

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

7 December 2016

AUTHOR/S: Head of Development Management

Application Number / type of application:	S/2148/16/OL
Parish(es):	Foxton
Proposal:	Outline planning permission for residential development of up to 22 dwellings, with all matters reserved apart from access
Recommendation:	Delegated approval (subject to complete section 106)
Material considerations:	Five year supply of housing land Principle of development Sustainability of the location Density of development and affordable housing Character of the village edge and surrounding landscape Ecology Highway safety Residential amenity Surface water and foul water drainage Provision of formal and informal open space Section 106 Contributions
Site address:	Land to the rear of 7 - 37 Station Road, Foxton
Applicant(s):	Goreway Holdings Limited and Endurance Estates
Date on which application received:	05 August 2016
Site Visit:	06 December 2016
Conservation Area:	No
Departure Application:	Yes
Presenting Officer:	Rebecca Ward, Senior Planning Officer
Application brought to Committee because:	The officer recommendation of approval conflicts with the recommendation of Foxton Parish Council and approval would represent a departure from the Local Plan
Date by which decision due:	10 January 2017 (extension of time agreed)

A. Update to the report

Agenda report paragraph number 151 – Draft conditions update

Conditions

General

- (a) 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.)
- (b) Application for the approval of the reserved matters shall be made to the Local Planning Authority not later than 18 months from the date of this permission.
(Reason - The application is in outline only.)
- (c) The development hereby permitted shall begin no later than 18 months from the date of approval of the last of the reserved matters to be approved.
(Reason - The application is in outline only.)
- (d) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan revB, 280-PA01revN, PL01revB, PL02revB, PL03revB, PL04revB, PL05, P02A
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

Landscape

- (e) 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.)

Contamination

- (f) No development approved by this permission shall be commenced until:
 - a) The application site has been subject to a detailed 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.
 - b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method

statement) have been submitted to and approved in writing by the Local Planning Authority.

- c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
- d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.
(Reason (a) - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).

Renewables

- (g) No development shall take place until a scheme for the provision of on-site renewable energy to meet 10% reduction in the projected carbon emissions from the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter retained in operation.
(Reason: To ensure the development provides renewable energy in accordance with policy NE/3 of the adopted Local Development Framework 2007.)
- (h) Prior to the commencement of any development, details of a strategy for water conservation measures to be incorporated within the development have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
(Reason - To ensure compliance with the aims of Policy NE/12 of the adopted Local Development Framework 2007).

Flood Risk and Drainage

- (i) 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.)
- (j) 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.)

- (k) Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify run-off sub-catchments, SuDS components, control structure, flow routes and outfalls. In addition the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
- (Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework 2012.)

Tree Protection

- (l) Prior to commencement, site preparation or the delivery of materials to site the tree protection measures recommended in the approved tree protection strategy shall be erected and remain in position until practical completion of the implementation of the development.
- (Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
- (m) Prior to commencement, site preparation or the delivery of materials to site the applicant shall submit an updated arboricultural impact assessment including tree and hedge protection strategy to reflect the detailed layout in accordance with British Standard BS5837 for the approval of the LPA.
- (Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)

Highway safety and footpath

- (n) Prior to the occupation of the first dwelling on the site, the footpath improvements along Station Road, as detailed on plans PL01 Rev. B, PL02 Rev. B, PL03 Rev. B, PL04 and PL05, shall be implemented in accordance with the agreed details.
- (Reason – To provide suitable pedestrian route to the village services and facilities in accordance with policy DP/2 and DP/3 of the Local Development Framework)
- (n) No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- (i) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)

(ii) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on street

(iii) Movements and control of all deliveries (all loading and unloading shall be undertaken off the adopted public highway)

(iv) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

(n) The proposed access hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the highway and shall be constructed from a bound material to prevent displacement of materials onto the highway. The development shall be retained as such thereafter.

(Reason - In the interest of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Ecology

(o) Prior to the commencement of development, an up to date badger survey should be submitted and approved in writing to determine whether the badger activity has increased to the sett and whether any mitigation measures need to be provided. Any 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.)

(p) 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.)

(q) Prior to the commencement of development, details of the wildlife corridor (tree belt), as indicated on plan P02revB, shall be submitted and approved by the local planning authority. This detail should include the thinning and planting of appropriate native understorey shrubs. 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 – Semi-natural broad-leaved woodland is a Biodiversity Action Plan/Section 41 habitat and is a wildlife corridor, this needs to be retained and protected within the scheme to meet Local Development Framework policy NE/6)

Archaeological

(r) 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.)

Housing Mix

- (s) As part of any reserved matter application details of the housing mix (including both market and affordable housing) shall be provided in accordance with local planning policy or demonstration that the housing mix meets local need shall be submitted to and approved in writing by the Local Planning Authority. Development shall commence in accordance with the approved details

(Reason: To ensure an appropriate level of housing mix, both market and affordable housing in accordance with policies H/8 and H/9 of the South Cambridgeshire Local Plan Proposed Submission July 2013)

Environmental Health

- (t) No development shall commence until a written strategy for the minimisation of noise, vibration and dust generation during the course of the construction of the development hereby has been submitted to and approved in writing by the Local Planning Authority. The strategy shall identify all anticipated sources of noise, vibration and dust and shall detail specific mitigation measures to ensure that the impact of each of these sources is fully contained within the site and does not have an adverse impact on the residential amenity of neighbouring properties. The construction of the development shall be carried out in accordance with the approved details.
(Reason - To protect the occupiers of adjoining buildings from noise disturbance and sources of dust, in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

- (u) No development including demolition or enabling works shall take place until a Site Waste Management Plan for the 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.)

- (v) Prior to the commencement of any development, a scheme for the provision and implementation of pollution control 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 with the Local Planning Authority.

(Reason - To reduce the risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)

- (w) As part of any reserved matters application an artificial lighting scheme (to maximise energy efficiency and minimise lighting pollution) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall

includes details of any external lighting of the site and a Lighting Spill Plan. The Artificial Lighting Scheme shall have regard for the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light – GN01:2011 (or as superseded). The lighting scheme will be implemented in accordance with the approved details.

(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.)

- (x) During the period of construction, no power operated machinery shall be operated on the site, and there shall be no construction related deliveries taken at or dispatched from the site, before 0800 hours and after 1800 hours on weekdays and before 0800 hours and after 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.)

- (y) No development shall take place until a plan showing the finished floor levels of the proposed buildings in relation to the existing and proposed ground levels of the surrounding land has been submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason: To ensure the development is properly assimilated into the area in accordance with policy DP/3 of the adopted Local Development Framework 2007.)

Informatives

- (a) The granting of 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.
- (b) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- (c) There shall be no burning of any waste or other materials on the site, without prior consent from the Environmental Health Department to ensure nuisance is not caused to local residents.
- (d) Should driven pile foundations be proposed, then before works commence, a statement of the method of construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
- (e) The footpath improvement works will require a section 278 agreement under the Highways Act 1980, when the detailed design of the narrowing required

by the retention of the mature tree at the end of the northern leg of the footway will be finalised

Agenda report paragraph number 36 – Representations update

No.11 Station Road - Response to visual impressions – see attached appendix 3 document

Additional Background Papers: the following background papers (additional to those referred to in the agenda report) were used in the preparation of this update:

None

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