one scheme but this network at Marleigh is the starting point to help justify further improvements in the future, including the proposed Waste Water Treatment Plant.**

I hope that helps,

Kind Regards,

James Stringer

Asset Information Definitive Map Officer

Asset Information, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

Direct Dial: 01223 715520 / Contact Centre: 0345 045 5212



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From: Lynda Warth [REDACTED]
Sent: 26 July 2021 20:34

To: James Stringer <James.Stringer@cambridgeshire.gov.uk>

Subject: RE: Proposal to divert Fen Ditton FP9 (part) at Marleigh, Cambridge

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Dear James

I have consulted with Sophie Hyde who is our Bridleways Group rep in Fen Ditton and therefore knows the area in more detail than I do.

Her comments are as follows:

I agree with and am happy with all of this – I think the equestrian strip between F and G is an improvement on the previous proposal (which was footpath only, if I remember rightly).

The only modification I'd like to see is equestrian access onto High Ditch Road at point K (or at the existing compound part-way between L and K – marked but not lettered on the plan) as well as at point R. Points P, Q and R are almost directly parallel to the approach onto the current Marshalls landing strip (see the light grey parallel lines with dots in between) and would be quite a scary proposition on horseback.

In the covering letter the penultimate paragraph says the G, P, Q, R and J-Q are to be delivered at a later phase and may be dedicated under Sec 25 or 26 of the Highways Act. I think that makes it even more important that there is equestrian access onto High Ditch Road at point K – without GPQR there is no opportunity to do a circular route and no safe access to High Ditch Road and the important off-road hacking at Honey Hill and beyond.

It would be great if we could press for these new paths to be created as soon as possible – points N to L, for example are completely outside the construction area and there is no reason to delay them any further.

I would add that going forward, we need to be aware of the opportunities to link into the new Water Treatment Plant development access opportunities at Honey Hill.

We also need to establish and identify the continuation of the bridleway when it hits Newmarket Road. What is proposed for this please? Obviously we can't have the bridleway dead ending at Newmarket Road. Happy to discuss if it would help.

In the longer term, and outside this consultation, we need to be thinking about how the connectivity can be extended to the Wilbrahams and beyond plus the opportunities which may be provided by the proposed travel hub / P&R just before the Quy roundabout. Also the opportunities which could be created by the airport development and the potential new railway line – again something for the longer term.

If it is appropriate, please could you pass on our appreciation to the developers and planners for including this equestrian access in the development.

Kind regards,

Lynda

Lynda Warth
County Access & Bridleways Officer – Cambridgeshire
British Horse Society

From: James Stringer <James.Stringer@cambridgeshire.gov.uk>

Sent: 14 July 2021 15:32

Subject: Proposal to divert Fen Ditton FP9 (part) at Marleigh, Cambridge

James Stringer

From: Rupert Goodings (CTC) [REDACTED]
Sent: 29 July 2021 08:53
To: James Stringer
Subject: Re: Proposal to divert Fen Ditton FP9 (part) at Marleigh, Cambridge

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Dear James,

Thankyou for confirming that important detail.

On the application I have one other comment.

I think it would be better if the plans included a connection into the Marleigh development from point L - this would allow the option of a smaller diversion of the footpath by offering a more direct route between points C and L.

I am suggesting that the developer is asked to provide a footpath connection from the central open space to connect to the bridleway. I think it is highly likely that a "mule-track" would develop in this location if a path is not created.

Thanks

Rupert Goodings

CTC Cambridge

On 28/07/2021 06:58, James Stringer wrote:

>
> Dear Rupert
>
> Thank you for your consultation response.
>
> The Jubilee cycleway does form part of the development infrastructure
> works that are earmarked for "adoption" by Cambridgeshire County
> Council. This route is due to become Highway Maintainable at Public
> Expense (HMPE) by virtue of its inclusion in a Section 38 Agreement
> (Highways Act 1980) between the Highway Authority and the Landowner.
>
> This consultation is in reference to the strategic
> recreational/leisure Non-Motorised User (NMU) network, which the
> County Council is considering dedication as Public Rights of Way (which are also HMPE).
>
> I hope that clarifies the matter.
>
> Kind Regards,
>
> James Stringer
>
> *Asset Information Definitive Map Officer*
>
> Asset Information, Box No. STA2101, Cambridgeshire County Council,

> Stanton Way Depot, Huntingdon, PE29 6PY
>
> Direct Dial: 01223 715520 / Contact Centre: 0345 045 5212
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>
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> provide you with our services acting in our capacity as the Highway
> Authority and Commons Registration Authority under the Commons
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> Protection is the Information Commissioner's Office:
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>
> -----Original Message-----
> From: Rupert Goodings (CTC) [REDACTED]
> Sent: 15 July 2021 08:17
> To: James Stringer <James.Stringer@cambridgeshire.gov.uk>
> Subject: Re: Proposal to divert Fen Ditton FP9 (part) at Marleigh,
> Cambridge
>
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>
> Dear James,
>
> A question about this proposal.
>
> Is there a good reason why the most important cycle route - the
> "Jubilee Cycleway" - has no public RoW status in these plans? It
> seems a major lacuna in an otherwise reasonable proposal. I assume
> this means that there will be no legal right of way for cyclists along
> the Cycleway. This seems a curious and undesirable exclusion given
> that this Cycleway will form a key part of the proposed new Greenways.
>
> I am concerned this has the potential to cause problems in the future
> because I assume that access will depend on continued landowner
> permission. Hence I think this cycleway should also be converted to a
> public RoW as part of these plans. I would recommend that it is
> changed to Bridleway (or perhaps Cycle Track or equivalent if you want to exclude Horses).
>

> Let explain my concern in a bit more detail.
>
> First, I assume that the new Greenways will be routed along section
> F-G-H of the new bridleway (instead of the current route through the
> Park and Ride site). But from there I assume it will route along the
> Jubilee Cycleway and continue west to exit into Tiptree Close.
>
> If the section along the Jubilee Cycleway has no legal status I am
> concerned that it could be closed at any time. (In other words, I am
> assuming this is a "permissive" cycleway because it runs across a
> private estate). And I note that the creation of the proposed new
> Bridleway (section H-K-L-M-N) opens the unwelcome option that this
> closure becomes easier to apply because cyclists can be diverted and
> obliged to follow this longer Bridleway route around the edge of the Marleigh development.
>
> Is there any assurance that this cannot happen? And if there is such
> assurance, then why can this assurance not be given a legal basis by
> proposing a proper RoW status.
>
> On a detail, I note that the Jubilee cycleway runs alongside a road
> and I assume that this road may be adopted in the future. But this
> does not fully resolve my concern: the cycleway is still at risk
> because it is not clear if it would lie within the highway boundary.
>
> Thanks and best regards
>
> Rupert Goodings
>
> CTC Cambridge
>
> On 14/07/2021 15:32, James Stringer wrote:
>
>>
>
>> Dear Consultee,
>
>>
>
>> Cambridgeshire County Council has received an application to divert
>
>> part of Fen Ditton Public Footpath No. 9 under Section 257 of the
>> Town
>
>> and Country Planning Act 1990
>
>>
>
>> Please see the attached letter and plans for further details.
>
>>
>
>> I would be grateful if I could receive any representation you wish
>> to
>
>> make by *6^th August 2021.*
>

Appendix G

Non-Motorised User Routes Adoption Policy Matrix

Public Path Order Applications and Proactive Cases under the Highways Act 1980 (except s118A and 119A), the Town and County Planning Act 1990, and other Acts as appropriate

Subject area	Criteria		Maximum available score	Scheme	Notes
	No.	Item (SOA = Statement of Action in ROWIP)			
Maintenance & Financial	1	Viability (cost of implementation) and Affordability (cost of ongoing maintenance) (PASS or FAIL only) see notes below	Pass or Fail	Pass	The cost of implementing the TCPA Order both in terms of legal and construction costs will be met by the developer. The path is being provided to an agreed specification which is considered to limit, as much as possible, the ongoing maintenance cost placed on CCC by dedication of this alternative bridleway
Consultations	2	Pre-application consultations have been carried out with the prescribed bodies.	Pass or Fail	Pass	No objections were received by the prescribed user groups
Consultations	3	The existing route is available for use and any 'temporary' obstructions have been removed, in order to allow a comparison to be made. Any request for exemption will be decided by the Director Highways & Access as to whether or not that is appropriate.	Pass or Fail	Exception sought	The existing route had been available for use for many years. This changed a number of years ago when construction works commenced on site and the path closed via a TTRO. Due processes have been followed throughout the closure period, and therefore It is not considered that in light of the permissions granted to develop the site that seeking the reopening of the route ahead of any potential PPO would be appropriate. An exemption is therefore sought.
Consultations	4	No objections are received to the proposals during the statutory consultation period prior to making an order. However, the County Council will review this criterion in individual cases in light of objections and potential public benefit of the proposal. If the County Council consider the objection to be irrelevant, this will class as a pass.	Pass or Fail	Pass	No objections were received by the prescribed user groups

Width	5	A minimum width of 2m is provided for a diverted footpath, and a minimum width of 4m for a diverted bridleway. In exceptional cases, e.g. cross-field paths, the County Council may, taking into account all the available facts, require such a width as it considers reasonable and appropriate.	Pass or Fail	Exception sought	For the sections of bridleway that are standalone, for minimum width of four metres will be met. However, the sections of bridleway that run adjacent to adoptable bound surfaced cycleways, it is not considered necessary to secure a full four metre wide bridleway. It is therefore proposed to reduce this width to two metres. An exception is therefore sought.
Equalities impact - Gaps & Gates	6	The proposed route would have no stiles or gates, or allows for access for people with mobility issues.	Pass or Fail	Pass	No gates or stiles are proposed
Equalities impact	7	Significant negative impact on a class of user - Equalities Act	-2	0	
Equalities impact	8	Significant increase in accessibility - Equalities Act	2	1	The existing route previously ran cross field, which was subject to annual cropping and ploughing. The existing route now, is not available due to development works. The new route will be set out as a permanent NMU route, and delivered to an suitable standard, including a flat, step free surface.
Maintenance & Financial	9	Proposal would enable financial savings for Authority, e.g. obviates need for new bridge, resolves long-standing maintenance problems	4	0	The existing route previously ran cross field, which was subject to annual cropping and ploughing. Prior to development works, the existing route did not have any long-standing maintenance issues. The land use has however changed significantly and Section 257 is considered to be met in being required to enable a strategic housing development to be carried out. The proposed route is significantly longer, however it has been designed in accordance with CCC to limit, as far as possible, the maintenance liability in future.
Maintenance & Financial	10	The proposed alternative route or routes are not less convenient for maintenance than the original route(s).	2	2	

Use of Land	11	The effect the order would have on the land served by the existing path and the land across which the alternative path would run, or on the land across which the new path will run if a package involving a creation.	2	2	The land use has changed significantly and Section 257 is considered to be met in being required to enable a strategic housing development to be carried out.
Connectivity	12	The proposed alternative route or routes are substantially as convenient to the public as the original.	3	3	The alternative public bridleway will compliment the additional new highways being delivered as part of the wider development and provide for equestrian access which does not currently exist
Connectivity	13	User enjoyment	3	3	The changing landscape is likely to have an impact on user enjoyment, however this is relevant to the permission of the development not the sole change to the PRow network. The design and location of the proposed path within landscaping areas is likely to have a positive impact on user enjoyment.
Connectivity	14	There are no other reasonable or viable alternatives	2	2	It is not considered that there is any other reasonable or viable alternative that would satisfied the various demands of a Public Path Order and a suitable alternative path is to be provided for the section subject to the stopping up proposal
Connectivity & Enjoyment	15	A suitable alternative path is provided or is available for every path that is to be diverted or entirely stopped up, which maintains or improves the usefulness of the Rights of Way network	2	2	
Consultation	16	Support from local communities	3	3	The proposal has been through a number of public consultations, either as part of the wider planning proposals, the wider NMU/PRow proposals or as this stand along TCPA proposal. Local user groups have been involved in securing additional rights and network as part of the development and are overall supportive of the proposal.

Biodiversity Duty	17	Significant negative impact on biodiversity	-2	0	It is not considered that any impact on biodiversity can be attributed to this proposal in the wider context of the development works.
Promoted route	18	Route will be on a promoted way e.g. National Cycle Network, Ouse Valley Way	1	0	
Consolidation of data	19	Proposal would enable consolidation of records to provide accurate asset data and facilitate enhanced service delivery e.g. connectivity with other highways	1	1	The proposal would enable accurate definition and recording of legal records, including path widths. The proposal would also allow for an improved PRoW network, in terms of construction and status which will allow for future connectivity as part of upcoming nearby developments.
Determination of widths	20	Proposal will enable the definition and recording of path widths, particularly where there is currently no recorded width	3	3	
Limited time	21	Limited window of opportunity E.g. landowner goodwill or S106 Agreement	3	1	The S278 proposal is required to enable the development to be carried out. It is however considered necessary because of the approval of permissions granted by the LPA
Route at risk of development on urban fringe	22	Route is on fringe of a built-up area and therefore at risk from development, e.g. Being used as an access way.	3	3	The existing route is at risk of development, including new education provision.
		Total Score /30 (Pass mark 70% i.e. 21)	30	26	

Explanatory notes: A scheme must reach the threshold of 70% of maximum score in order to be adopted. However, schemes will still have to undergo their relevant legal process e.g. Public Path Orders through the formal consultation process, and may later be abandoned if it becomes clear that they will not meet the Council's Public Path Order Policy or the legal tests.

There are six Pass/Fail criteria relating to County Council requirements that must be met in order for an application to be considered. If an application fails one of these criteria, it fails regardless of its numerical score. Officers will then revert to the applicant to discuss their options.

Criterion 1, Viability and Affordability:

Viability means the cost of delivering the scheme. Is this being funded, or will it need to be funded from existing CCC revenue? Funding must be evidenced in writing. If a scheme cannot be funded at no or limited cost to CCC, it will not pass.

Affordability means the cost of ongoing maintenance. If the maintenance liability incurred would be significantly greater than the existing, an application may still pass if a solution is agreed, such as a commuted sum, an agreement for a third party to maintain the route instead, or if it is vital to the deliverability of a wider development scheme.

For the numerically scored criteria, a 70% threshold must be met in order for an application to be taken forward. If an application passes the Pass/Fail criteria but fails the 70% numerical threshold, it will not proceed and officers will revert to the applicant to discuss their options.