



Appeal Decision

Site visit made on 3 August 2022

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 September 2022.

Appeal Ref: APP/W0530/W/21/3286850 Bennell Farm, West Street, Toft CB23 7EN.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Edward Bennell (Bennell Developments Ltd) against the decision of South Cambridgeshire District Council.
 - The application Ref 20/01992/FUL, dated 3 April 2020, was refused by notice dated 11 August 2021.
 - The development proposed is erection of 41 dwellings including two self-build plots and associated development.
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Application for Costs

1. An application for costs was made by Mr Edward Bennell against South Cambridgeshire District Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for erection of 41 dwellings including two self-build plots and associated development at Bennell Farm, West Street, Toft CB23 7EN in accordance with the terms of the application, Ref 20/01992/FUL, dated 3 April 2020, and the plans and documents submitted with it, subject to the conditions set out in the attached Schedule and the terms of the signed completed S106 Planning Obligation.

Procedural Matter

3. The original description of development in the application form was for 45 dwellings. However, in the course of the assessment of the application a revised scheme was submitted reducing this to 41 units. I have therefore taken the revised description as it appears on the Council's decision notice and the appellant's appeal form for the purposes of my determination.
4. I note that the appellant raises procedural concerns over the Council's determination of the application. However, as the proposal is being reassessed in this appeal these are not relevant to my determination. Any concerns the appellant may have can be pursued through the Council's own complaints procedures and the Local Government Ombudsman as appropriate.

Main Issues

5. Although the application was not refused on matters of principle, the principle of further additional housing development on this site and the need for it has been raised by third parties and I have included this as a main issue.
6. The main issues are therefore:

- whether the principle of further housing would be appropriate in this location;
- the effect of the development on the character and appearance of the village edge and rural landscape and
- whether the living conditions of future occupants would be adversely affected by the level of accessible public open space proposed.

Reasons

7. The appeal site lies on the western edge of the village of Comberton and occupies the western section of a site allocated for residential and other development in the *South Cambridgeshire Local Plan* (SCLP) (Site H1(h)). The eastern part of the allocated site is virtually built out with 90 dwellings and open space. The appeal site is separated from the surrounding countryside by a line of mature trees and the access drive to Bennell Farm itself and is currently in use as grazing land with an area at the southern end in use as a stack yard for building materials and plant being used to construct the housing to the east.

The principle of housing in this location

8. The SCLP identifies Comberton as a minor rural centre but proposed a housing allocation in the village with an indicative capacity for 90 homes and public open space and sports pitch provision. An initial outline planning permission (ref S/2204/15/OL) was granted to deliver this with 90 housing units on the eastern part of the site and sports pitch provision, changing facilities and community car parking (in part for Comberton Village College) on what is now the appeal site. This was superseded by a second outline permission (ref S/1812/17/OL) where, with the agreement of the Council, a financial contribution was to be made to provide the sports pitch and changing facilities off site rather than on site. The SCLP allocation was not amended following this alteration and no restriction was placed on the future use of the western section of the site to retain it as open space. As a result it was open to the developer to apply for additional housing.
9. It has been put to me that as the original allocation was for 90 units the further provision for 41 units would be contrary to the provisions of the SCLP which sets a limit of 30 units in any schemes in minor rural centres under Policy S9. However, this does not take into account the fact that the whole appeal site was part of the area allocated for housing and no specific restrictions were placed upon it after the granting of the second outline permission.
10. Whilst I can understand the community's frustration at what would be nearly a 50% increase in the number of houses delivered on the allocated site, the SCLP does make it clear in Policy H/1 that the capacity of 90 units was indicative and that "*the number of homes granted planning permission on the site may be higher or lower than the indicative capacity and should be determined through a design-led approach*". With the community car parking and sports pitch provision being removed from the allocated site and the Council choosing not to amend or control the allocation to restrict further housing, the principle of housing in this location would not be inappropriate. Its acceptability is subject to whether the design-led approach undertaken by the appellant has resulted in an appropriate form of development – matters which I now turn too.

Character and Appearance

11. The design would see mainly two storey units over the site but in the south west corner it is proposed to site three 2.5 storey apartment blocks. These would have

3 floors of accommodation although for the most part the top floor would be accommodated in the roof space which is a slight adjustment from the initial design which would have involved, in part, a full 3 storeys. It has been put to me that these would appear out of character and intrude in the landscape character of the village edge and be visible from open countryside to the west side of Comberton.

12. The landscape west of the village between Comberton and Toft is open in character and part of the Cambridge Green Belt but on the west boundary of the allocated site there is a mature tree belt which runs north up the access road to Bennell Farm. This would afford significant screening and is certainly high enough to screen the proposed 2.5 storey apartment units from the open countryside. I acknowledge that there may be some reduction of screening in the winter months when trees are bare but this could be mitigated in part by conditioning a strengthening of the understorey with evergreen species.
13. This western edge of Comberton is, in any event, already developed with substantial buildings, in particular those on the south side of the B1046 associated with Comberton Village College which are clearly visible and dominant in this gateway to the village. The eastern section of the allocated site itself also has apartment blocks at its southern end which are a full 3 storeys in height facing onto the open space adjacent to the B1046. In this context the village edge to Comberton on this west side is atypical of lower density village edge locations and the scale and mass of the 2.5 storey apartment units on the appeal site would not be any more harmful to the character and appearance of the village gateway than is already the case and would not intrude on open green belt countryside to the west.
14. The hedged frontage to the site combined with the western tree boundary means that in views from within Comberton from the B1046 looking west the development in the SW sector of the site would also be partly screened and appear in a parkland setting. Although it has been put to me by third parties that the appeal proposal results in the loss of land that would, as initially proposed, have been undeveloped green space this is not actually the case. From the documents before me the intention in the original outline was that the southern end of the appeal site would have been used as car parking and associated hardstanding both for community use of the sports pitch and changing pavilion, also proposed on the site, and by Comberton Village College. This permitted use would have had its own landscape and visual impacts and resulted in a degree of urbanisation in this part of the village. The appeal proposal to now develop this as public open space with the higher 2.5 storey development facing onto it instead has to be considered in terms of what had previously been permitted. In this context and, provided the development is conditioned to ensure materials and landscaping would be to the high standard established in Bennell Farm east of the access, I am satisfied that the overall impact of the appeal proposal (particularly its southern end) would be acceptable in terms of character and appearance.
15. For the reasons above the development would not be in conflict with the objectives of SCLP Policies NH/2 (protecting and enhancing landscape character) or with Policy HQ1a) (preserving and enhancing the character of the local urban and rural area and wider landscape context).

Living Conditions

16. The proposal includes 1.8 hectares of open space at the southern end of the site with the proposed apartment units facing onto and overlooking this space. It has been put to me that this would be an inadequate amount of high quality,

accessible public open space for the development. Whilst there is no playspace provision on the western part of the allocated site there is a large playspace to the east side of the access road in close proximity to the housing proposed on the appeal site and a financial contribution proposed for off-site play is also committed through the S106 planning obligation for the development. The SCLP in Policy SC/7 sets out the requirements for outdoor playspace and informal open space within developments. The provision made for the allocated site overall meets these requirements on and off site and a financial contribution is also proposed for off-site sports pitch provision in lieu of this provision being made on the appeal site.

17. As such the dwellings on the appeal site would have access to adequate public open space. The public open space would be easily accessible direct from the access road into the development and no part of the housing on the appeal site would be further than approximately 200 metres from the public open space at the southern end with the majority much closer. I acknowledge that part of the informal open space would be occupied by the sustainable drainage storage basin and that at times this will be inaccessible due to it being occupied by water but I am satisfied that this will be the case on relatively few occasions and a substantial area of open space would in any event remain accessible around the SuDs basin. I am therefore not persuaded that the public open space proposed would be inadequate or inaccessible and therefore there would be no adverse impact on living conditions for future residents and the requirements of SCLP policies SC/7 and HQ/1 would be met.

Other Matters

18. Policy TI/8 of the SCLP states that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms. The appellant has completed and signed a Section 106 Agreement in conjunction with the Council. This includes a number of obligations to deliver affordable housing and infrastructure, to come into effect if planning permission is granted. It is necessary that these are considered in the light of the statutory tests contained in Regulation 122 of *The Community Infrastructure Levy (CIL) Regulations 2010* and the Framework tests. They relate to the following matters.
19. Affordable Housing: Policy H/10 of the SCLP requires 40% of the total housing provision on sites accommodating 11 dwellings or more to be for affordable housing. Policy H/10 reflects the significant scale of affordable housing need in the District and, given this, the Council's aspiration is that both allocated and windfall sites should provide affordable housing. It is necessary and reasonable therefore that the S106 makes this requirement and sets out the controls for the provision of 16 affordable units (11 for rent and 5 for shared ownership) and the management of the affordable housing in perpetuity. The 5 shared ownership units will comply with the Government's policy requirement for at least 25% of all affordable housing to be in the form of 'First Homes'.
20. Open Space: The S106 provides for the laying out, construction, landscaping and maintenance of an area of informal open space within the site, (incorporating Sustainable Drainage provision). In addition the agreement requires provision of financial contributions to off-site provision of childrens' playspace (£57,190), off-site sports area contribution (£42,610), off-site allotments and community orchard contribution (£2,000) and off-site green infrastructure provision (£4,100). These obligations are necessary to comply with the requirements of SCLP Policy SC/7 relating to the provision of outdoor playspace and informal open space

necessitated by new development. The inclusion of open space provision and contributions as part of the planning obligations is therefore necessary and reasonable.

21. Community Infrastructure Provision: SCLP Policies SC/4 and SC/6 require that development meets community needs in respect of facilities and services and in respect of indoor community facilities. Although there has been criticism from third parties that a financial contribution to education has not been made, the Local Education Authority had concluded that there was sufficient capacity at both primary and secondary level to accommodate the amount of housing and potential growth in pupil numbers. I have no reason, based on the evidence before me, to reach any different conclusion. The S106 does however require the developer to pay financial contributions towards the provision of healthcare (£15,500), a contribution to Comberton library (£5,959), an indoor community space contribution (£19,345) and a household waste receptacle contribution (£73.50 per house and £150 per flat). Given the development plan requirements and the fact that the site would be expected to accommodate a population of around 100 people, the obligations are necessary and reasonable ones.
22. Transport: The S106 requires the developer to make a financial contribution to the maintenance of the bus stops and shelters provided by condition on the B1046 (£20,000). This is necessary to meet the requirements of SCLP Policy TI/2 on planning for sustainable travel, in particular the policy's intention to encourage sustainable transport for all users and therefore its inclusion as an obligation is necessary and reasonable.
23. The S106 also requires payment of monitoring and management charges in implementing the obligation to the Council of £500. In view of the complexities involved in monitoring the principal areas of obligation I am satisfied that a monitoring and management of compliance charge would be necessary and reasonable in this case.
24. I consider that the above obligations would be necessary given the Development Plan policies. They are directly related to the development proposed and would be fairly and reasonably related to the scale and nature of development. They therefore all pass the statutory tests of Regulation 122. Finally, I am satisfied that the obligations contained in the S106 would be effective in delivering the policy outcomes sought and the existence of the completed S106 planning obligation meets the additional needs imposed by the extra housing on the allocated site.
25. Concerns have been raised by third parties in addition to the main issues covered above that the development would have a detrimental impact in terms of traffic congestion and therefore highway safety, that there is a lack of provision for community infrastructure and facilities, that there would be a negative impact on drainage, and that there would be noise and disruption from the development.
26. In respect of traffic congestion and highway safety the development would share the main access road into the site from the B1046 and the highway design proposed would be sufficient to accommodate the additional units. Conditions and the provisions of the S106 planning obligation would ensure that appropriate highway provision is made and that sustainable transport alternatives would be provided, such that traffic congestion would not be an issue. The signed S106 planning obligation makes provision for financial contributions to off-site open space and sports facilities, green infrastructure enhancements, community facilities including health, allotments/community orchard and library and I am

satisfied that the level of contribution is fair and proportionate to the size of this additional development. With respect to drainage and flooding, conditions requiring a sustainable drainage scheme and protection in respect of flooding can be imposed to ensure drainage is adequate and surcharging during storm events does not give rise to localised flooding. Finally, some noise and disruption from any development is inevitable but would be relatively short-lived. Conditions in the form of Construction Environmental Management Plans and other environmental safeguards would ensure that the disruption from development is managed and controlled to limit its impact.

Conclusions and Conditions

27. In conclusion, although there would be some impact from development of the site in addition to the development that has already taken place, in the context of the western fringes of Comberton as they exist the impact on character and appearance would be limited and not sufficient to outweigh the social benefits of providing additional family housing and a significant amount of affordable housing for which an established need exists. I am satisfied that matters of concern can be appropriately mitigated and controlled by the S106 agreement and by conditions.
28. In reaching my decision I have had regard to the matters before me. For the reasons above the appeal should be allowed and planning permission granted for 41 dwellings on the appeal site subject to conditions and the completed S106 Planning Obligation.
29. The Council suggested a number of conditions. I have considered these in the light of the advice in the *National Planning Policy Framework* and *Planning Practice Guidance*. In addition to the standard timing condition, a condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty.
30. A number of conditions are necessary related to highways and transport to ensure highway safety and provision for sustainable transport. First it is necessary to secure management and maintenance arrangements for streets within the development. Secondly, in the interests of pedestrian safety pedestrian visibility splays need to be provided and retained on the main access road. Thirdly, and again for highway safety, a condition is necessary to prevent discharge of water onto the highway. Fourthly and fifthly conditions are necessary to ensure that the car and cycle parking proposed is provided and retained to prevent congestion on the site. Sixthly a transport management plan is necessary to control and ensure the safe movement of construction traffic during the construction period. However there is duplication in the Council's proposed conditions in this respect and I propose to amalgamate conditions dealing with similar matters. The remaining conditions relating to transport, are necessary to promote the use of sustainable transport by occupiers of the development namely the submission of a travel plan and provision of two bus stops and shelters on the B1046 close to the site access road and the provision of solar powered studs to light the cycle path between Comberton and Toft. All the proposed conditions are justified given the requirements of SCLP Policy TI/2 in planning for sustainable travel.
31. Three conditions are necessary in order to ensure that the character and appearance of the surroundings to the site are respected and enhanced these are the control of external materials, a hard and soft landscaping scheme (to include provision of an evergreen understorey in the western woodland boundary) and a condition specifying landscape maintenance measures. These are necessary in pursuit of SCLP Policy HQ/1.

32. Two conditions are required in the interests of sustainable construction, one requiring provision of the low carbon energy technologies set out in the Energy Statement and one requiring water efficiency measures to be put in place. Again these are necessary in order to comply with SCLP Policy HQ/1.
33. In order to prevent flooding it is necessary to ensure the satisfactory storage/disposal of surface and foul water from the site. The Council proposes 4 conditions - one to control on-site surface water, one to control impacts of surface water run off during construction, one to ensure maintenance of the SuDs system and one to ensure control of foul water drainage. These are necessary to comply with SCLP Policies CC/7 and CC/8.
34. The Council proposed three conditions to deal with ecological and biodiversity matters - one requiring a Construction Ecological Management Plan to be submitted, one requiring a Landscape and Ecological Management Plan to be submitted and one requiring submission and approval of a lighting strategy to avoid adverse impacts of lighting on wildlife using the site. All three are necessary to protect and enhance biodiversity in accordance with SCLP Policy NH/4.
35. The Council has proposed a number of conditions in respect of environmental management on site. The first of these requires a Construction Environment Management Plan the elements of which are necessary to control any adverse impacts during construction but as the council also proposes an hours of operation during construction condition I have proposed that these are amalgamated in the interests of minimising the number of conditions. Other conditions relating to environmental management relate to the need to submit an external lighting strategy to avoid problems of light pollution, provision of appropriate waste storage on site, control in the event that contamination is identified during construction, control in the event that piling is required during construction, a condition restricting burning of waste on site and the provision of fire hydrants. These are necessary to comply with SCLP policy HQ/1 and other environmental protection policies of the plan.
36. The Council propose that 5% of the housing is built to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016). Normally as this is laid out in the Building Regulations it would not be appropriate for a condition to replicate this. However, as the Building Regulations are not mandatory in this regard and the appellant has not objected to the conditions and given SCLP Policy H/9 re housing mix, it is not unreasonable to apply it in the interests of helping to futureproof housing stock.
37. Finally, the Council suggests two conditions one identifying the two plots to be made available for self-build houses and one requiring in-dwelling infrastructure to be provided. With respect to the self-build plots as these are identified on the site plans and condition 2 requires compliance with all approved plans and as the requirement is set out in the S106 agreement the condition is superfluous. In regard to the in-dwelling infrastructure I am not satisfied that this is a matter where control by condition is necessary as market competition will ensure a high level of in-dwelling infrastructure is automatically provided.

P. D. Biggers

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following drawings and documents:
Site Location Plan; 1-01 Rev K; 1-02 Rev D; 1-04 Rev D; 1-05 Rev D; 1-06 Rev D
Custom & Self Build Housing Plot Passports (December 2020)
Arboricultural Impact Assessment and Method Statement ref: PRI18831aia_amsB (Western); PRI18831-03J
Ecological Assessment April 2021 ref: 8586.EcoAs.vf4
Energy Statement ref: TH/JEB/P19-1920/01 Rev A
Sustainability Statement ref: TH/CC/P19-1920/02 Rev A
221/2019/03 Rev P2; 221/2019/05 - P2; PL-(1)2-01 Rev E; PL-(1)3-01 Rev E
PL-(2)2-01 Rev E; PL-(2)3-01 Rev E; (A)PL-2-01 REV D; (D1)2-01 REV D
(D2)PL-2-01 REV E; (E)PL-2-01 REV D; (F)PL-2-01 REV F; (G1)PL-2-01 REV E
(G1)PL-3-01 REV D; 2-01 REV D; 3-01 REV D; (H)PL-2-01 REV D
(H)PL-3-01 REV D; 6-01 A; 6-02 A; (BN)2-01 Rev A; (CY)2-01 Rev A
(CY)2-02 Rev A; 2-01 Rev A; 2-02 Rev A.
- 3) No development above base course level shall take place until details of the proposed arrangements for future management and maintenance of the streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 4) Prior to the first occupation of the hereby approved development, pedestrian visibility splays shall be provided each side of the vehicular access in full accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 5) The proposed development shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.
- 6) The development, hereby permitted, shall not be occupied until car parking has been laid out within the site in accordance with the approved plans. The car parking spaces shall thereafter be retained as such in perpetuity.
- 7) The development, hereby permitted, shall not be occupied until facilities for the covered, secure parking of cycles for use in connection with the development have been provided in accordance with drawing no's (CY)2-01 Rev A, (CY)2-02 Rev A and 1-01 Rev K. The facilities for the covered, secure parking of cycles shall be thereafter retained as such in accordance with the approved details.
- 8) No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority. The principle areas of concern that should be addressed are:
 - a) Movement and control of construction vehicles (all loading and unloading should be undertaken where possible off the adopted public highway);

- b) Contractors' parking, with all such parking to be within the curtilage of the site where possible;
- c) Contractors' access arrangements for vehicles, plant and personnel;
- d) Contractors' site storage area(s) and compounds(s);
- e) Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway where possible);
- f) Control of dust, mud and debris, and the means to prevent mud or debris being deposited onto the adopted public highway.

The development shall be carried out in accordance with the approved details.

9) Prior to occupation of the development, hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify:- the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking; and how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority. The Travel Plan shall be implemented and monitored as approved upon occupation of the development.

10) Prior to occupation of the hereby approved development, two bus stop shelters shall be installed (1 on the north side and 1 on the south side of the B1046), in accordance with a scheme to be submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall include details of the precise location and construction of the shelters, the type of bus stop shelters to be used, and the location of the real time information points, bus stop posts and bus stop cage road markings.

11) Prior to first occupation of the hereby approved development, solar studs shall be installed within the cycle path between Bennell Farm and Toft village, in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority.

12) No development shall take place above ground level until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

13) No development above ground level, other than demolition, shall commence until details of a hard and soft landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) proposed finished levels or contours; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. Street furniture, artwork, play equipment, refuse or other storage units, signs, lighting, CCTV installations and water features) proposed; (these need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant;
- b) planting plans (including the creation of an evergreen understorey in the western woodland boundary); written specifications of cultivation and other operations associated with plant and grass establishment; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme;
- c) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected.
- d) a landscape maintenance and management plan, including long term design

objectives, management responsibilities and maintenance schedules for all landscape areas.

e) details of hardstanding removal and decompaction of soil.

14) All hard and soft landscape works shall be carried out and maintained in accordance with the details to be agreed by condition 13 of this planning permission. 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 as soon as is reasonably practicable, unless the Local Planning Authority gives its written consent to any variation.

15) Prior to occupation of the hereby approved development, the renewable/low carbon energy technologies set out in the Energy Statement (dated October 2020) shall be installed and operational and thereafter maintained in accordance with a maintenance programme to be agreed with the Local Planning Authority. If grid capacity issues arise, written evidence from the District Network Operator and a new Energy Statement shall be agreed with the Local Planning Authority which will be implemented and maintained in accordance with agreed details.

16) No dwelling(s) shall be occupied until a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition) has been submitted to and approved in writing by the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and the development shall be carried out in accordance with the agreed details.

17) No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy prepared by GH Bullard & Associates LLP (ref: 221/2019/FRADS Rev P8), dated April 2021 and shall also include:

a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;

b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);

c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections) the SuDS basin to remain accessible to the public as part of the open space as designed and provided on the eastern part of the allocated site;

d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

e) Demonstration that the surface water drainage of the site is in accordance with

DEFRA non-statutory technical standards for sustainable drainage systems;
f) Full details of the maintenance/adoption of the surface water drainage system;
g) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

18) No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

19) Details for the long term maintenance arrangements for the surface water drainage system (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 runoff sub-catchments, SuDS components, control structures, 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.

20) No development above ground level shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme agreed in writing with the Local Planning Authority.

21) No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:

- A) Risk assessment of potentially damaging construction activities.
 - B) Identification of "biodiversity protection zones".
 - C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - D) The location and timings of sensitive works to avoid harm to biodiversity features.
 - E) The times during which construction when specialist ecologists need to be present on site to oversee works.
 - F) Responsible persons and lines of communication.
 - G) The role and responsibilities on site of an ecological clerk of works (ECow) or similarly competent person.
 - H) Use of protective fences, exclusion barriers and warning signs if applicable.
- The approved CEcMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

22) Prior to occupation a lighting design strategy for biodiversity features or areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and

resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

23) A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development above slab level. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management, including how a minimum of 10% in biodiversity net gain will be achieved.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action which will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

24) Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as proposed phasing/timescales of development, hours of operation, etc.

In respect of hours of operation the CEMP should stipulate that during the period of demolition and construction, no power operated machinery shall be operated on, or deliveries made to or 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.

The CEMP shall be adhered to at all times during all phases.

25) No external lighting shall be provided or installed until an artificial lighting impact assessment and mitigation scheme if required has been submitted to and approved in writing by the local planning authority. The assessment shall include the following:

- a) the method of lighting (including luminaire type / profiles, mounting location / height, aiming angles / orientation, angle of glare, operational controls, horizontal / vertical isolux contour light levels and calculated glare levels to receptors)
- b) the extent/levels of illumination over the site and on adjacent land and predicted

lighting levels at the nearest light sensitive receptors.

All artificial lighting must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notices for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

Where required, the mitigation scheme shall be carried out as approved and retained as such.

26) No residential unit shall be occupied until the on-site storage facilities for waste, for that particular unit, have been provided in accordance with drawing no's (BN)2-01 Rev A and 1-01 Rev K. The on-site storage facilities for waste shall be thereafter retained as such in accordance with the approved details.

27) If, during remediation or construction works, any additional or unexpected contamination is identified, then remediation proposals for this material shall be agreed in writing by the Local Planning Authority before any works proceed and shall be fully implemented prior to first occupation of the dwelling hereby approved.

28) In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the Local Planning Authority with a report / method statement for approval, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and / or vibration. Potential noise and vibration levels at the nearest noise sensitive locations should be predicted in accordance with the provisions of BS 5528, 2009 – Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 – Noise and 2 – Vibration. (or as superseded). Development shall be carried out in accordance with the approved details.

29) There shall be no burning of any waste or other materials on site, without prior consent from the Environment Agency. A D7 exemption registered with the Environment Agency is required.

30) No development above ground level shall commence 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.

31) Notwithstanding the plans hereby approved, 2 of the 41 dwellings (5%) shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).