



Planning Committee Date	8 March 2023
Report to	South Cambridgeshire District Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/04540/S73
Site	Former Barrington Cement Works, Haslingfield Road, Barrington, Cambridgeshire
Ward / Parish	Barrington
Proposal	S73 variation of conditions 1 (Approved plans), 2 (Reserved matter details), 6 (Arboricultural Method Statement), 7 (boundary treatments), 8 (refuse storage), 10 (housing mix), 12 (energy statement), 13 (contamination), 14 (noise assessment), 17 (drainage strategy), 19 (access) and 23 (fire hydrants) pursuant to planning application 21/01474/S73 (Variation of condition 2 (reserved matters details) pursuant to planning application 20/02528/S73 (Variation of conditions 2 (Reserved matters), 5 (Construction Environment Management Plan and a Construction Method Statement), 6 (Airborne Dust), 7 (Site waste management plan), 8 (Tree protection measures), 9 (Boundary Treatment), 10 (Siting and design of the screened storage for refuse), 14 (Renewable energy statement), 15 (Contamination), 16 (Noise insulation scheme or noise mitigation Strategy), 19 (Surface water drainage scheme), 20 (Surface water), 21 (Remediation Statement - Contamination), 22 (Scheme for disposal for surface water), 24 (Visibility splays), 26 (Recording of Industrial Heritage), 27 (Foul water solution), 28 (Archaeological works) and 29 (Fire hydrants) pursuant to planning permission S/0057/17/VC))
Applicant	Redrow (South Midlands)

Presenting Officer	Michael Hammond
Reason Reported to Committee	Departure Application Application raises special planning policy or other considerations
Member Site Visit Date	N/A
Key Issues	1. Principle of Development
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 Outline planning permission (S/2365/14/OL) including access was granted on 27 October 2016 for the redevelopment of part of the former Cemex site adjacent to Haslingfield Road and Chapel Hill, Barrington to provide 220 dwellings. A Section 73 permission (S/0057/17/VC) seeking to vary condition no.1 (drawings) of the outline permission was granted on 13 April 2017.
- 1.2 Reserved matters consent (S/3485/18/RM) for the approval of appearance, landscaping, layout, and scale of the outline planning permission S/0057/17/VC was appealed under grounds of non-determination and allowed at appeal (APP/W0530/W/19/3227393) on 29 November 2019. A Section 73 application (20/02528/S73) which included a phasing plan and boundary treatment details, was approved in January 2021. A further Section 73 application (21/01474/S73) varying condition no.2 (reserved matters details) was approved in July 2021. Phase 1 of the development on the site has commenced.
- 1.3 Following the approval of reserved matters and commencement of development, the applicant sought to amend and re-configure the south-eastern parcel of the site compared to what was previously approved. This was sought through the submission of planning application 21/04088/FUL for the re-configured south-eastern parcel which was considered at the Planning Committee meeting of 10 August 2022. A resolution was made by the Planning Committee to approve the application subject to completion of a Section 106 agreement.
- 1.4 Similar to the above process, a full application was also submitted to re-configure the northern parcel of the site compared to what was previously approved. This is sought through planning application 21/04087/FUL which was granted a resolution to approve subject to Section 106 agreement at the Planning Committee meeting of 8 February 2023.
- 1.5 This Section 73 application (22/04540/S73) has been submitted by the applicant as it is considered to be necessary by the applicant due to the Supreme Court judgement on 2 November 2022 for the “Hillside” decision (Hillside Parks Ltd (Appellant) v Snowdonia National Park Authority (Respondent)). It is important to note that this decision very much turned on its own facts but was a decision which rendered an original masterplan unimplementable as a result of subsequent drop in permissions.
- 1.6 This judgement has led to questions arising in respect of the ability to deliver so-called ‘drop-in’ permissions where there would be inconsistency between the drop-in permissions and the original planning permission granted for the site. The ‘drop-in’ permissions to which this application relates are application 21/04087/FUL for the northern parcel of the site and 21/04088/FUL for the south-eastern parcel.

- 1.7 In light of the Hillside decision, officers have sought Counsel advice on whether the process followed by the applicant to accommodate these permissions is acceptable. Overall, based on the advice received, officers are satisfied that the approach is sound and that the process is capable of accommodating the development sought without compromising the implementation of the original outline permission.
- 1.8 Certain conditions have been updated to compliance conditions to reflect the fact that some conditions have been discharged by the Council already. However, the application does not seek to amend the nature of the originally approved development and has been submitted only for legal purposes.
- 1.9 Officers recommend that the Planning Committee approve the application subject to the conditions and informatives set out in this report.

2.0 Site Description and Context

- 2.1 The application site is the former Barrington Cement Works site, to the north of the village of Barrington. The site is accessed off Haslingfield Road which borders the eastern edge of the site and is reinforced by established hedgerows. To the north is the Cemex quarry which is in the process of being remediated. To the west and east are open fields and to the south is Barrington Village.
- 2.2 The wider mineral site is adjacent to Barrington Chalk Pit Site of Special Scientific Interest (SSSI), notified for its geological special features. The site is within 4.2km of Eversden and Wimpole Woods SSI and Special Area of Conservation (SAC).
- 2.3 The site lies outside the development framework boundary of Barrington.
- 2.4 Development on part of the site has commenced in accordance with permission S/3485/18/RM.

3.0 The Proposal

- 3.1 The application seeks to vary condition nos. 1, 2, 6, 7, 8, 10, 12, 13, 14, 17, 19, and 23 of permission 21/01474/S73 to reflect the delivery of a new planning application (21/04087/FUL) within the wider site at the Former Barrington Cement Works.
- 3.2 The purpose of the application is to facilitate the delivery of full planning applications 21/04087/FUL and 21/04088/FUL alongside the residual development already permitted on the Site by permission 21/01474/S73 to ensure that all three permissions can come forwards without any inconsistency.
- 3.3

- 3.4 The full planning application (21/04088/FUL) was submitted in respect of the south-eastern parcel within the Site and sought a re-plan of that area, resulting in an increase in the overall number of houses being delivered on the Barrington scheme from 220 to 223 dwellings. This received a resolution to grant approval subject to Section 106 Agreement at the Planning Committee meeting of 10 August 2022.
- 3.5 The full planning application (21/04087/FUL) was submitted in respect of the northern parcel within the Site and sought a re-plan of that area, resulting in an increase in the overall number of houses being delivered on the Barrington scheme from 223 to 260 dwellings. This received a resolution to grant approval subject to Section 106 Agreement at the Planning Committee meeting of 8 February 2023.
- 3.6 This application (22/04540/S73) has been submitted by the applicant as it is considered to be necessary by the applicant due to the Supreme Court judgement on 2 November 2022 for the “Hillside” decision (Hillside Parks Ltd (Appellant) v Snowdonia National Park Authority (Respondent)). It is important to note that this decision very much turned on its own facts but was a decision which rendered an original masterplan unimplementable as a result of subsequent drop in permissions.
- 3.7 This judgement has led to questions arising in respect of the ability to deliver so-called ‘drop-in’ permissions where there would be inconsistency between the drop-in permissions and the original planning permission granted for the site.
- 3.8 To avoid any doubt in respect of the validity or implementable nature of any aspect of this proposal, the applicant considers it appropriate to amend the outline permission (ref: 21/01474/S73) to ensure that it relates only to the residual development, namely the development not caught by the proposed full planning permissions.
- 3.9 The application is made by the applicant to avoid the uncertainty caused by the recent Supreme Court decision. It does not seek to amend the nature of the development that has been approved.

4.0 Relevant Site History

- 4.1 The site has an extensive planning history. Of most relevance to this application are:

Reference	Description	Outcome
21/04087/FUL	Erection of 113 dwellings (re-plan of northern parcel of development site for an increase of 37 dwellings above approved scheme ref: S/3485/18/RM).	Pending Decision (resolution to approve at Planning Committee

21/04088/FUL	Erection of 36 dwellings (re-plan of south eastern parcel of development site for an increase of 3 dwellings above approved scheme ref: S/3485/18/RM).	Meeting of 08.02.2023) Pending Decision (resolution to approve at Planning Committee Meeting of 10.02.2022)
21/04524/S73	S73 Variation of conditions 1 (Approved plans), 2 (Reserved matter details), 6 (Arboricultural Method Statement), 7 (Boundary treatments), 8 (Refuse storage), 10 (Housing mix), 12 (Energy Statement), 13 (Contamination), 14 (Noise assessment), 17 (Drainage strategy), 19 (Access) and 23 (Fire hydrants) pursuant to planning application 21/01474/S73 (Variation of condition 2 (reserved matters details) pursuant to planning application 20/02528/S73 (Variation of conditions 2 (Reserved matters), 5 (Construction Environment Management Plan and a Construction Method Statement), 6 (Airborne Dust), 7 (Site waste management plan), 8 (Tree protection measures), 9 (Boundary Treatment), 10 (Siting and design of the screened storage for refuse), 14 (Renewable energy statement), 15 (Contamination), 16 (Noise insulation scheme or noise mitigation Strategy), 19 (Surface water drainage scheme), 20 (Surface water), 21 (Remediation Statement - Contamination), 22 (Scheme for disposal for surface water), 24 (Visibility splays), 26 (Recording of Industrial Heritage), 27 (Foul water solution), 28 (Archaeological works) and 29 (Fire hydrants) pursuant to planning permission S/0057/17/VC))	Approved 16.09.2022 (following Planning Committee resolution to approve 14 September 2022))
21/01474/S73	Variation of condition 2 (reserved matters details) pursuant to planning	Approved 09.07.2021

	<p>application 20/02528/S73 (Variation of conditions 2 (Reserved matters), 5 (Construction Environment Management Plan and a Construction Method Statement), 6 (Airborne Dust), 7 (Site waste management plan), 8 (Tree protection measures), 9 (Boundary Treatment), 10 (Siting and design of the screened storage for refuse), 14 (Renewable energy statement), 15 (Contamination), 16 (Noise insulation scheme or noise mitigation Strategy), 19 (Surface water drainage scheme), 20 (Surface water), 21 (Remediation Statement - Contamination), 22 (Scheme for disposal for surface water), 24 (Visibility splays), 26 (Recording of Industrial Heritage), 27 (Foul water solution), 28 (Archaeological works) and 29 (Fire hydrants) pursuant to planning permission S/0057/17/VC)</p>	
20/03765/S106A	<p>Modification of planning obligations contained in a Section 106 Agreement dated 27 October 2016 pursuant to outline planning permission S/2365/14/OL</p>	<p>Approved 26.05.2021</p>
20/02528/S73	<p>Variation of conditions 2 (Reserved matters), 5 (Construction Environment Management Plan and a Construction Method Statement), 6 (Airborne Dust), 7 (Site waste management plan), 8 (Tree protection measures), 9 (Boundary Treatment), 10 (Siting and design of the screened storage for refuse), 14 (Renewable energy statement), 15 (Contamination), 16 (Noise insulation scheme or noise mitigation Strategy), 19 (Surface water drainage scheme), 20 (Surface water), 21 (Remediation Statement - Contamination), 22 (Scheme for disposal for surface water), 24 (Visibility splays), 26 (Recording of Industrial Heritage), 27 (Foul water solution), 28</p>	<p>Approved 20.01.2021</p>

	(Archaeological works) and 29 (Fire hydrants) pursuant to planning permission S/0057/17/VC	
S/3485/18/RM	Application for approval of reserved matters for appearance landscaping layout and scale under planning permission S/0057/17/VC for development of 220 residential units	Not Determined – Appeal Allowed 29.11.2019
S/1427/19/RM	Reserved Matters application for the construction of 220 dwellings for the Appearance Layout Landscaping and scale (Duplicate application S/1385/18)	Approved 23.09.19
S/0057/17/VC	Variation of conditions S/2365/14/OL - S73 application to vary condition 1 pursuant to outline planning permission (S.2365.14.OL) relating to the development of 220 residential units	Approved 13.04.2017
S/2365/14/OL	Outline application for the demolition of all existing buildings and structures and redevelopment to provide up to 220 residential units formal and informal open space including allotments car parking for Barrington Primary School new pedestrian and cycle links to Barrington village and Foxton Station and associated works - details of vehicular site access arrangements are submitted for approval with all other matters (layout scale appearance and landscaping) reserved for future approval.	Approved 27.10.2016

5.0 Policy

5.1 National

National Planning Policy Framework 2021
National Planning Practice Guidance
National Design Guide 2021

5.2 South Cambridgeshire Local Plan 2018

S/1 – Vision
 S/2 – Objectives of the Local Plan
 S/3 – Presumption in Favour of Sustainable Development
 S/5 – Provision of New Jobs and Homes
 S/6 – The Development Strategy to 2031
 S/7 – Development Frameworks
 S/10 – Group Villages
 CC/1 – Mitigation and Adaption to Climate Change
 CC/3 – Renewable and Low Carbon Energy in New Developments
 CC/4 – Water Efficiency
 CC/6 – Construction Methods
 CC/7 – Water Quality
 CC/8 – Sustainable Drainage Systems
 CC/9 – Managing Flood Risk
 HQ/1 – Design Principles
 HQ/2 – Public Art and New Development
 NH/2 – Protecting and Enhancing Landscape Character
 NH/4 – Biodiversity
 NH/6 – Green Infrastructure
 H/8 – Housing Density
 H/9 – Housing Mix
 H/10 – Affordable Housing
 H/12 – Residential Space Standards
 SC/2 – Health Impact Assessment
 SC/4 – Meeting Community Needs
 SC/6 – Indoor Community Facilities
 SC/7 – Outdoor Play Space, Informal Open Space & New Developments
 SC/9 – Lighting Proposals
 SC/10 – Noise Pollution
 SC/11 – Contaminated Land
 SC/12 – Air Quality
 SC/14: Odour and Other Fugitive Emissions to Air
 TI/2 – Planning for Sustainable Travel
 TI/3 – Parking Provision
 TI/4 – Rail Freight and Interchanges
 TI/8 – Infrastructure and New Developments
 TI/9 – Education Facilities
 TI/10 – Broadband

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
 Sustainable Design and Construction SPD – Adopted January 2020
 Cambridgeshire Flood and Water SPD – Adopted November 2016

5.4 The following SPDs were adopted to provide guidance to support previously adopted Development Plan Documents that have now been superseded by the South Cambridgeshire Local Plan 2018. These documents are still material considerations when making planning

decisions, with the weight in decision making to be determined on a case-by-case basis:

Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010
District Design Guide SPD – Adopted March 2010
Affordable Housing SPD – Adopted March 2010
Open Space in New Developments SPD – Adopted January 2009
Public Art SPD – Adopted January 2009
Trees and Development Sites SPD – Adopted January 2009

5.5 Other Guidance

5.6 Greater Cambridge Housing Strategy 2019 – 2023

6.0 Consultations

6.1 Barrington Parish Council – No Comment

6.2 No comment received.

6.3 Haslingfield Parish Council – No Comment

6.4 No comment received.

6.5 Meldreth Parish Council – No Comment

6.6 No comment received.

6.7 County Highways Development Management – No Objection

6.8 Following a review of the documents provided to the Highway Authority as part of the above planning application, the proposed alterations do not change the Highway Authority's original comments and it is requested the conditions set by the Highway Authority and required by the Planning Authority under applications 21/01474/S73, 20/02528/S73 & S/0057/17/VC be reimposed.

6.9 Lead Local Flood Authority – No Objection

6.10 The application does not appear to have any surface water flood risk or drainage implications therefore we have no comments to make.

6.11 Environment Agency – No Objection

6.12 No comment to make.

6.13 Anglian Water – No Objection

6.14 No objection.

6.15 Urban Design Team – No Objection

6.16 No objection.

6.17 Historic England – No Objection

6.18 No objection.

6.19 Senior Sustainability Officer – No Objection

6.20 No objection.

6.21 Landscape Officer – No Objection

6.22 No objection.

6.23 Natural England – No Objection

6.24 No objection.

6.25 Tree Officer – No Objection

6.26 No formal objections.

6.27 Environmental Health – No Objection

6.28 No objection.

6.29 Housing Strategy – No Objection

6.30 No objection.

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Member Representations

8.1 None.

9.0 Local Groups / Petition

9.1 None.

9.2 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

10.0 Assessment

10.1 Principle of Development

- 10.2 Outline planning permission (S/2365/14/OL) including the reserved matter of access was granted on 27 October 2016 for the redevelopment of part of the former Cemex site adjacent to Haslingfield Road and Chapel Hill, Barrington to provide 220 dwellings. A Section 73 permission (S/0057/17/VC) seeking to vary condition no.1 (drawings) of the outline permission was granted on 13 April 2017.
- 10.3 Reserved matters consent (S/3485/18/RM) for the approval of appearance, landscaping, layout, and scale of the outline planning permission S/0057/17/VC was appealed under grounds of non-determination and allowed at appeal (APP/W0530/W/19/3227393) on 29 November 2019. A Section 73 application (20/02528/S73) which included a phasing plan and boundary treatment details, was approved in January 2021. A further Section 73 application (21/01474/S73) varying condition no.2 (reserved matters details) was approved in July 2021. Phase 1 of the development on the site has commenced and therefore the permission for 220 dwellings has been implemented on site.
- 10.4 Following the approval of reserved matters and commencement of development, the applicant sought to amend and re-configure the south-eastern parcel of the site compared to what was previously approved. A planning application 21/04088/FUL for this re-configured south-eastern parcel was considered at the Planning Committee meeting of 10 August 2022 and a resolution was made by the Planning Committee to approve the application subject to completion of a Section 106 agreement. The Section 106 agreement is currently being drafted between officers and the applicant.
- 10.5 An equivalent re-configuration of the northern parcel of the site compared to what was previously approved was also sought through planning application 21/04087/FUL. This application was considered at the Planning Committee meeting of 8 February 2023 and a resolution was made by the Planning Committee to approve the application subject to completion of a Section 106 agreement. The Section 106 agreement is currently being drafted between officers and the applicant.
- 10.6 This Section 73 application (22/04540/S73) has been submitted proactively by the applicant as it is considered to be necessary by the applicant because a recent Supreme Court decision *Hillside Parks Limited v Snowdonia National Park Authority* [2020] EWCA Civ 1440 has led to questions arising in respect of the ability to deliver so-called 'drop-in' permissions where there would be inconsistency between the drop-in permissions and the original planning permission granted for the site. The 'drop-in' permissions to which this application relates are applications 21/04087/FUL and 21/04088/FUL.

- 10.7 Certain conditions have been updated to compliance conditions to reflect the fact that some conditions have been discharged by the Council already. However, the application does not seek to amend the nature of the originally approved development and has been submitted only for legal purposes.
- 10.8 Overall, the application has only been submitted for legal and procedural reasons and does not seek to introduce any changes to the scheme that have not already been agreed through previous applications, discharges of conditions and Section 106 discussions.

10.9 Other Matters

Section 106 Agreement

- 10.10 The Council confirmed in July 2021 under a previous Section 73 permission (20/02528/S73) on the site that due to the wording of the original Section 106 agreement (dated 27 October 2016) under permission S/2365/14/OL that there is no need for a Deed of Variation and that the planning obligations in the favour of South Cambridgeshire District Council contained in the Section 106 agreement will apply to the new planning permission reference.
- 10.11 As this application is also a Section 73 application, it is considered that the Council's position remains and that there is no need for a Deed of Variation or new Section 106 application in this case.

10.12 Recommendation

10.13 Approve subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

11.0 Planning Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 1) Site Location Plan - Drawing number: 8502-22-02-102A
 - 2) Land Use & Access - Drawing number: 8502-22-02-500
 - 3) Parameter Plan Building Heights - Drawing number 8502-22-02-501
 - 4) Southern Site Access - Drawing number: 110278/A/19
 - 5) Northern Site Access - Drawing number: 110278/A/18
 - 6) BARR/22/02/001A - Phasing Plan

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

- 2 The development hereby approved shall be carried out within the areas identified for development under this permission on Plan Ref: 8502-22-

02-500 only in accordance with the Reserved Matters Details approved pursuant to appeal reference APP/W0530/W/19/3227393, as amended by plans reference:

201 (Apartment B Ground Floor Layout)
202 Rev A (Apartment B First Floor Layout)
203 Rev A (Apartment B Second Floor Layout)
401 Rev A (Apartment B Elevations Brick Code B1)
402 Rev A (Apartment B Elevations Brick Code B1)
8502-22-02-01 Rev C (Site Layout)
8502-22-02-02 (Affordable Housing Plan)
8502-22-02-02 (Refuse Strategy Plan)
8502-22-02-05 (Boundary Treatment Plan)
8502-22-02-08 (Fire and Refuse Swept Path Plan)
8502-22-02-10A (Surface Treatments Plan)
8502-22-02-161 (Bin/Cycle Store Elevations & Floor Plans)
18365 02 Rev B (Landscape Proposals Sheet 1 of 4)
190436-RGL-ZZ-XX-DR-D-120-0101 S2-P02
190436-RGL-ZZ-XX-DR-D-100-0001 S4-P03
REDR170323 HT.Q-R5.ce Rev E
REDR170323 HT.Q-R5.p1 Rev E
REDR170323 HT.Q-R5.p2 Rev D
REDR170323 HT.B.ce Rev D
REDR170323 HT.B.p Rev D
REDR170323 HT.F.cpe Rev D
REDR170323 HT.K.cpe1 Rev E
REDR170323 HT.N.ce Rev D
REDR170323 HT.N.p Rev E
19044 - Playspace Layout

Reason: The application is in outline only.

- 3 The development hereby permitted shall begin no later than the expiration of one year from the date of approval of the last of the reserved matters to be approved.

Reason: The application is in outline only.

- 4 No construction or decommissioning work shall be carried out or plant operated other than between the following hours: 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of neighbouring residents in accordance with South Cambridgeshire Local Plan (2018) Policy HQ/1.

- 5 The development hereby approved shall be carried out in accordance with the Construction Management Plan dated 22 October 2018, approved pursuant to application reference S/4148/18/DC dated 12

December 2019. Works shall be undertaken in accordance with the approved Construction Management Plan.

Reason: To protect the amenity of residents in accordance with South Cambridgeshire Local Plan (2018) Policies HQ/1 (Design Principles) SC/10 (Noise) and SC/12 (Air Quality).

- 6 The development hereby approved shall be carried out in accordance with the Arboricultural Method Statement dated 25 March 2019, approved pursuant to application reference S/1576/19/DC dated 25 June 2019, insofar as it relates to the areas identified for development under this permission on Plan ref: 8502-22-02-500 only.

Reason: In the interests of biodiversity in accordance with South Cambridgeshire Local Plan (2018) Policy NH/4.

- 7 The development hereby approved shall be carried out in accordance with boundary treatment details shown on plan references REDR170323 BDML01 Rev F; EA_1808_P_600; EA_1808_P_601; EA_1808_P_602; EA_1808_P_603 and EA_1808_P_604, as approved pursuant to application reference S/0057/17/COND9, insofar as it relates to the areas identified for development under this permission on Plan ref: 8502-22-02-500 only. The boundary treatment for each dwelling shall be completed before that/the 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 South Cambridgeshire Local Plan (2018) Policy HQ/1.

- 8 The screened storage of refuse shall be carried out in accordance with the details approved on 18th August 2020 under application reference S/0057/17/COND10A, insofar as it relates to the areas identified for development under this permission on Plan ref: 8502-22-02-500 only. The screened refuse storage for each dwelling / Flat Block shall be completed before that/the dwelling /Flat Block is occupied in accordance with the approved scheme and shall thereafter be retained.

Reason: To provide storage for refuse in accordance with the objectives of South Cambridgeshire Local Plan (2018) Policy HQ/1.

- 9 The use of any particular dwelling, hereby permitted, shall not commence until covered and secured cycle parking has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure provision of secure cycle storage is provided in accordance with South Cambridgeshire Local Plan (2018) Policy TI/3 (Parking Provision).

- 10 The housing mix shall be in accordance with the details approved at Reserved Matters Stage pursuant to appeal reference APP/W0530/W/19/3227393, insofar as it relates to the areas identified for development under this permission on Plan ref: 8502-22-02-500 only, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that a suitable housing mix is provided in accordance with South Cambridgeshire Local Plan (2018) Policy H/9.

- 11 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. The lighting shall thereafter be retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: This condition will ensure that lighting proposals are acceptable and have an acceptable impact upon amenity in accordance with South Cambridgeshire Local Plan (2018) Policy SC/9 (Lighting Proposals).

- 12 The development hereby approved shall be carried out in accordance with the March 2021 Energy Statement, as approved pursuant to application reference 21/01474/S73 on 9th July 2021, insofar as it relates to the areas identified for development under this permission on Plan ref: 8502-22-02-500 only. The approved renewable energy technologies shall be fully installed and operational prior to the occupation of the associated approved building and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme.

Reason: This condition will ensure that the proposed development incorporates low carbon energy in accordance with South Cambridgeshire Local Plan (2018) Policy CC/3 (Renewable and Low Carbon Energy in New Developments).

- 13 A) For the purposes of Phases 1 and 2 of the development (as shown on phasing plan BARR/22/02/001 Rev A) works shall be carried out in accordance with Phase 1/Phase 2 Exploratory Hole Layout with TPH/PAH Hotspots (190436-RGL-ZZ-XX- DR-G-900-0020), Geotechnical & Geo-environmental Reports (S4-PO3 & S4-P04 for Phase 1), Geotechnical & Geo-environmental Reports (S4-PO3 & S4-P04 for Phase 2), Enabling Works Health and Safety Information File (D8038) and Site Log Continuation (A002) as approved under discharge of conditions applications 20/02528/CONDA and 20/02528/CONDC dated 30 April 2021.

No occupation of any part of Phases 1 or 2 of the permitted development shall take place until a verification report demonstrating completion of the works set out in the remediation strategy and the long - term monitoring and maintenance plan shall be updated and implemented as approved.

B) No development shall commence on Phase 3 of development, as shown on Phasing Plan ref BARR/22/02/001 Rev A, until that phase has been subject to a further scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority. Detailed proposal for the removal, containment or otherwise rendering harmless any contamination (the remediation strategy) for that phase have been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include the following components:

- 1) A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site including 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 arrangement for contingency actions. The plan shall also detail a long - term monitoring and maintenance plan as necessary.
- 4) No occupation of any part of that phase of the permitted development shall take place until a verification report demonstrating completion of the 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.

If during remediation works, any contamination is identified that has not been considered in the remediation method statement of the relevant phases, then proposals for this material should be agreed in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with South Cambridgeshire Local Plan (2018) Policy SC/11 (Contaminated Land).

- 14 The development hereby approved shall be carried out in accordance with the Noise Assessment (21 May 2019), the ACCON response to Plowman Craven (22 February 2020), the ACCON Response 2020-04-27 and A3297 Technical Note 2020-06-08, as approved pursuant to application reference S/0306/19/DC, insofar as it relates to the areas identified for development under this permission on Plan ref: 8502-22-02-500 only. The development shall be constructed in accordance with these approved details.

Reason: To ensure that the acoustic impacts associated with the proposed development are acceptable in accordance with South Cambridgeshire Local Plan (2018) Policy SC/10.

- 15 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 Authority.

Reason: To ensure the protection of existing habitats in accordance with South Cambridgeshire Local Plan (2018) Policy NH/4 (Biodiversity).

- 16 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA: Limiting the surface water run-off generated by the 1 in 100 critical storm so that it will not exceed the Greenfield equivalent run-off rates and not increase the risk of flooding offsite. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the proposed development would not be susceptible to flooding or result in an increased risk of flood risk elsewhere in accordance with South Cambridgeshire Local Plan (2018) Policy CC/9 (Managing Flood Risk).

- 17 The development shall be carried out in accordance with the approved Drainage Strategy, document reference 7048-2018.12.19 Drainage Strategy SUDS Report Rev C, as approved pursuant to application reference S/4820/18/DC, insofar as it relates to the areas identified for development under this permission on Plan ref: 8502-22-02-500 only.

Reason: To ensure that the proposed development would not be susceptible to flooding or result in an increased risk of flood risk elsewhere in accordance with South Cambridgeshire Local Plan (2018) Policy CC/9 (Managing Flood Risk).

- 18 For the purposes of Phases 1 and 2 of the development (as shown on phasing plan BARR/22/02/001 Rev A) works shall be carried out in accordance with Round 3 (CFC 20.08.20), Information in Support of the Analytical Results (20-13233), Groundwater Risk Assessment for Piling Works for Phases 1 and 2 Former Cement Works Barrington Cambridgeshire (S4-P03) and Groundwater Risk Assessment for Piling Works for Phases 1 and 2 Former Cement Works Barrington Cambridgeshire (S4-P04), as approved under discharge of conditions application 20/02528/CONDB dated 30 April 2021.

Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted on Phase 3 of the development 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 prevent the increased risk of flooding in accordance with South Cambridgeshire Local Plan (2018) Policy CC/9 (Managing Flood Risk).

- 19 Prior to the first occupation of any part of either Phase 1 or Phase 2, as shown on plan number BARR/22/02/001 Rev A, visibility splays shall be provided on each side of the vehicular access shown on the approved drawing 110278/A/19 in full in compliance with the details shown on the submitted drawing 11278/A/07 Rev D. The splays shall thereafter be maintained free of any obstruction exceeding 0.6m above the level of the carriageway.

Prior to the first occupation of any dwellings within Phase 3 as shown on plan number BARR/22/02/001 Rev A, visibility splays shall be provided on each side of the vehicular access shown on the approved drawing 110278/A/18 in full with the details shown on the submitted drawing 11278/A/07 Rev D. The splays shall thereafter be maintained free of any obstruction exceeding 0.6m above the level of the carriageway

Reason: To ensure that the proposed development would not result in an adverse impact upon highway safety in accordance with South Cambridgeshire Local Plan (2018) Policy HQ/1.

- 20 The development hereby approved shall be carried out in accordance with the Historic Building Recording dated August 2018, approved pursuant to application reference S/ 3308 /18/DC dated 31 October 2018.

Reason: To ensure that the proposed development conserves the heritage of the site in accordance with South Cambridgeshire Local Plan (2018) Policy NH/14.

- 21 Prior to the first occupation of any dwelling, the Applicant shall submit to and have approved by the Local Planning Authority the following reports:
(i) Completion and submission of a Post-Excavation Assessment Report.
(ii) Completion of analysis, preparation of site archive ready for deposition at a store approved by the Local Planning Authority, production of an archive report, and submission of a publication report; to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority

Reason: This condition will ensure that the proposed development conserves the significance of existing heritage assets of the site in accordance with South Cambridgeshire Local Plan (2018) Policy NH/14.

- 22 The development hereby approved shall include the provision of fire hydrants in accordance with the boundary treatment details shown on plan references Proposed Mains and Service Connections; SC - 2718 Rev F Lower Parcel and; SC- 2718 Rev F Upper Parcel , as approved on 19th August 2020 pursuant to application reference S/0057/17/COND29, insofar as it relates to the areas identified for development under this permission on Plan ref: 8502-22-02-500 only. The development shall not be occupied until the hydrants have been confirmed to be fully operational by the Applicant. Confirmation that the hydrants are fully operational will include written confirmation to be provided by the Applicant that the hydrants have been tested by the Cambridge Fire and Rescue Service. The hydrants shall thereafter be retained and operational in accordance with the approved details.

Reason: To ensure the safety of future residents in accordance with South Cambridgeshire Local Plan (2018) Policy HQ/1.

12.0 Informatives

1. Planning Permission was issued on 27 October 2016 for an outline application at the former CEMEX Cement Works for the demolition of all existing buildings and structures, and redevelopment to provide up to 220 residential units. This Permission was pursuant to a Planning Obligation under Section 106 of the Town and Country Planning Act dated 27 October 2016 which provided that:

"Nothing in this Deed shall prohibit or limit the right to develop any part of the Site in accordance with a planning permission other than the Planning Permission, save that if a condition attached to one or other is varied or released following an application made pursuant to Section 73 of the 1990 Act or pursuant to an appeal under the 1990 Act relating to such an application then the covenants and provisions of this Deed shall if the Councils so agree in writing (but not otherwise) be deemed to apply to the varied planning permission and to any development carried out pursuant to the varied planning permission".

This clause is such that the s106 agreement can apply to future applications under Section 73. It is therefore applicable to this planning permission.

2. For the avoidance of doubt, the car park, as shown on Drawing numbers: 110278/A/07 Rev D, 110278/A/31 Rev A, A110278/A/36, and 110278/A/37 on permission 21/01474/S73, is no longer required to be delivered, as established by permission ref: 20/02528/CONDD.