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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: [Morris Homes Eastern Ltd](#)
Address: [4 Franklin Court, Stannard Way, Priory Business Park, Bedford, MK44 3JZ.](#)
Tel. (work): [REDACTED] Tel. (mobile) [REDACTED]

I hereby apply for the diversion of the footpath known as [\[Gamlingay\] Footpath.\[10.\]](#) 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.)

[REDACTED] Date: [01/10/21](#)

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; [Gamlingay](#) No: [10](#)

From: [Alley off Maple Court](#) OS grid ref. : [523406.754, 252395.863](#)

To: [Green End](#) OS grid ref. : [523532.495, 252343.096](#)

General description of path: [Tarmac alleyway & tarmac road through old industrial estate. Section of PROW between Maple Court & Green End to be diverted through the adopted footpath of new residential housing development. See attached plan showing existing & new routes.](#)

Landowner – please provide a map showing landownership/other interests

Name: [Morris Homes Eastern Ltd](#)

Address: [4 Franklin Court, Stannard Way, Priory Business Park, Bedford, MK44 3JZ.](#)

Lessee/tenant

Name: [N/A](#)

Address: [N/A](#)

Occupier

Name: [Morris Homes Eastern Ltd](#)

Address: [4 Franklin Court, Stannard Way, Priory Business Park, Bedford, MK44 3JZ.](#)

Reasons for the diversion

Local Planning Authority: [South Cambridgeshire District Council](#)

Planning application No: [S/4085/19/RM](#)

Date of Planning Permission: [18/06/20](#)

Description of proposed development:

[90 Residential Dwellings & Public Open Space.](#)

.....
.....

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: [Alley off Maple Court](#) OS grid ref: [523406.754, 252395.863](#)

To: [Green End](#) OS grid ref: [523532.495, 252343.096](#)

General description of new path:

[2m wide tarmac footpath. Footpath to be adopted under a Section 38 Agreement.](#)

.....
.....

Landowner

Name: [Morris Homes Eastern Ltd](#)

Address: [4 Franklin Court, Stannard Way, Priory Business Park, Bedford, MK44 3JZ.](#)

Lessee/tenant

Name: [N/A](#)

Address: [N/A](#)

Occupier

Name: [Morris Homes Eastern Ltd](#)

Address: [4 Franklin Court, Stannard Way, Priory Business Park, Bedford, MK44 3JZ.](#)

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?

.....
.....

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/>

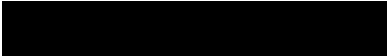
Statement

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.





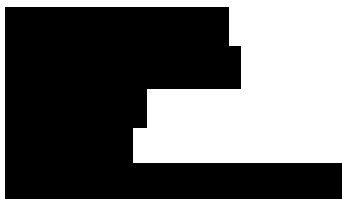
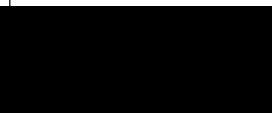
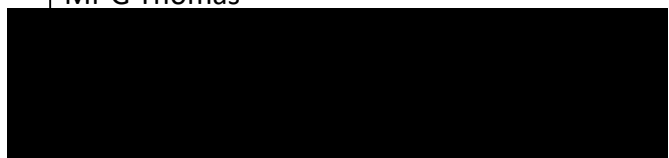
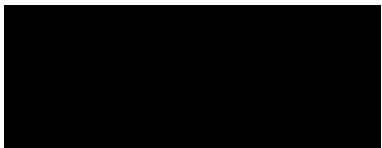
..... Date: 01/10/21

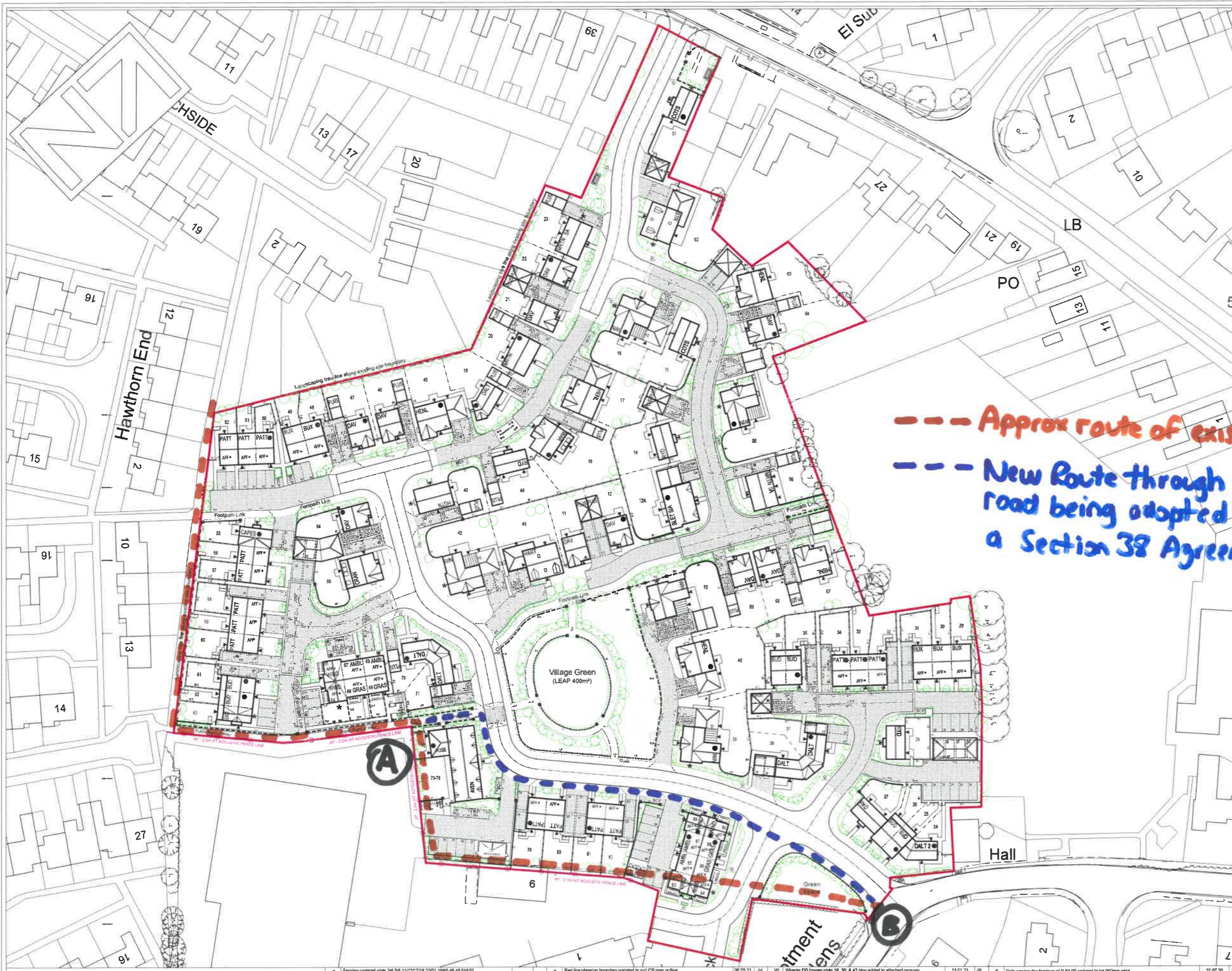
Pre-application consultations

Applicants are advised that prior to formally submitting their diversion or extinguishment application to the Asset Information Team, they must complete informal consultations with the prescribed bodies (list attached). This will identify at an early stage whether the proposal is likely to be accepted by the public, and all responses received should be attached to the application form.

List of Statutory Consultees

Please select the relevant contacts for the district affected by your proposal. It is not necessary to consult representative in other districts. It may be appropriate to consult more than one group if your location is near more than one parish.

<p>Local Parish Council Parish councils contact details - Huntingdonshire Parish councils - South Cambs District Council Parish Councils - East Cambridgeshire Town & Parish councils contact details - Fenland</p>	<p>Auto-Cycle-Union Auto-Cycle-Union House Wood Street RUGBY CV21 2YX</p>
<p>British Horse Society Lynda Warth Access and Bridleways Officer for Cambs </p>	<p>Byways and Bridleways Trust 57 Bowers Mill, Branch Road, Barkisland, HALIFAX HX4 0AD notices@bywayandbridleway.net</p>
<p>Ramblers' Association (East Cambridgeshire) Mrs Alysoun Hodges  Newmarket Ramblers</p>	<p>Ramblers' Association (Huntingdonshire) Steve Rossin </p>
<p>Ramblers' Association (South Cambridgeshire) Dr R & Mrs J Moreton Joint Footpath Secretaries </p>	<p>Ramblers' Association (Fenland) Mr G Thomas </p>
<p>Ramblers' Association (Cambridge City) Paul Cutmore </p>	<p>Ramblers' Association (Newmarket) Phil Prigg 1 Edgeborough Close Kentford NEWMARKET CB8 8QY</p>
<p>Open Spaces Society 25a Bell Street Henley-on-Thames RG8 2BA office2@oss.org.uk</p>	<p>Covers the following parishes in Cambs: <i>Ashley, Brinkley, Burrough Green, Cheveley, Chippenham, Dullingham, Kennett, Kirtling, Snailwell, Stetchworth, Westley Waterless and Woodditton</i></p>



REP.	NAME	NO. BEDS	STORY	PLAT NO.	ESTD	UNITS	TOTAL
AMB	AMBALLS	2	2	72-78	645	6	3870
BOE	BOESBURY	2	2	22	703	1	703
BUD	BUDWICKS	2	2	25,26,28,30,41,62	687	6	4122
DAL	DALTON DEF	2	2	28,54	886	2	1876
DUN	DALTON DUN	2	2	27, 28, 70, 71	728	1	2752
EST	EASTHURST	2	2	89	711	1	711
FRY	FRYBANK	2	2	14,27,28,44	829	1	2756
GUT	GUTENBERG	2	2	1,15	829	2	1858
HEA	HEATHFIELD	2	2	53	947	1	947
HEM	HEMLOCK	2	2	4,8,9,11,12,21,22,45,47,54	948	10	9480
HEM	HEMLOCK	2	2	55	1308	1	1308
HEM	HEMLOCK	2	2	20	1323	1	1323
HEM	HEMLOCK SA	4	2	26, 33	1323	2	2646
HEM	HEMLOCK	2	2	1,17,45,49	1464	1	2760
HEM	HEMLOCK SA	4	2	124	1831	1	1831
HEM	HEMLOCK	2	2	13,15,16,30,42	1880	1	1880
HEM	HEMLOCK	2	2	13	1825	1	1825
HEM	HEMLOCK	2	2	19	1424	1	1424
HEM	HEMLOCK	2	2	2	2272	1	2272
HEM	HEMLOCK	2	2	41	2221	1	2221
TOTAL					54	34,884	81,282
OVERALL TOTAL					54	34,884	81,282

SYMBOL	DESCRIPTION
[Symbol]	Proposed dwelling
[Symbol]	Proposed dwelling to be built opposite hand
[Symbol]	Proposed brick built garage
[Symbol]	Proposed garage space
[Symbol]	Permeable Tarmac with 6mm SF finish in rounded golden gravel with pennant grey marshall's tegular edging
[Symbol]	Bin collection points - areas of hard landscaping Formed in charcoal grey block paving - herringbone pattern finish with laid straight blocks to perimeters
[Symbol]	Proposed 1.8m high feather edge boarded timber screen fence
[Symbol]	Proposed 1.8m high feather edge boarded timber screen fence with P.C.C. posts & gravel boards
[Symbol]	Proposed 1.8m high brickwork screen wall with piers at change of direction. Brickwork to match adjoining house type.
[Symbol]	Proposed 0.45m high timber post & rail divisional fence (upgraded to an SF2 prior to occupation of applicable plots)
[Symbol]	Proposed 0.45m high timber knee-rail fencing
[Symbol]	Proposed 1.2m high timber post & rail fencing
[Symbol]	Proposed 1.8m high timber post & rail fencing with 300mm walls up rail
[Symbol]	Proposed 2.0m high timber acoustic fence.
[Symbol]	Indicative Planting, refer to landscape designs.
[Symbol]	Existing hedge to be removed
[Symbol]	Existing tree to be retained
[Symbol]	Existing tree to be removed
[Symbol]	Affordable Housing.
[Symbol]	Timber storage / cycle store (1.957m (w) x 0.923m (l))
[Symbol]	Block paving finish - block paving in charcoal grey colour in herringbone pattern
[Symbol]	Kick Post - Control measure on footpaths
[Symbol]	Lighting Bollard
[Symbol]	Dual Aspect Dwellings
[Symbol]	Timber bench - Gero-seat by Baileystreetscens.co.uk (or similar approved) on paving slab base finish & surface mount or roof fixed in accordance with manufacturers recommendations fixing details.

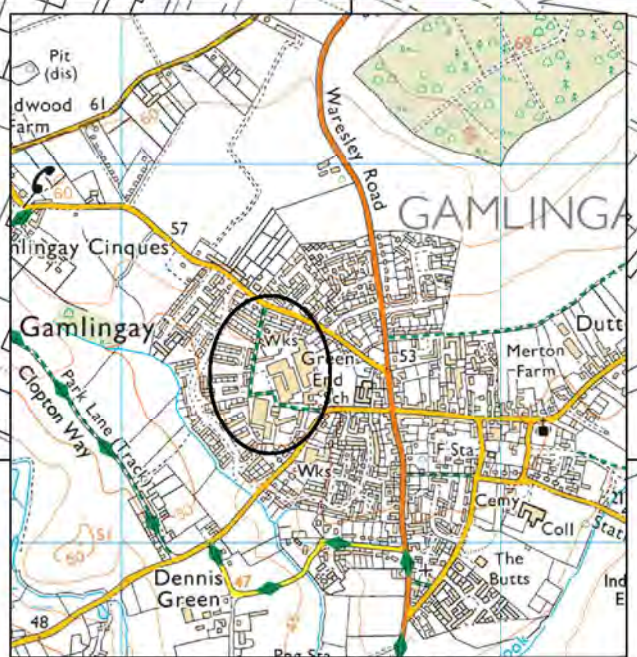
MORRIS HOMES
 Morris Homes (Group) Limited
 Morland House
 Altrincham Road
 Wilmslow
 Cheshire SK9 5NW
 Tel: (01625) 544 444
 Fax: (0845) 833 1845

Job Title
Green End, Gamlingay

Dwg Title
Planning Layout

REV	DESCRIPTION	DATE	INT
N	Plots 53-63 moved forward 0.5m to accommodate landscape strips & where public footpath following Planners comments received. Plot 24 also moved forward 0.2m to align rear roof step.	02.06.20	MS
M	Area around plots 41-43 amended to allow for new visibility splay.	13.05.20	MS
L	Layout amended to show pattern to block paved areas.	28.04.20	JH
K	Title boundary corrected; plots 01, 12A, 16, 30, 40, 41, 42 & 45 - to show correct attached garage size & house footings & in repetition carport saving plot 01 due to boundary adjustments. Extent of permeable surface finishes and block paving areas updated, balconies to apartments shown and rear garden to plot 49 adjusted to ensure it meets 50m².	15.04.20	JH
J	Layout amended to update plot 53 from Carterton to Capeshorpe house type.	10.03.20	JH
I	Refer to schedule of amendments for details.	17.02.20	MS
H	Layout amended to show plot 10 to face the green space. Trees added to the existing boundaries following comments from the Parish Council meeting held on the 5.1.2020.	13.01.20	MS
G	Layout amended by Group for planning submission.	15.10.19	MS/JH
F	Layout amended to suit received Group comments.	09.09.19	MS
E	Layout amended to suit Highways & local Parish Council comments.	18.08.19	MS
D	Layout amended to suit group comments received.	21.05.19	MS
C	Layout amended to work with MEC road design received.	25.04.19	MS
B	Layout amended to show public right of way located at rear of plots 66 to 73.	11.04.19	MS
A	Layout amended to show public right of way located at rear of plots 66 to 73.	11.04.19	MS

date	drawn	checked	scale	dwg.no	rev
13/02/19	MS/JH	BL	1:500@A1	B032/P/PL01	X

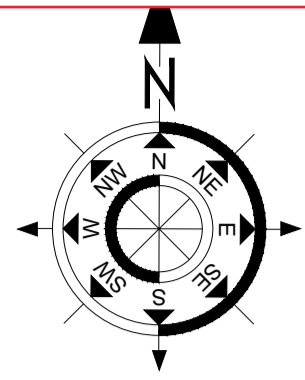


Scale: 1:1250
 Date: 13/05/2022
 By: fn307

Proposed diversion of part of Public Footpath No. 10, Gamlingay

- Public Footpath to be Stopped Up (A-B-C)
- Public Footpath to be Created (D-E-F-G-H-I-J-C)
- Unaffected Public Footpath

Appendix C

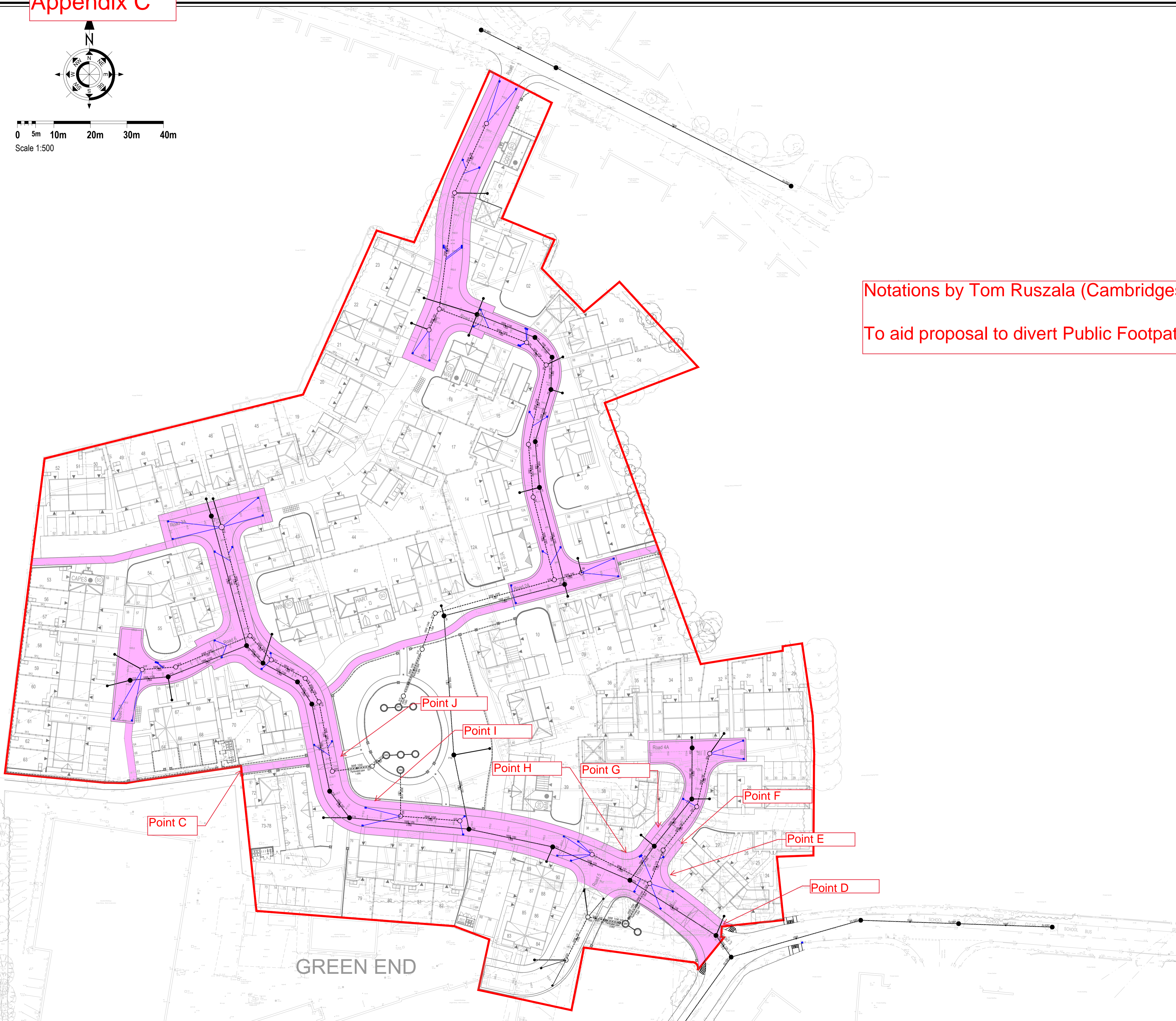


0 5m 10m 20m 30m 40m
Scale 1:500

LEGEND

- Site boundary
- 1500 1/100 Existing Adoptable Foul Water Sewer
- 1500 1/100 Proposed Adoptable Foul Water Sewer
- 1500 1/100 Proposed Adoptable Surface Water Sewer
- Proposed lateral connection
- Proposed Adoptable Soakaway
- Proposed Adoptable Highway Extent
- Proposed Adoptable Highway gully and connection

Notations by Tom Ruzala (Cambridgeshire County Council) - 13.5.2022
To aid proposal to divert Public Footpath No. 10, Gamlingay consultation



Rev	Description	Date	Drawn	Checked
C	Revised to suit LPA comments	15.06.20	AG	PMW
B	Footway Link adjacent to plot 64 added to adoptable extent to suit LPA comments	02.05.20	PMW	PMW
A	Soakaways revised to suit Highways comments	14.05.20	PMW	PMW

Drawing Approval Status:-

N/A Section 104 N Section 38 N/A Section 278

FOR APPROVAL

Wormald Burrows Partnership Ltd
Civil Engineering Consultants
12a - 18a Hitchin Street, Biggleswade, SG18 8AX
Tel: (01767) 317244 Fax: (01767) 315434
Web: www.wormburp.com
Email: engineer@wormburp.com

Project:
Green End Industrial Estate
Green End
Gamlingay, Cambridgeshire

Drawing Description:
Highways Adoption Extent Plan

Client:

Morris Homes (Eastern) Limited
4 Franklin Court
Stannard Way
Priory Business Park
Bedford, MK44 3JZ

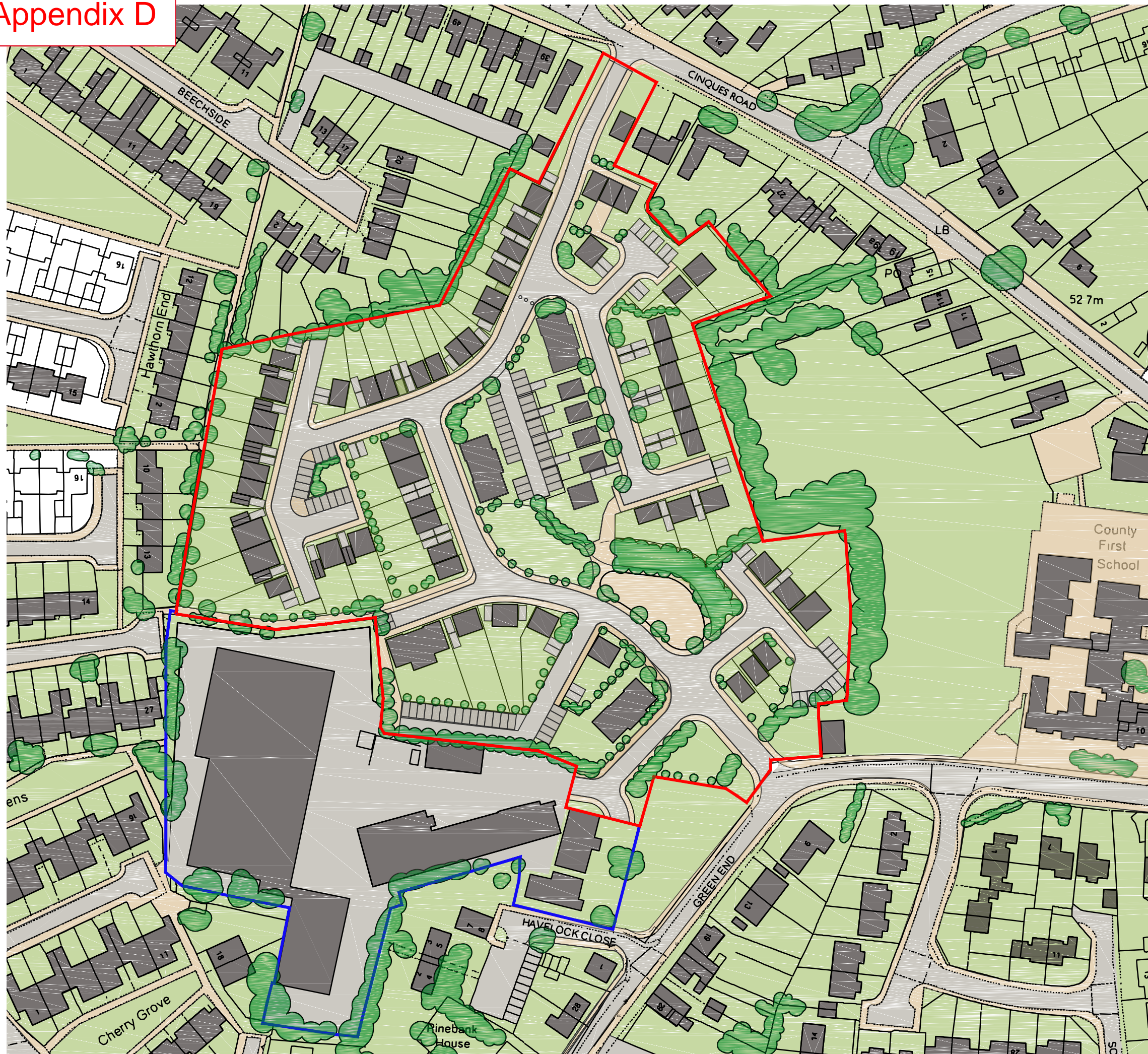
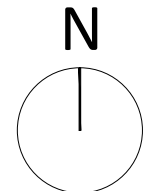
Drawing Number:
E3908/385C

Client Reference:

Scale:
1:500 @ A1
1:1000 @ A3

Designed By: PMW Date: 13.05.20	Drawn By: JAG Date: 13.05.20	Checked By: PMW Date: 13.05.20
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Certified by Afnor UK



Purpose of Issue
PLANNING

Project Title
GREEN END INDUSTRIAL ESTATE REDEVELOPMENT

Drawing Title
MASTER PLAN - CONTEXTUAL

Project No : 1636
Scale @ A3 : 1:1250
Created By : BTZ/KP
Date : 30/07/2015

BARBER·CASANOVAS·RUFFLES
CHARTERED ARCHITECTS
1 Wellington Street, Cambridge CB1 1HW
T: 01223 366717 F: 01223 566683 E: mail@bcrarchitects.co.uk
Company No. 2376728

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 07 December 2016

Kathryn Slater,
Eclipse Planning Services
Eclipse Planning Services
12 Church Green
Ramsey
Cambs
PE26 1DW

The Council hereby grants permission for Outline application for the demolition of existing industrial and office units and 5 dwellings and the erection of up to 90 dwellings, together with associated garaging, parking, public open space, landscaping, access, highways drainage and infrastructure works. All matters reserved except access.

At: Land at Green End Industrial Estate, Green End, Gamlingay, Gamlingay, Cambridgeshire, SG19 3LX
For: R&H Wale Ltd and AG Wright & Sons Farms

In accordance with your application dated 11-Aug-2015 and the plans, drawings and documents which form part of the application, subject to conditions set out below.

1. Approval of the details of the layout of the site, the scale and appearance of buildings, and landscaping (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced.

(Reason - The application is in outline only.)

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(Reason - The application is in outline only.)

3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

4. 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 previously submitted to and approved in writing by the Local Planning

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 07 December 2016

Authority.

(Reason - To avoid causing harm to nesting birds in accordance with their protection under the Wildlife and Countryside Act 1981 and in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for each dwelling shall be completed before that dwelling is occupied in accordance with the approved details and shall thereafter be retained.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

6. No development shall take place until a plan showing the finished floor levels of the proposed dwellings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

(Reason - In the interests of residential/visual amenity, in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

7. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each have 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 site indicating potential sources, pathways and receptors, including those off site.

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

4) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in 3). The long term monitoring and maintenance plan in 3) shall be updated and implemented as approved.

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 07 December 2016

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 the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

9. Piling or 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 the current and previous land use in line with National Planning Policy Framework paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP/3)).

10. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)

11. No development shall be commenced until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the Local Planning Authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event plus 30% allowance for climate change. The submitted details shall be in accordance with Flood Risk Assessment ref. 41323 dated July 2015 and:

1) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

2) Provide a management and maintenance plan for the lifetime of the development.

(Reason - To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity).

12. Prior to the first occupation of the development, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted drawings Nos 41323/P/02 Rev B and 41323/P/04. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

(Reason - In the interests of highway safety.)

TOWN AND COUNTRY PLANNING ACT 1990

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13. The proposed accesses shall be constructed so that the falls and levels are such that no private water from the site drains across or onto the public highway, and shall be constructed using a bound material to prevent debris spreading onto the public highway.
(Reason - For the safe and effective operation of the highway, and in the interests of highway safety.)
14. No demolition or construction works shall commence on site until a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The principle areas of concern that should be addressed are:
- i) Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii) Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street
 - iii) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv) Control of dust, mud and debris. (Note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.)
(Reason - In the interests of highway safety.)
15. No development shall take place until a scheme for the siting and design of the screened storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The screened refuse storage [for each dwelling] shall be completed before that/the dwelling is occupied in accordance with the approved scheme and shall thereafter be retained.
(Reason - To provide for the screened storage of refuse in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
16. The dwellings, hereby permitted, shall not be occupied until parking space has been laid out within the site in respect of that particular dwelling in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
17. The dwellings, hereby permitted, shall not be occupied until covered and secure cycle parking has been provided within the site in respect of that dwelling in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
18. No dwellings shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.
(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

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19. No development shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

20. Site clearance, demolition and ground works should be undertaken in accordance with Recommendation 1 contained within the report 'Green End Industrial Estate, Gamlingay (Project 57115) Nocturnal Bat Roost Survey' by MKA Ecology June 2015. Any variation to the recommendation shall be agreed in writing with the Local Planning Authority)

(Reason – To accord with the aims of Policy NE/6 of the adopted Local Development Framework 2007.)

21. No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

22. No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

23. No development including demolition or enabling works shall take place until a Site Waste Management Plan for the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.

(Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007 and Policy ENV7 of the Regional Spatial Strategy for the East of England 2008.)

24. Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until a scheme for the provision of on-site renewable energy to meet 10% or more of the projected energy requirements of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

(Reason - To ensure an energy efficient and sustainable development in accordance with Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)

25. No development shall commence until a programme of measures to minimise the spread of airborne dust (including the consideration of wheel washing and dust suppression provisions) from

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the site, during the demolition/construction period, or relevant phase of development, has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details/scheme unless the Local Planning Authority approves the variation of any detail in advance in writing.

(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15 and NE/16 of the adopted Local Development Framework 2007.)

26. No development (including any pre-construction, demolition or enabling works) shall take place until a comprehensive construction programme identifying each phase of the development, and confirming construction activities to be undertaken in each phase and a timetable for their execution submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved programme unless any variation has first been agreed in writing with the Local Planning Authority.

(Reason – To protect the amenities of nearby residential properties in accordance with Policies NE/15 and NE/16 of the adopted Local Development Framework 2007.)

27. Prior to the occupation of any dwelling, an assessment of the noise impact of plant and/or equipment, including any renewable energy provision sources such as any air source heat pump, on the proposed and existing residential premises, and a scheme for insulation as necessary, in order to minimise the level of noise emanating from the said plant or equipment, shall be submitted to and approved in writing by the Local Planning Authority. Any noise insulation scheme as approved shall be fully implemented before the use hereby permitted is occupied, and shall thereafter be maintained in strict accordance with the approved details and shall not be altered without prior approval.

(Reason – To protect the amenities of nearby residential properties in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

28. Prior to the submission of any application for approval of reserved matters a scheme shall be submitted to the Local Planning Authority, for approval in writing, outlining the measures to be undertaken to ensure that the retained employment buildings within the land edged blue on drawing (to be confirmed) are maintained fit for purpose, and detailing a current and future marketing strategy for these buildings. The scheme shall be implemented as approved.

(Reason – To ensure that the development promotes and secures a mixed use development in accordance with the proposed allocation H1(f) in the Draft Local Plan 2013, and to ensure a sustainable development as required by Policy DP/1 of the adopted Local Development Framework 2007 and the NPPF.)

29. Following the first occupation of any of the dwellings, hereby permitted, no building within the land edged blue on the approved existing site plan date 25.07.2016 shall be used for any purpose with Class B2 of the Town and Country (Use Classes Order) 1987 (as amended) outside the hours of 07.00 to 19.00 Monday to Friday, 07.00 to 14.00 on Saturdays, with no working on Sundays or Bank Holidays.

(Reason - To protect the amenities of nearby residential properties in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

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30. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

31. None of the dwellings, hereby permitted, shall be occupied until a scheme for the improvements to existing pedestrian access in Church Street/Mill Street has been carried out in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority
(Reason – In the interests of promoting safe pedestrian access from the site to key facilities in the village in accordance with the aims of Policy DP/1 of the adopted Local Development Framework 2007 and the NPPF.)

32. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Site Plan date 25.07.2016, Drawing Nos. 41323/P/02 Rev B and 41323/P/04.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Informatives

1. This planning permission is subject to a s106 agreement dated 6 December 2016.

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.

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.

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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. 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.
5. 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.
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 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.

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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
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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 E



LEGEND

The green shading indicates the combined provision for on site Formal play space (LEAP) and the Informal Play Space combined.
 Amount required under S106 = 1454.6m²
 Combined area provided = 1454.6m²

The blue shading indicates the combined provision for on site Informal Open Space.
 Amount required under S106 = 802.9m²

Areas of informal open space
 Area A = 86.2m²
 Area B = 74.4m²
 Area C = 341.8m²
 Area D = 319.0m²

Combined areas provided = 821.4m²

Additional footpath links
 Area E = 39.8m²
 Area F = 52.0m²
 Area G = 74.5m²

Combined area of footpath links = 166.3m²

Total on site provision of required = 2257.5m²
 Total on site provision provided = 2276.0m²

Total on site provision provided with footpath links = 2442.3m²

Area A

A landscaped area to the site entrance adjacent to Cinques Road provides a meeting spot within development.

well overlooked from the side aspect of plot 01 and with quality native planting and a fixed seat bench.

Area B

A piece of well designed landscaping at the junction from Cinques Road.

Again, well overlooked from the side aspect of plot 23 and front of plot 02 and has been designed with quality native planting and a fixed seat bench.

A	Open space areas amended following comments from LPA.	11.06.20	MS
REV	DESCRIPTION	DATE	INIT

MORRIS HOMES Morris Homes (Group) Limited
 Morland House
 Altrincham Road
 Wilmslow
 Cheshire SK9 5NW
 Tel: (01625) 544 444
 Fax: (0845) 833 1845

Job Title: **Green End, Gamlingay**

Dwg. Title: **Proposed Open Space Areas**

date	drawn	checked	scale	dwg.no	rev
13/02/19	JH	BL	1:500 @ A1	E1142/P/PL12	A

Our Ref: S/4085/19/RM
Portal Ref: PP-08270275

18 June 2020



Mark Shannon
Morris Homes Ltd, Morland House,
Altrincham Road, Wilmslow, SK9 5NW

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

www.scamb.gov.uk | www.cambridge.gov.uk

Dear Sir/Madam
Mark Shannon

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
Application for Approval of Reserved Matters

Proposal: Application for approval of all matters reserved for Layout Scale Appearance and Landscaping following Outline planning permission S/2068/15/OL for the demolition of existing industrial and office units and 5 dwellings and the erection of up to 90 dwellings together with all associated works.

Site address: Green End Industrial Estate Green End Gamlingay Sandy Beds

We are pleased to enclose your formal approval of reserved matters notice for the above development. Please ensure that work is carried out in line with the approved plans referred to on the decision notice. This will avoid the need for any enforcement action.

Making changes to the approved plans

In the event that you wish to change your proposal, please contact your case officer who will advise you whether it is possible to do so under a section 73 variation of condition application, or whether a new reserved matters submission is required. In either case you will have to complete a form and provide fresh drawings.

Important information regarding conditions

If you have been granted Planning Permission / Listed Building Consent / Advertisement Consent you may wish to get started immediately, however it is always important to carefully read the decision notice in full before any work begins.

The majority of planning decisions have conditions attached. Some conditions request further information that requires approval by the Local Planning Authority before any development takes place ('pre-commencement'). All conditions are set out on the decision notice.

Under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is a criminal offence to carry out unauthorised works to a listed building. Under Section 9 of the Act, a person shall be guilty of an offence should they fail to comply with any condition attached to the consent.

How do I discharge the conditions

Please note that the process takes up to eight weeks from the date the Local Planning Authority receives a valid application. Therefore it is important to plan ahead and allow plenty of time before work is due to commence.

You need to fill in a form to submit your request to discharge conditions, and accompany the relevant details/samples. You can download the necessary form by using the following link: <https://www.greatercambridgeplanning.org>

Alternatively you can submit an application to discharge the conditions through the Government's Planning Portal website: <https://www.planningportal.co.uk/applications>. Please note, The Planning Portal refers to it as 'Approval of details reserved by a condition'.

When the required information has been submitted you will receive a reference and an acknowledgement letter. Once the Local Planning Authority is satisfied that the requirement of the condition have been met you will receive a formal notification that the conditions have been discharged.

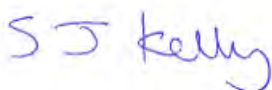
Appeals against conditions

You should also be aware that the applicant has the right to appeal against any conditions attached to this Notice, please see <https://www.gov.uk/planning-inspectorate> for details. If you are concerned about any condition you should contact the case officer in the first instance for advice.

We value your feedback

We value your feedback and would like to know your views about the planning process you experienced, including the service you received from us. Your views are important to us and they will help us improve the experience we can offer you. The link below takes you to a survey which will take a couple of minutes to complete.
<https://forms.scams.gov.uk/PLANNINGFEEDBACKFORM/launch>

Yours faithfully



SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire



**SOUTH CAMBRIDGESHIRE
DISTRICT COUNCIL**

Town & Country Planning Act 1990

**NOTICE OF APPROVAL OF RESERVED MATTERS
SUBJECT TO CONDITIONS**

**Reference
Date
Decision**

**S/4085/19/RM
of 18 June 2020**

Mark Shannon
Morris Homes Ltd, Morland House, Altrincham Road, Wilmslow, SK9 5NW

The Council hereby APPROVES RESERVED MATTERS for:

Application for approval of all matters reserved for Layout Scale Appearance and Landscaping following Outline planning permission S/2068/15/OL for the demolition of existing industrial and office units and 5 dwellings and the erection of up to 90 dwellings together with all associated works.

at

Green End Industrial Estate Green End Gamlingay Sandy Beds

In accordance with your application received on 18 November 2019 and the plans, drawings and documents which form part of the application.

Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Layout Plans:

Existing Site Plan (1:1250, 25.07.2016)

E1142/P/PL01/P (Planning Layout)

Floor Plans & Elevations:

GAMLING/COT/S0/E/02 (Plot 1 Elevations)

GAMLING/COT/S0/P/01/A (Plots 1 and 15 Floor Plans)

GAMLING/STRETDG/S0/E/01 (Plot 2 Elevations)

GAMLING/STRETDG/S0/P/01 (Plot 2 Floor Plans)

GAMLING/HEN/S0/E/01 (Plot 3 Elevations)

GAMLING/HEN/S0/P/01 (Plot 3 Floor Plans)

GAMLING/DUN/S0/E/01 (Plots 4, 8, 9, 11, 12, 21, 22, 46, 47 & 54 Elevations)

GAMLING/DUN/S0/P/01 (Plots 4, 8, 9, 11, 12, 21, 22, 46, 47 & 54 Floor Plans)

GAMLING/WIN/S0/E/01 (Plot 5 Elevations)

GAMLING/WIN/S0/P/01 (Plot 5 Floor Plans)

GAMLING/MORESA/S0/E/01 (Plot 6 Elevations)
GAMLING/MORESA/S0/P/01 (Plot 6 & 23 Floor Plans)
GAMLING/BLETTA/S0/E/01 (Plots 7 & 12A Elevations)
GAMLING/BLETTA/S0/P/01 (Plots 7 & 12A Floor Plans)
GAMLING/WINDG/S0/E/01 (Plots 10 & 16 Elevations)
GAMLING/WINDG/S0/P/01 (Plots 10, 16, 39 & 42 Floor Plans)
GAMLING/RVED/S0/E/01 (Plots 14, 27, 28 & 44 Elevations)
GAMLING/RVED/S0/P/01 (Plots 14, 27, 28 & 44 Floor Plans)
GAMLING/COT/S0/E/01 (Plot 15 Elevations)
GAMLING/HENDG/S0/E/01 (Plots 17, 40 & 45 Elevations)
GAMLING/HENDG/S0/P/01 (Plots 17, 40 & 45 Floor Plans)
GAMLING/WAR/S0/E/01 (Plot 18 Elevations)
GAMLING/WAR/S0/P/01 (Plot 18 Floor Plans)
GAMLING/DALTDET/S0/E/01 (Plot 19 Elevations)
GAMLING/DALTDET/S0/P/01 (Plot 19 Floor Plans)
GAMLING/MORE/S0/E/01 (Plot 20 Elevations)
GAMLING/MORE/S0/P/01 (Plot 20 Floor Plans)
GAMLING/MORESA/S0/E/02 (Plot 23 Elevations)
GAMLING/DALTMEWS/S0/E/01 (Plot 24 Elevations)
GAMLING/DALTMEWS/S0/P/01 (Plot 24 Floor Plans)
GAMLING/BUD/DO/E/01 (Plots 25, 26, 35, 36, 61 & 62 Elevations)
GAMLING/BUD/DO/P/01 (Plots 25, 26, 35, 36, 61 & 62 Floor Plans)
GAMLING/BUXT/S0/E/01 (Plots 29, 30, 31, 48 & 49 Elevations)
GAMLING/BUXT/S0/P/01 (Plots 29, 30, 31, 48 & 49 Floor Plans)
GAMLING/PATT/S0/E/01 (Plots 32, 33, 34, 50, 51, 52, 56, 57, 58, 59, 60, 79, 80, 81 & 82 Elevations)
GAMLING/PATT/S0/P/01 (Plots 32, 33, 34, 50, 51, 52, 56, 57, 58, 59, 60, 79, 80, 81 & 82 Floor Plans)
GAMLING/DALTSEMI/S0/E/01 (Plots 37-38 & 70-71 Elevations)
GAMLING/DALTSEMI/S0/P/01 (Plots 37-38 & 70-71 Floor Plans)
GAMLING/WINDG/S0/E/02 (Plots 39 & 42 Elevations)
GAMLING/HARTDG/S0/E/01 (Plot 41 Elevations)
GAMLING/HARTDG/S0/P/01 (Plot 41 Floor Plans)
GAMLING/HOUG/S0/E/01 (Plot 43 Elevations)
GAMLING/HOUG/S0/P/01 (Plot 43 Floor Plans)
GAMLING/CAPE/S0/E/01 (Plot 53 Elevations)
GAMLING/CAPE/S0/P/01 (Plot 53 Floor Plans)
GAMLING/CRAN/S0/E/01 (Plot 55 Elevations)
GAMLING/CRAN/S0/P/01 (Plot 55 Floor Plans)
GAMLING/EAST/S0/E/01 (Plot 63 Elevations)
GAMLING/EAST/S0/P/01 (Plot 63 Floor Plans)
GAMLING/WIND/S0/E/01/A (Plots 64-69 & 83-90 Elevations)
GAMLING/WIND/S0/P/01/A (Plots 64-69 & 83-90 Floor Plans)
GAMLING/72-78/S0/E/01 (Plots 72-78 Front & Side Elevations)
GAMLING/72-78/S0/E/02 (Plots 72-78 Rear & Side Elevations)
GAMLING/72-78/S0/P/01 (Plots 72-78 Ground & First Floor Plans)
GAMLING/72-78/S0/P/02 (Plots 72-78 Second Floor Plan)
GAMLING/GARAGE/01 (Garage Plans & Elevations)
GAMLING/CARPORT/01 (Carports Plans & Elevations)
E1142/P/BS01/A (Bin and Cycle Store Details)

Landscape Plans:

M3133-PA-01 V11 (Landscape Structure Plan)

M3133-PA-04 V01 (Plots 64-78 Landscape Structure Plan Extract)

Arboricultural Method Statement (Andrew Belson Arboricultural Consultant, 15th January 2020, Rev D)

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990).

- 2 No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).
- 3 Notwithstanding the approved plans, no development above slab level shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - a.details of all windows and doors, surrounds, heads and cills at a scale of not less than 1:20 .
 - b.details of eaves, verges, soffits and fascia at scale of not less than 1:20.The development shall be constructed in full accordance with the approved details.
(Reason - To ensure the high-quality appearance of the development and to ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).
- 4 No development above slab level shall take place until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a Private Management and Maintenance Company has been established).
(Reason - To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with policies HQ/1 and TI/2 of the South Cambridgeshire Local Plan and paragraphs 108 and 110 of the National Planning Policy Framework).
- 5 Prior to the first occupation of each dwelling, each pedestrian visibility splays measuring 2 metres x 2 metres as shown on drawing number E3908/713/E shall be provided. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the highway in perpetuity.
(Reason - To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- 6 All accesses including driveways shall be constructed so that their fall and levels are such that no private water from the site drains across or onto the adopted public highway (the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided).
(Reason - To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)
- 7 All accesses including driveways shall be constructed using a bound material to prevent debris spreading onto the adopted public highway.

(Reason - To ensure the safe and effective operation of the highway in accordance with policy TI/2 of the South Cambridgeshire Local Plan 2018 and paragraphs 108 and 110 of the National Planning Policy Framework 2019.)

- 8 Apart from any top hung vent, the proposed first floor windows in the northern side elevation of Plots 2 and 40 serving bathrooms hereby permitted, shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be permanently fixed shut unless the opening section is at least 1.7 metres above finished floor level. The development shall be retained as such thereafter.

(Reason - To prevent overlooking of the adjoining properties in accordance with Policy HQ/1 of the adopted Local Plan 2018.)

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development within Classes A, B, C, D or E of Part 1 of Schedule 2 shall take place unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - In the interests of protecting the character of the area and amenities of neighbouring residents in accordance with policy HQ/1 of the South Cambridgeshire Local Plan 2018).

Informatives

1 Highways

The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

2 Pollution Control

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

3 Public Rights of Way

The applicant should be aware of the presence of the public footpath, its legal alignment and width. To enable development to take place the applicant will require a legal order to divert or extinguish part of Gamlingay Footpath No.10. Without such an order, the applicant does not have the legal capacity to carry out any development along the existing Public Right of Way. Please note that the granting of Planning Permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1), nor does it bound the Order Making Authority to make an order if it does not accord with the Authority's policies on Public Rights of Way including the Rights of Way Improvement Plan and the NMU (Non-Motorised user) Adoption Policy. Suitable conditions are therefore imperative to any permission granted to ensure any proposal to divert or extinguish this public footpath is received by the Order Making Authority in good time, to allow the necessary scrutiny, consultation and consideration to take place.

Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).

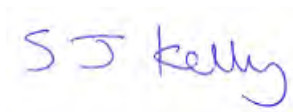
No alteration to the public footpath's surface is permitted without consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).

The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).

It is important the development is carried out fully in accordance with these plans. If you are an agent, please ensure that your client has a copy of them and that they are also passed to the contractor carrying out the development. A copy of the approved plan(s) is/are kept on the planning application file.

Authorisation

Authorised by:



SJ Kelly
Joint Director For Planning & Economic Development For
Cambridge & South Cambridgeshire

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

Date the decision was made: 18 June 2020

Working with the applicant

The LPA positively encourages pre-application discussions. Details of this advice service can be found at <https://www.greatercambridgeplanning.org>. 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.

In relation to this application, it was considered and the process managed in accordance with paragraph 38 of the National Planning Policy Framework.

General Notes

This decision notice 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.

Your attention is specifically drawn to the requirements of the Equality Act 2010 and the Equality Act (Disability) regulations 2010, the British Standards Institution BS8300:2009 "Design of Buildings and their approaches to meet the needs of disabled people – Code of Practice" and to Approved Document 'M' "Access to and use of buildings", volumes 1 and 2 of the Building Regulations 2010 and to Approved Document 'B' "Fire Safety", volumes 1 and 2 of the Building Regulations 2010, in request of guidance on means of escape for disabled people. The development should comply with these requirements as applicable

It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.

The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

Appeals to the Secretary of State

2.1 The applicant has a right to appeal to the Secretary of State against any conditions of this approval, under Section 78 of the Town & Country Planning Act 1990. The appeal must be made on a form which may be obtained from:

The Planning Inspectorate,
Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN
Telephone 0303 444 5000 or visit
<https://www.gov.uk/planning-inspectorate>

2.2 If an enforcement notice is or has been served relating to the same or substantially the
S/4085/19/RM

same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, **OR** within **6 months** of the date of this notice, whichever period expires earlier.

- 2.3 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 notice of appeal.
- 2.4 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 they 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 their decision on a direction given by him.

Purchase Notices

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably 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 Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Before starting work

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.

Street Naming and Numbering

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.

Third Party Rights to challenge a planning decision

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>

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*



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).

Approximately point D looking north west towards points E and H



Approximately point E

Approximately point H

Adjacent to point D looking south east towards Green End

Point D



Looking north towards point E, F, G & H

Approximately point G

Approximately point F

Approximately point E

Approximately point H



A point between points H and I looking west



Approximately point C looking east

Approximately point J

Approximately point C



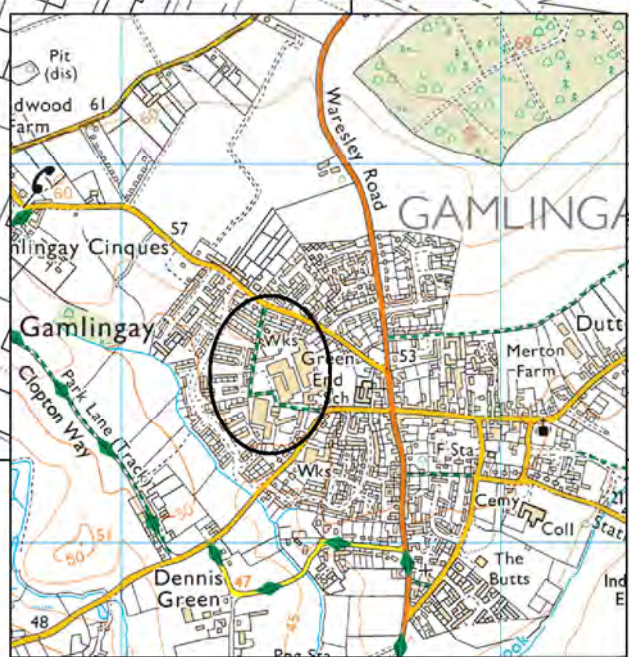
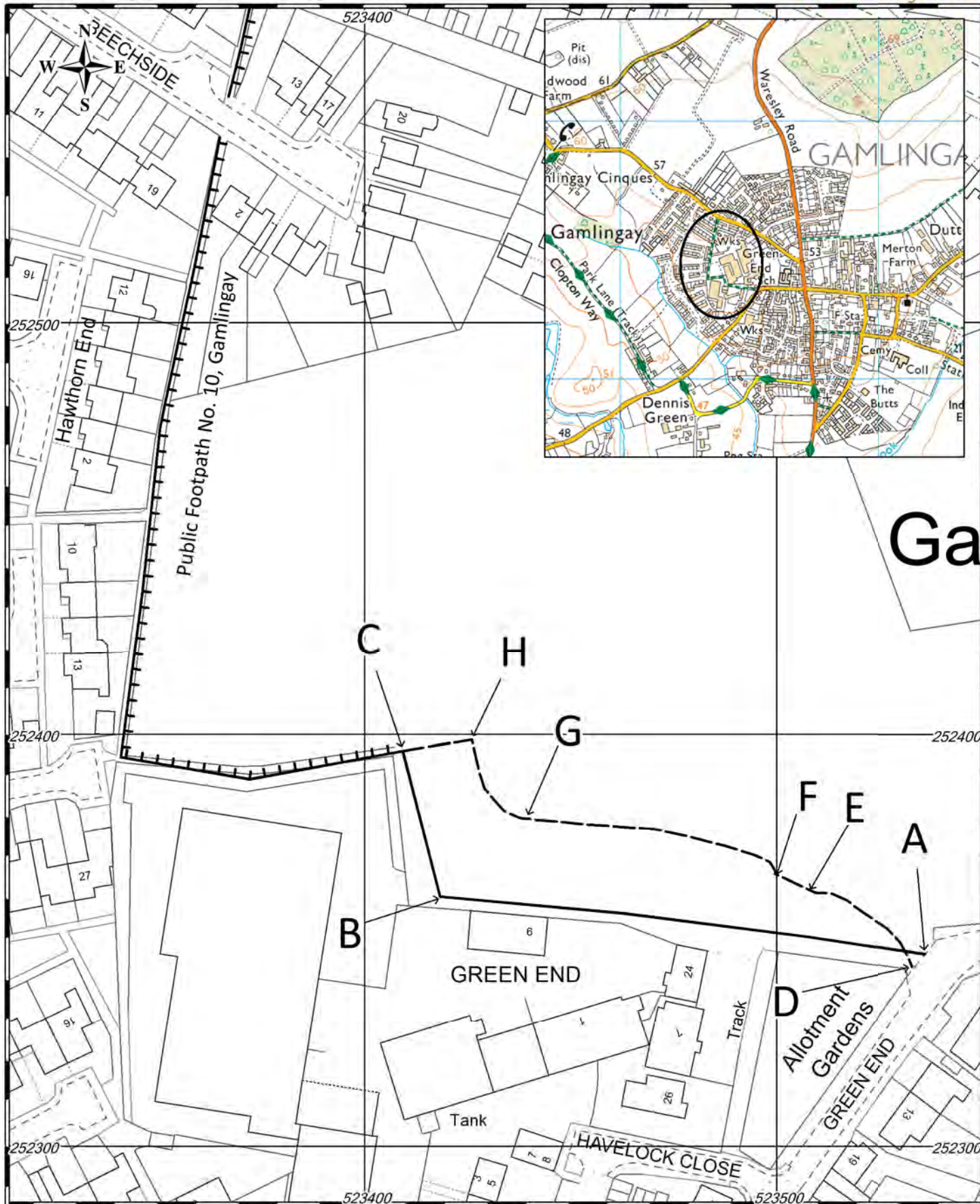
Gamlingay Footpath 10 access from Maple Court (not affected by diversion order)





Example of a raised shared use crossing point similar to the one proposed between points F and G





Scale: 1:1250
 Date: 09/03/2022
 By: fn307

Proposed diversion of part of Public Footpath No. 10, Gamlingay	
Public Footpath to be Stopped Up (A-B-C)	
Public Footpath to be Created (D-E-F-G-H-C)	
Unaffected Public Footpath	

From: [Lynda Warth](#)
To: [Tom Ruzala](#)
Subject: RE: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay
Date: 14 March 2022 15:31:14

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Hi Tom

I don't have any comments on this one.

Kind regards,

Lynda

From: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>
Sent: 14 March 2022 14:07
Subject: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay

Dear Consultee,

I am emailing to consult you on an application to permanently divert part of Public Footpath No. 10, Gamlingay between Maple Court and Green End, Gamlingay. Please find attached letter and plans containing more information about the proposals. Please let me know any comments you wish to make on the matter by 15 April 2022.

Please do not hesitate to get in touch with me should you have any questions on this or wish to discuss this matter further.

Best wishes,

Tom Ruzala
Asset Information Definitive Map Officer
Direct Dial: 01223 715626
Mobile: 07500 101551

Contact Centre 0345 045 5212

Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

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From: clerk@gamlingay-pc.gov.uk
To: [Tom Ruzala](#)
Cc: [Cllr Bridget Smith](#); [Kindersley Sebastian Cllr](#)
Subject: RE: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay
Date: 26 May 2022 09:54:50
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)

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Hi Tom,

The Parish Council considered your email below at their meeting on the 24th May and were happy with the route and the planned crossing points detailed for the permanent diversion, as detailed below. Many thanks

Regards,

Kirstin

Leanne Bacon and Kirstin Rayner
Clerks to Gamlingay Parish Council
The Eco Hub, Stocks Lane, Gamlingay SG19 3JR

Email: clerk@gamlingay-pc.gov.uk

Website: www.gamlingay-pc.gov.uk



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From: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>
Sent: 13 May 2022 13:45
To: clerk@gamlingay-pc.gov.uk
Subject: RE: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay

Dear Gamlingay Parish Council,

Following your objection to the proposal to divert part of Gamlingay Footpath 10 I have been in touch with Morris Homes and have come back with the attached amended alignment of the footpath, onto the northern footway as you suggested, and some further information about the crossing points which I will detail below. Please note I've amended some of the reference letters on the plan following the last consultation.

The crossing at point J will be a raised crossing similar to the photograph below. The road surface is raised to slow down vehicles and provide a level crossing for pedestrians.



The crossing between points G and F on the attached plan will be similar to the photograph below. The road is raised and continues as a shared surface beyond the crossing point which again is raised to slow down vehicles and provide a level crossing for pedestrians. The footway continues for approx. 2m beyond the top of the ramp to provide a safe crossing for pedestrians.



(apologies for the slightly skewed nature of the photograph)

I would be grateful if you could consider the proposed details and let me know whether the latest

proposals are satisfactory. I would be much obliged if you could let me know by Friday 27 May if that's possible.

Thank you

Tom Ruzala

Asset Information Definitive Map Officer

Highways Maintenance

T: 01223 715626

M: 07500 101551

E: tom.ruzala@cambridgeshire.gov.uk

A: Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

From: clerk@gamlingay-pc.gov.uk <clerk@gamlingay-pc.gov.uk>

Sent: 20 April 2022 10:40

To: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>

Subject: RE: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay

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Hi Tom,

Sorry for the delay in response I have been on compassionate leave.

The Council objected to the proposed permanent route identified in the application below due to the amount of crossing points identified in the proposal- which poses more of a risk to members of the public and particularly children walking to school.

The minutes of Full Council have not yet been written, but the minute from the meeting on the 22nd March is included below.

Resolved to recommend that April Full Council responds that the alternative route suggested by Clerk is far safer and more logical and should be the official route. A defined crossing point should be included at the section where the footpath crosses the estate road. County should be asked to provide evidence of their risk assessment for the route they have outlined.

I attach the plan which proposes an alternative route in light blue, which signposts children and members of the public away from crossing the junction which is being accessed by Industrial Estate lorries at the south of the site.

Regards,

Kirstin

Leanne Bacon and Kirstin Rayner

Clerks to Gamlingay Parish Council

The Eco Hub, Stocks Lane, Gamlingay SG19 3JR

Email: clerk@gamlingay-pc.gov.uk

Website: www.gamlingay-pc.gov.uk



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From: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>

Sent: 19 April 2022 11:48

To: clerk@gamlingay-pc.gov.uk

Subject: RE: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay

Hello,

I was wondering whether the parish council had anything further to add on the permanent footpath diversion proposal following the meetings on 22 March and 12 April?

Thank you

Tom Ruzala

Asset Information Definitive Map Officer

Direct Dial: 01223 715626

Mobile: 07500 101551

Contact Centre 0345 045 5212

Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

From: clerk@gamlingay-pc.gov.uk <clerk@gamlingay-pc.gov.uk>

Sent: 15 March 2022 12:51

To: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>

Cc: 'Cllr Bridget Smith' <cllr.BridgetSmith@scambs.gov.uk>; Kindersley Sebastian Cllr <skindersley@hotmail.com>

Subject: RE: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay

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I hope this is easier to understand.

Regards,

Kirstin

Leanne Bacon and Kirstin Rayner

Clerks to Gamlingay Parish Council
The Eco Hub, Stocks Lane, Gamlingay SG19 3JR

Email: clerk@gamlingay-pc.gov.uk

Website: www.gamlingay-pc.gov.uk



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From: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>

Sent: 15 March 2022 12:19

To: clerk@gamlingay-pc.gov.uk

Cc: Cllr Bridget Smith <cldr.BridgetSmith@scamb.gov.uk>; Kindersley Sebastian Cllr <skindersley@hotmail.com>

Subject: RE: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay

Hello Kirstin,

Thanks for your response. Happy to go back to Morris Homes on this but I'm sorry as I'm new to this one and not familiar with the area I'm not sure where you mean.

Please can you roughly mark it on the attached plan? They're the same plan but I've converted one of them to a .jpg file so you can edit it in Microsoft Paint if its easier.

Thank you

Tom Ruzala

Asset Information Definitive Map Officer

Direct Dial: 01223 715626

Mobile: 07500 101551

Contact Centre 0345 045 5212

Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

From: clerk@gamlingay-pc.gov.uk <clerk@gamlingay-pc.gov.uk>

Sent: 15 March 2022 11:02

To: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>

Cc: Cllr Bridget Smith <cldr.BridgetSmith@scamb.gov.uk>; Kindersley Sebastian Cllr <skindersley@hotmail.com>

Subject: RE: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay

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We have concerns about this proposed route as detailed below. The Council will be discussing this at our meeting on the 22nd March/12th April, but we would strongly urge that the following comments be taken into consideration early, regarding this re-route, as it is not in the interests of long term public safety of Gamlingay residents. Residents from the existing Green Acres and Elizabeth Way estates need to access the shops, schools and facilities in central Gamlingay and therefore a route on the northern side of the pedestrian pathway through the estate is much more appropriate.

The re-routed footpath 10 should cross the estate road at point H , so that pedestrians walk alongside the green area and do not have to cross the junction accessing the industrial area. It also means that they cross a minor internal estate road rather than the main access point to the whole estate. It brings pedestrians to the outside of the Old Methodist Chapel for onward journey to the centre of Gamlingay, as most will want to walk eastwards, rather than southwards from the main estate junction. This would be a far safer route, especially for children walking to school.

Please let me know if you are able to put these comments to Morris Homes for early reconsideration on the matter?

Regards,

Kirstin

Leanne Bacon and Kirstin Rayner
Clerks to Gamlingay Parish Council
The Eco Hub, Stocks Lane, Gamlingay SG19 3JR

Email: clerk@gamlingay-pc.gov.uk

Website: www.gamlingay-pc.gov.uk



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Think Green, do you really need to print this email?

From: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>

Sent: 14 March 2022 14:07

Subject: Consultation to permanently divert part of Public Footpath No. 10, Gamlingay

Dear Consultee,

I am emailing to consult you on an application to permanently divert part of Public Footpath No.

10, Gamlingay between Maple Court and Green End, Gamlingay. Please find attached letter and plans containing more information about the proposals. Please let me know any comments you wish to make on the matter by 15 April 2022.

Please do not hesitate to get in touch with me should you have any questions on this or wish to discuss this matter further.

Best wishes,

Tom Ruzala

Asset Information Definitive Map Officer

Direct Dial: 01223 715626

Mobile: 07500 101551

Contact Centre 0345 045 5212

Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

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The Rights of Way Officer - Peter Gaskin

From: [Peter Gaskin](#)
To: [Tom Ruzala](#)
Subject: RE: Diversion of Gamlingay FP10
Date: 13 May 2022 13:43:09
Attachments: [image022.jpg](#)
[image023.png](#)
[image024.png](#)
[image025.png](#)
[image026.jpg](#)
[image027.jpg](#)
[image028.jpg](#)
[image029.jpg](#)
[image030.jpg](#)
[image031.jpg](#)
[image032.jpg](#)
[image033.jpg](#)
[image034.png](#)
[image035.png](#)
[image036.jpg](#)
[image037.jpg](#)
[image038.jpg](#)
[image039.jpg](#)
[image040.jpg](#)
[image041.jpg](#)
[image042.jpg](#)
[image043.jpg](#)

Hello Tom

The previous concerns appear to be addressed through the changes put forward.

Yours

Peter Gaskin
Public Rights of Way Officer



From: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>
Sent: 13 May 2022 13:36
To: Peter Gaskin <[REDACTED]>
Subject: RE: Diversion of Gamlingay FP10

Hello Peter,

The consultation for Gamlingay Footpath 10 expired a few weeks ago and I received two objections to the proposal. One from you and one from the Parish Council. Both were concerning the safety of the route and crossing points.

The Parish Council suggested that the diversion route should be on the northern footway rather than the southern one so I have amended the plan to show this. This also works better with the highway crossings which are raised crossings at both points where the proposed route meets the road. I have received the following information from the Technical Engineer about the proposed crossing points.

The crossing at point J will be a raised crossing similar to the photograph below. The road surface is raised to slow down vehicles and provide a level crossing for pedestrians.



The crossing between points G and F on the attached plan will be similar to the photograph below. The road is raised and continues as a shared surface beyond the crossing point which again is raised to slow down vehicles and provide a level crossing for pedestrians. The footway continues for approx. 2m beyond the top of the ramp to provide a safe crossing for pedestrians.



(apologies for the slightly

skewed nature of the photograph)

Please let me know if you're satisfied with this and how you want to proceed with the holding objection.

Thank you very much

Tom Ruzala

Asset Information Definitive Map Officer

Highways Maintenance

T: 01223 715626

M: 07500 101551

E: tom.ruzala@cambridgeshire.gov.uk

A: Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

From: Peter Gaskin

Sent: 17 March 2022 13:53

To: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>; [REDACTED]

Subject: RE: Diversion of Gamlingay FP10

Hello Tom

Crossing need to be accessible on either route. If they are not being designed to be accessible then they will need to provide them. Thus, please create a holding objection from myself until confirmation that the necessary drop kerbs are within the design and adoption package.

Yours

Peter Gaskin
Public Rights of Way Officer

From: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>
Sent: 17 March 2022 09:58
To: Peter Gaskin [REDACTED]
Subject: FW: Diversion of Gamlingay FP10

Hello,

Do either of you have any issue with the diverted footpath following the northern footway rather than the southern one as originally proposed?

It's sort of an academic issue anyway as it's all going to be adopted highway, but I think it'll help initially with the legal tests that we have for a public path order to get that through. That is because Ian Biart the technical manager at Morris Homes said that there would be no dropped kerb at F and E, so the northern option sounds more accessible from an equalities point of view (see his explanation below).

Thank you

Tom Ruzala
Asset Information Definitive Map Officer
Direct Dial: 01223 715626
Mobile: 07500 101551
Contact Centre 0345 045 5212
Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

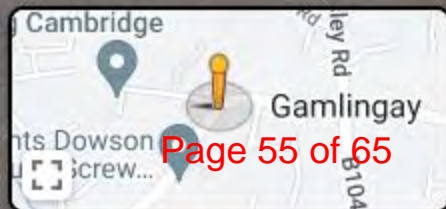
From: Ian Biart [REDACTED]
Sent: 16 March 2022 16:28
To: Tom Ruzala <Tom.Ruzala@cambridgeshire.gov.uk>
Cc: [REDACTED]
Subject: RE: Diversion of Gamlingay FP10

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<https://cccandpcc.sharepoint.com/sites/CCCItranet>

Hi Tom,

Would it be possible to put the PROW on the opposite side of the road as below in orange? This would suit what's been designed on the site and would provide a level path throughout. A tactile crossing is already provided at Point D, then where the path crosses opposite Point E, there is a 6mm upstand as the road is shared surface at this point. Near Point H there is a raised crossing to access the playground. Let me know your thoughts.

Points A to B

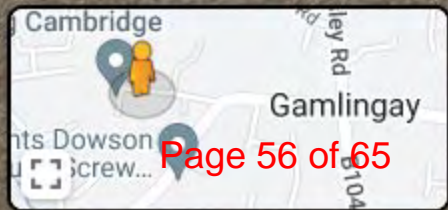


Gamlingay, England

Google

Street View - Apr 2019

Points B to C



Google



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)		Gamlingay FP10	
Maintenance & Financial	1	Viability (cost of implementation) and Affordability (cost of ongoing maintenance) (PASS or FAIL only) see notes below	Pass or Fail	Pass	Implementation costs will be met by the applicant. The proposal is not considered will result in any additional ongoing maintenance costs not already proposed to be 'adopted' by CCC's HDM service.
Consultations	2	Pre-application consultations have been carried out with the prescribed bodies.	Pass or Fail	Pass	The proposal to divert forms part of a approved planning application which was consulted on by the Local Planning Authority.
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	TBC	The existing route has previously been subject to a TTRO. The TTRO expired on the 31/12/21 and CCC are seeking enforcement action to have the path
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	TBC	TBC
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	Pass	The proposed path would have a recorded width of two metres
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 as part of this proposal.
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	0	
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 minor nature of the diversion is not considered to result in any financial savings for the Authority
Maintenance & Financial	10	The proposed alternative route or routes are not less convenient for maintenance than the original route(s).	2	2	It is not considered that the proposed diversion would be any less convenient for the Authority to maintain in light of the wider residential development being carried out.

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 proposed diversion would allow the landowner to carry out approved planning permission for this a brownfield site.
Connectivity	12	The proposed alternative route or routes are substantially as convenient to the public as the original.	3	3	The minor nature of the diversion is not considered to alter the convenience or enjoyment of the route for the public.
Connectivity	13	User enjoyment	3	3	
Connectivity	14	There are no other reasonable or viable alternatives	2	2	The site has approved planning permission with a set planning layout. It is not considered that there is a reasonable or viable alternative.
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	1	The proposed diversion would maintain the usefulness of the
Consultation	16	Support from local communities	3	2	TBC
Biodiversity Duty	17	Significant negative impact on biodiversity	-2	0	
Promoted route	18	Route will be on a promoted way eg. 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	0	
Determination of widths	20	Proposal will enable the definition and recording of path widths, particularly where there is currently no recorded width	3	3	The existing route does not have a recorded width in the Definitive Statement. This proposal would allow a legal width to be recorded.
Limited time	21	Limited window of opportunity E.g. landowner goodwill or S106 Agreement	3	0	
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 route is located through the centre of a brownfield site which is being developed for residential development.
Total Score /30 (Pass mark 70% i.e. 21)			30	21	

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.

**HIGHWAYS ACT 1980
TOWN & COUNTRY PLANNING ACT 1990
and other legislation**

PUBLIC PATH ORDERS AND PATH CREATION AGREEMENTS/DEDICATIONS

- AUTHORISATION TO PROCEED TO FORMAL CONSULTATION-

Notes to officers:

1. This form is for both formal applications and pro-active cases which the case officer considers are ready to proceed to formal consultation.
2. The form should be completed by the relevant Rights of Way Officer and Definitive Map Officer **at the latest** at the beginning of Stage 2 of the Public Path Order Application Flow Chart, i.e., when it comes in as a formal application. The officers will need to decide as to whether they have all the necessary information available to complete the form or if a further site visit is required.
3. **Funding: No proposals that would result in additional maintenance will be approved unless clear evidence of funding is provided. Do not complete form until this is in place and agreed with your manager.**

Parish: Gamlingay Path no(s) (if any) FP10

Proposal: Diversion of the Public Footpath No. 10, Gamlingay to allow a residential development of a brownfield site by Morris Homes.

Legal mechanism: Section 257 Town and Country Planning Act 1990

NMU adoption/diversion score: PASS Score: 21/30

If more paths/parishes are involved, please copy template, and attach

Description of Existing Path [if any]	
Route (e.g., 'Starts at...')	The full width of that part of Gamlingay Public Footpath No. 10 commencing from a point at Ordnance Survey Grid Reference OSGR TL 2353 5234 (Point A) and proceeding in a westerly direction for 119 metres to a point at OSGR TL 2342 5236 (Point B). The footpath continues in a north-north-westerly direction for 36 metres to a point at OSGR TL 2341 5240 (Point C).
Structures (bridges, culverts, steps, boardwalks etc) including those missing and ownership (e.g., landowner or CCC)	There are no structures recorded or present on the affected section of FP10
Other furniture (gaps, gates, stiles)	There are no gapes, gates or stiles recorded or present on the affected section of FP10
Signage / waymarking	There is an existing signpost at Point A.
Boundaries and Width(s)	There is no recorded width on the Definitive Statement. The path historically ran around the southern perimeter of an industrial site. The land is currently being redeveloped for 90 residential dwellings under SCDC Planning Permission S/4085/19/RM.
Gradients if steeper than 5%	N/A

Maintenance liability e.g., grass cutting	The existing path historically run along the industrial access road and along a gravel alleyway to Maple Court (public road). The path is not currently present due to the redevelopment of the site by Morris' Homes.
Other factors e.g., SSSI, protected species	The proposed footpath is not located in any area with protected status.
Egress onto vehicular highway considerations (Road safety etc http://www.cambridgeshire.gov.uk/transport/safety/methodologies/safety_audit.htm)	The existing path egresses onto Green End where there is a asphalt footway present and good visibility in both directions.

Description of New Path		Meets rest Y/N
Ongoing Funding No proposal that would result in additional maintenance will be approved unless clear evidence of funding is provided	It is not considered that this proposal would result in any additional maintenance liability being placed on the County Council over and above that which has been considered appropriate through the County Council's Highway Development Management service and the proposed Section 38 for the development site.	Y
NMU adoption/diversion – score and comment	21/30 – 70% Pass.	Y
Equality Impact Assessment (EqIA) and the Equality Act 2010 – Consider whether a EqIA is required – this is unlikely to be the case for single routes however if a package affecting more than a single route is this must be considered. See the form and guidance available here: Equality Impact Assessments (EqIA) (office.com)	It is not considered that a EqIA is necessary in this instance given the very minor nature of the diversion proposal.	Y
Application Costs (please detail how the application and implementation costs will be met – separate from ongoing maintenance)	The cost of the application and implementation costs will be met by the applicant, Morris Homes.	Y
Route (e.g. 'Starts at...')	The proposed public footpath would commence for a point on Green End (public road) at OSGR TL 2353 5234 (Point D) and proceed along the internal estate footway being provided to serve the new residential development in a generally north-westerly direction for 104 metres to OSGR TL 2344 5238 (Point E). The proposed footpath then continues in a north-north-westerly direction for 27 metres to 2343 5240 (Point F) where the path turns and continues along an alleyway in a westerly direction for 17 metres to OSGR TL 2341 5240 (Point C).	Y
Structures required (bridges, culverts, steps, boardwalks etc) and ownership (e.g. landowner or CCC)	There are no structures such as bridges, culverts, steps, or boardwalks proposed as part of this diversion.	Y
Internal CCC approval required (eg. Flood and Water and/or bridges team)	The proposed path follows the internal estate footway which forms part of Morris Homes' Section 38 submission. Any made Public Path Order and its associated processes would therefore need to liaise with Highway Development Management (David Lines), although to ensure the legislative tests of Section 257 can be met, it is not proposed to align the confirmation or certification of any Public Path Order with the ultimate adoption of the new carriageway and footway.	Y
Other furniture required (gaps, gates, stiles)	There are no gaps, gates or stiles proposed as part of this diversion.	Y
Signage required	No additional signage is considered necessary until	Y

	the existing sign is required to be replaced as a result of the ongoing development works.	
Any other work required e.g. surfacing, drainage, vegetation	At the appropriate time in the development it is proposed that the diverted alignment will be initially made up to binder course only which will require certification from the Rights of Way Officer. This will allow the permanent diversion route to be confirmed and certified prior substantial completion of the development. The footpath will later be fully surfaced in line with the S.38 agreement and removed from the Definitive Map and Statement by LEMO.	Y
Boundaries and Width(s)	The proposed footpath will have a recorded width of two metres in line with the NMU Adoption Policy.	Y
Gradients if steeper than 5%	N/A	Y
Egress onto vehicular highway considerations e.g. road safety audit reqs http://www.cambridgeshire.gov.uk/transport/safety/methodologies/safety_audit.htm)	The proposed footpath would egress onto Green End (public road) in a similar location to the existing path and will cross an estate road between points D and E. Road Safety design elements will be dealt with in the S.38 negotiations with Highways Development Management.	Y
Constraints e.g. SSSI / SAM / conservation area / protected species	The proposed footpath is not located in any area with protected status.	Y
Additional CCC maintenance liability e.g. grass cutting, new bridge	It is proposed that the diverted route will follow adopted footways alongside the internal carriageway. These routes are due to be adopted by the County Council as highway authority and therefore there will be no net increase in the County Council's liability, as the footways will be constructed in accordance with the County Council's specifications and are unlikely to require significant maintenance for around 40 years. There are no additional structures on the proposed route that CCC would be liable for.	Y
Other factors e.g. adjacent property, vehicular access	The diverted route of the path forms part of the applicant's s38 road adoption application. The diverted route of the path will become adopted highway once the s38 Agreement has been completed. It will then no longer fall to be maintained as a public footpath and will instead be maintained as part of the County Council's road network. The Rights of Way officers will not therefore be involved in the future maintenance of the route. Once the carriageway has been adopted by the County Council acting as Highway Authority, it would look to make a Legal Event Modification Order to remove the affected section of path from the Definitive Map and Statement. The County Council does not encourage Public	Y

	<p>Rights of Way to be diverted onto estate road footways, however in this case it is considered that there is no other alternative route for footpath No. 10.</p> <p>By processing a diversion application, any risk associated with an order that was likely to fail or is objected to would be known at an earlier stage.</p> <p>The applicant has previously had a Temporary Traffic Regulation Order (TTRO) in place to close the footpath whilst demolition of the previous industrial estates were carried out and the groundworks commences in relation to the residential development.</p> <p>However, this TTRO expired on the 31st December 2021 and the County Council is currently unwilling to grant a further extension. This is because the closure has already been in place for a significant length of time and it is considered that an alternative temporary path can be provided through the development site. A number of local residents (40+) have written to the County Council in support of the reopening of the existing path (or a temporary alternative) and the County Council's enforcement officer is looking to instigate a solution to the issue.</p>	
Significant differences e.g. length, accessibility, public enjoyment	<p>This application regularises the position of the right of way in line with the approved planning layout. CCC guidance does indicate that ROWs should not be diverted onto internal roads and footways, however it is accepted that in some cases, especially where the site is small there may be no reasonable or viable alternatives other than the public footpath being incorporated into roadside footways.</p> <p>It is felt that the diversion onto the adopted internal road network offers the most logical and viable option.</p>	Y

Date surveyed:		21 st December 2021
Surveyed by [name]:	James Stringer AIDMO	Peter Gaskin ROWO

OFFICER RECOMMENDATION:


The applicant has submitted an application under the Town and Country Planning Act 1990 to divert the public footpath to enable development to be carried out. This proposal would clearly meet the legislative tests set out in Section 257 of the Town and Country Planning Act. The alternative highways proposed by the developer would provide a route of similar alignment to the existing retaining the connection between Green End and Maple Court.

The route is due for adoption under section 38 Agreement and therefore the maintenance of the public footpath would fall to be undertaken as part of the road network by the Local Highways Officer. The maintenance liability placed on the County Council in terms of the Public Rights of Way budget would be zero.

There are ongoing issues between the County Council and Morris Homes' surrounding the expired TTRO and the reopening of the route in the short-term. A number of the local residents have written to the County Council in support of the path's immediate reopening. The County Council's enforcement officer has engaged legal advice on the matter. The legal advisor is to write to Morris Homes' to invite further discussions on how the footpath can be safely reopened.

By proceeding to a pre-order consultation stage, the County Council will be better placed to understand local feeling surrounding the permanent proposal, which may aid with ongoing discussions into the expired TTRO.

Recommend that this application proceeds to consultation subject to consideration of the consultation responses that the County Council receives.

APPROVAL TO CONSULT		
YES (Please give any advisory comments necessary)		
I am content with the diversion proposal and agree that it is important in the local interest and that of the developer to proceed as quickly as possible with the public consultation in order to ascertain whether the proposal is likely to meet the legal tests for diversion or not. If so, the order should be made as soon as possible (noting that the Order will need to be made by SCDC as the relevant Planning Authority) in order to resolve local concern about path connectivity and support health, well-being and active travel needs.		
NO (Please give reasons)		
District Highway Maintenance Manager	Signature: 	Date: 09.03.22
Asset Manager - Information	Signature: Camilla Rhodes	Date: 09.03.2022

**HIGHWAYS
MEMORANDUM**

To : Tom Ruzala
Asset Information Definitive Map Officer
From : Jon Munslow
Assistant Director: Highways Maintenance
Date : 15 August 2022

Report on the proposed diversion of part of Public Footpath No. 10, Gamlingay under S.257 of the Town and Country Planning Act 1990

With reference to the report of 3 August 2022, I agree with the recommendation that the proposal to divert part of Public Footpath No. 10, Gamlingay under S.257 of the Town and Country Planning Act 1990 pursuant to planning permission reference S/4085/19/RM 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 Country Planning Act 1990.



Jon Munslow
Assistant Director: Highways Maintenance