

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

3 June 2015

**AUTHOR/S:** Planning and New Communities Director

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<b>Application Number:</b>	S/2791/14/OL
<b>Parish:</b>	Melbourn
<b>Proposal:</b>	Outline planning application (including approval of access) for residential development of up to 199 dwellings plus a care home of up to 75 beds, new vehicular accesses from New Road, public open space and a landscape buffer
<b>Site address:</b>	Land East of New Road
<b>Applicant:</b>	Endurance Estates Strategic Land Ltd
<b>Recommendation:</b>	Delegated approval
<b>Key material considerations:</b>	The main issues are whether the proposed development would provide a suitable site for housing, having regard to the principles of sustainable development and housing land supply, scale of development and impact on character and landscape, services and facilities, access and transport, drainage, and ecology.
<b>Committee Site Visit:</b>	Yes
<b>Departure Application:</b>	Yes
<b>Presenting Officer:</b>	Paul Sexton
<b>Application brought to Committee because:</b>	The officer recommendation is contrary to the recommendation of refusal from Melbourn Parish Council
<b>Date by which decision due:</b>	27 February 2015

### **Update to Report**

#### **Planning Considerations – Para 141**

1. This paragraph should state that the applicant has agreed that the time period allowed for submission of reserved matters can be reduced to 2 years from the date of consent, and not 1 year as stated in the original report.

## **Recommendation – Para 212.**

2. A draft list of proposed planning conditions is set out below:

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

The landscape details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.  
(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 two years from the date of this permission.  
(Reason - The application is in outline only.)

3. The development hereby permitted shall begin not 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. The development hereby permitted shall be carried out in accordance with the following approved plans: 44687/P/001 Rev E (in respect of access arrangements only) and SZ25800025-03 Rev B.  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

5. No development 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 DP/2 of the adopted Local Development Framework 2007.)

6. 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.)

7. Prior to the commencement of the development hereby permitted details of tree protection measures shall be submitted to and approved in writing by the

Local Planning Authority. The development shall be undertaken in accordance with the agreed details.

(Reason – In the interests of the amenity of the locality)

8. 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/building] 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 Policy DP/2 of the adopted Local Development Framework 2007.)

9. Prior to the commencement of any development, a scheme for the provision and implementation of surface 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 ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

10. Unless otherwise approved in writing beforehand with the Local Planning Authority, the development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Project No.447. The following mitigation measures will be required to be approved prior to the commencement of development:

i) Demonstrate how appropriate protection and maintenance of the surface water drainage scheme will be achieved.

ii) Provide details of long term ownership/adoption of the surface water drainage system.

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 the appropriate long term maintenance and ownership/adoption, and to provide a satisfactory method of sustainable surface water drainage.)

11. Prior to the commencement of any development, a scheme for the provision and implementation of pollution prevention and control of the water environment, which shall include foul and surface water drainage, shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.

(Reason - To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment.)

12. 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 to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

(Reason - To prevent the risk of contamination to the water environment.)

13. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage solution 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.)
14. Prior to the commencement of the development a scheme for the provision and implementation (including an agreed timetable for the carry out of the works) of a shared use footway/cycleway along New Road, from the junction of the new development to the access road to Cawdon Row, to facilitate non-motorised user access to the Doctor's surgery (or an alternative cycle strategy if the County Council cannot make the necessary land available by the 100<sup>th</sup> occupation, excluding the care home), shall be submitted to and approved in writing by, the Local Planning Authority. The shared use facility shall be 2.5m wide (unless otherwise agreed as part of the approved scheme), and constructed entirely within the existing adopted public highway. The scheme shall be implemented and maintained as approved.  
(Reason – To provide cycle and pedestrian access from the site along New Road in accordance with the aims of Policy DP/1 and DP/3 of the adopted Local Development Framework 2007.)
15. Prior to the first occupation of the development (or prior to the commencement of the proposed use) visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on Drawing No. 44687/P/001 Rev E. 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.)
16. The use of any particular dwelling or the care home, hereby permitted, shall not commence until appropriate car parking, and covered and secure 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. The car parking and cycle parking shall thereafter be maintained in accordance with the approved details.  
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
17. No development shall take place until a scheme of ecological enhancement/management 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.)

18. No development shall begin until a scheme for the provision of bird nest boxes has been submitted to and approved in writing by the Local Planning Authority; the dwellings shall not be occupied until the nest boxes have been provided in accordance with the approved scheme.  
(Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
19. No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.  
(Reason - To ensure an adequate water supply is available for emergency use.)
20. 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.)
21. No development shall take place on the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharge of the condition:
  - i) Approval of a Written Scheme of Investigation;
  - ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
  - iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design; to be submitted within 6 months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority;
  - iv) 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.

Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme.  
(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.)

22. 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/building] shall be completed before that/the dwelling/building 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.)
23. Prior to the commencement of development, a Construction Environmental Plan (CEMP) shall be submitted and approved for the development, hereby permitted. The CEMP shall accord and give effect to the waste management principles set out in the adopted Cambridgeshire and Peterborough Minerals and waste Core Strategy (2011) and Waste Hierarchy.

The CEMP shall address the following aspects of construction:

- i) A construction programme;
- ii) Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with the location of parking for contractors and construction workers;
- iii) Construction hours;
- iv) Delivery times for construction purposes;
- v) Soil Management Strategy including a method statement for the stripping of top soil for re-use; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883:2007;
- vi) Noise monitoring method including location, duration, frequency and reporting of results to the Local Planning Authority in accordance with the provisions of BS 5228 (1997);
- vii) A construction noise impact assessment and a report/method statement detailing predicted construction noise and vibration levels at noise sensitive premises, and consideration of mitigation measures to be undertaken to protect local residents from construction noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential construction noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228:2009+A1:2014: 'Code of practice for noise and vibration control on construction and open sites - Part 1: Noise and Part 2: Vibration. Development shall be carried out in accordance with the approved details.
- viii) A programme of measures to minimise the spread of airborne dust (including consideration of wheel washing and dust suppression provisions) from the site during the construction period or relevant phase of development
- ix) Site lighting;
- x) Drainage control measures including the use of settling tanks, oil interceptors and bunds;
- xi) Screening and hoarding details;
- xii) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- xiii) Procedures for interference with public highways (including rights of way), permanent and temporary realignment, diversions and road closures;
- xiv) External safety and information signing and notices;

- xv) Liaison, consultation and publicity arrangements including dedicated points of contact;
- xvi) Consideration of sensitive receptors;
- xvii) Prior notice of agreement of procedures for works outside agreed limits;
- xviii) Complaints procedures, including complaints response procedures;
- xix) Location of Contractors compound and method of moving materials, plant and equipment around the site.

The CEMP shall be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

(Reason - To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers in accordance with the aims of Policies DP/3, DP/6 and NE/15 of the South Cambridgeshire Local Development Framework Development Control Policies 2007, and to comply with the Guidance for Local Planning Authorities on Implementing Planning Requirements for the European Union waste Framework Directive (32008/98/EC), Department for Communities and Local Government, December 2012.)

24. No construction work and/or construction related dispatches from or deliveries to the site shall take place, other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays, unless previously agreed in writing with the Local Planning Authority. No construction works or collection/deliveries shall take place on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.  
(Reason - To protect the amenities of nearby residential properties in accordance with Policies NE/16 and DP/6 of the South Cambridgeshire Local Development Framework Development Control Policies 2007.)
25. Concurrent with any reserved matters application for the electricity station and/or the care home, or prior to the commencement of development of the electricity substation or care home as approved, an operational noise impact assessment and a scheme of noise insulation or other noise mitigation measures as necessary for any building(s) and/or plant and equipment associated with the electricity substation and care home, in order to minimise the level of noise emanating from the said building(s)/uses and plant/equipment, shall be submitted to and approved in writing by the Local Planning Authority.  
(Reason - To protect the health and quality of life/amenity of nearby properties in accordance with National Planning Policy Framework paragraphs 109, 120 and 123 and Policy NE/15 of the adopted Local Development Framework 2007.)
26. No commercial related ancillary dispatches/collections from or deliveries to the care home shall take place, other than between the hours of 08.00 to 21.00 hours Mondays to Saturday unless agreed in writing with the Local Planning Authority. No collections/deliveries shall take place on Sundays or Bank Holidays, unless previously otherwise agreed in writing by the Local Planning Authority.  
(Reason - To protect the health and quality of life/amenity of nearby properties in accordance with National Planning Policy Framework paragraphs 109, 120 and 123 and Policy NE/15 of the adopted Local Development Framework 2007.)

27. Within any reserved matters application for the care home, or similar, a scheme for and details of equipment for the purpose of extraction and/or filtration and/or abatement of fumes and/or odours, shall be submitted to and approved in writing by the Local Planning Authority. The approved extraction/filtration/abatement scheme shall be installed before the use is commenced and shall be thereafter maintained. Any approved scheme/system shall not be altered without prior approval of the Local Planning Authority.

Any approved fume filtration/extraction system installed shall be regularly maintained and serviced in accordance with the manufactures specification to ensure its continued satisfactory operation.

It is suggested that documentary evidence including receipts, invoices and copies of service contracts in connection with the maintenance of the extraction/filtration/abatement equipment, is kept, preferably at the premises, and is available for inspection by officers of the Local Planning Authority, to facilitate monitoring of compliance with this condition.

(Reason - To protect the amenity of nearby residential premises in accordance with National Planning Policy Framework paragraph 120 and Policies DP/3 and NE/16 of the adopted Local Development Framework 2007.)

28. Prior to the commencement of the development an artificial lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security/residential lighting, and an assessment of impact upon any sensitive residential premises on and off site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include layout plans/elevations with luminaire locations annotated, full isolux contour map/diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, and on the boundary of the site, and at future adjacent properties, including consideration of Glare (direct source illuminance/luminous intensity in the direct and height of any sensitive residential receiver) as appropriate, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type/profiles, mounting height, aiming angles/orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals, 'Guidance Notes for the Reduction of Obtrusive Light GN101: 2011', including resultant sky glow, light intrusion,/trespass, source glare/luminaire intensity and building luminance.

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details/measures unless the Local Planning Authority gives its written consent to any variation.

(Reason - To protect local residents from light pollution/nuisance and protect/safeguard the amenities of nearby.)

29. Unless otherwise agreed in writing by the Local Planning Authority, any reserved matters application pursuant to this outline approval shall be accompanied by a Waste Management and Minimisation Strategy (WMMS), including the completed RECAP Waste Management Design Guide Toolkit and supporting reference material, addressing the management of municipal waste generation during the occupation stage of the development. No development shall take place until the strategy has been approved in writing by the Local Planning Authority, and thereafter implemented in accordance

with the approved details, unless otherwise approved in writing by the Local Planning Authority.

The WMMS must demonstrate how waste will be managed in accordance with the requirements of the RECAP Waste Management Design Guide Supplementary Planning Document 2012 (or as superseded) and the principles of the waste hierarchy, thereby maximising waste prevention, re-use and recycling from domestic households and contributing to sustainable development. The WMMS should include as a minimum:

- i) A completed RECAP Waste Management Design Guide Toolkit and supporting reference material;
- ii) A detailed Waste Audit to include anticipated waste type, source, volume, weight etc. of municipal waste generation during the occupation stage of the development;
- iii) Proposals for the management of municipal waste generated during the occupation stage of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable materials; access to storage and collection points by users and waste collection vehicles;
- iv) Highway vehicle tracking assessment and street widths/dimensions.
- v) Arrangements for the provision, on-site storage, delivery and installation of waste containers prior to occupation of any dwelling;
- vi) Arrangements for the efficient and effective integration of proposals into waste and recycling collection services provided by the Waste Collection Authority;
- vii) A timetable for implementing all proposals;
- viii) Provision for monitoring the implementation of all proposals.

The approved facilities shall be provided prior to the occupation of any building and shall be maintained thereafter unless alternative arrangements are agreed in writing with the Local Planning Authority.  
(Reason - To ensure that waste is managed sustainably during the occupation of the development.)

30. Prior to the commencement of development a full Site Waste Management Plan and Waste Audit shall be submitted in writing and approved by the Local Planning Authority. These shall include details of:

- i) Construction waste infrastructure dealing with how inert waste arisings will be managed/recycled during the construction process;
- ii) Anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste;
- iii) Measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;
- iv) Any other steps to ensure the minimisation of waste during construction;
- v) The location and timing of provision of facilities pursuant to criteria i), ii), iii) and iv);
- vi) Proposed monitoring and timing of submission of monitoring reports;
- vii) The proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction ;
- vii) A RECAP Waste Management Guide toolkit, including a contributions assessment, shall be completed with supporting reference material;

viii) Proposals for the management of municipal waste generated during the construction phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material; access to storage and collection points by users and waste collection vehicles is required.

(Reason - To ensure that waste arising from the development is minimised and that which is produced is handled in such a way that it maximises opportunities for re-use and recycling in accordance with Policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), and Policy DP/6 of the South Cambridgeshire Local Development Framework Development Control Policies DPD (2007).

31. 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)

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.)

32. No buildings 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.)

33. 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 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.)

34. Notwithstanding the submitted indicative layout, details of the mix of housing (including both market and affordable housing) shall be in accordance with policy HG/2 of the adopted Development Control Policies DPD, unless otherwise agreed in writing by the Local Planning Authority.

(Reason: To ensure an appropriate mix of housing in accordance with policy HG/2 of the adopted South Cambridgeshire Development Control Policies DPD.)

35. No development shall take place until a scheme for the provision of on-site renewable energy to meet 20% 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 the details submitted with the application and to meet the aims of Policies NE/1 and NE/3 of the adopted Local Development Framework 2007.)

#### Informative

1. An application for the reserved matters consent shall be accompanied by a Health Impact Assessment

#### **Background Papers**

Where the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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

- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Plan Proposed Submission July 2013
- South Cambridgeshire Supplementary Planning Documents
- National Planning Policy Framework 2012
- Planning File References: S/2791/14/OL

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