

# PLANNING COMMITTEE



**Date: Thursday, 03 November 2016**

**Democratic and Members' Services**

Quentin Baker

LGSS Director: Lawand Governance

**10:00hr**

Shire Hall

Castle Hill

Cambridge

CB3 0AP

**Kreis Viersen Room**

**Shire Hall, Castle Hill, Cambridge, CB3 0AP**

## AGENDA

Open to Public and Press

- 1 Apologies for absence and declarations of interest**

*Guidance on declaring interests is available at*

<http://tinyurl.com/cccdcc-dec-of-interests>

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- 2 Minutes - 6th October 2016** **3 - 12**

### PLANNING APPLICATIONS

- 4 Construction of Shared Use Path Between Stow Cum Quy and Lode** **13 - 40**

### ITEMS FOR INFORMATION

- 5 Summary of Decisions Made Under Delegated Powers** **41 - 42**

The Planning Committee comprises the following members:

Councillor David Connor (Chairman) Councillor Mandy Smith (Vice-Chairwoman)

Councillor Peter Ashcroft Councillor Barbara Ashwood Councillor Lynda Harford Councillor Bill Hunt Councillor Sebastian Kindersley Councillor Alan Lay Councillor Mervyn Loynes Councillor Mike Mason Councillor Jocelyne Scutt

*For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact*

Clerk Name: Daniel Snowdon

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**PLANNING COMMITTEE: MINUTES**

Date: Thursday 1<sup>st</sup> September 2016

Time: 10.00am – 10:55

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors P Ashcroft, B Ashwood, D Connor (Chairman), L Harford, S Kindersley, A Lay, M Loynes, M Mason, J Scutt and M Smith (Vice-Chairwoman)

**203. APOLOGIES AND DECLARATIONS OF INTEREST**

Apologies were received from Councillor Hunt.

There were no declarations of interest.

**204. MINUTES – 1<sup>ST</sup> SEPTEMBER 2016**

The minutes of the Planning Committee meeting held on 1<sup>st</sup> September 2016 were agreed as a correct record and signed by the Chairman.

**205. EXTENSION OF EXISTING 1 FORM ENTRY SCHOOL AND NURSERY TO CREATE A 2 FORM ENTRY SCHOOL, WITH EXTENDED NURSERY AND ASSOCIATED WORKS. AT: HATTON PARK COUNTY PRIMARY SCHOOL, HATTON'S PARK, LONGSTANTON, CAMBRIDGE, CB24 3DL**

**APPLICANT: CAMBRIDGESHIRE COUNTY COUNCIL**

**APPLICATION NO: S/0195/16/CC**

The Committee received a planning application for an extension to Hatton Park County Primary School in Longstanton from the existing 1 form entry and nursery to create a 2 form entry school, with extended nursery and associated works. Members were informed that children were currently attending school at the Pathfinder school in Northstowe. Officers drew Members' attention to officers from Highways, Transport Assessment and Flood and Water Teams who were available to answer Member questions if required.

Members were shown a location plan of the site which included the locations of the residents that made representations on the planning application. Further elevational drawings and photographs were used to outline the proposals including pointing out the positions of the proposed outdoor teaching areas. Members were also informed that the existing numbers of parking spaces for bicycles and scooters would be increased and that car parking spaces would remain at the existing levels. Photographs taken from the rear garden and from the first floor of number 32 Thornhill Place were shown to Members which demonstrated the relationship between the school and neighbouring houses.

Particular attention was drawn to amendments to the landscaping scheme. Five proposed trees had been removed from the proposals and more evergreen plants proposed in a wild privet species that represented 50% of the overall planting relating to the southern boundary

of the site as referred to on drawing number 4901 Rev C dated Oct 16. It had also been confirmed by the agent's email dated 5 October 2016 that none of the existing landscaping along the boundary of the school would be removed. An amendment to condition 3 of the recommended conditions would refer to the relevant email correspondence to reflect that.

Speaking in support of the application, the agent David Fletcher, acting on behalf of the applicant, emphasised the importance of the extension to mitigate the acute need for school places that could not be met by the existing site. The school children were currently attending school in Northstowe, and it was essential for construction of the extension to commence promptly in order the school to be fully open from September 2017. Comments from Sport England featured in the officer's report were highlighted by Mr Fletcher together with the reasons for the location of the extension that included not encroaching on existing car parking, the large pond that formed part of the sustainable drainage plan and the effective management of the school by ensuring a logical flow of children around the site. Mr Fletcher informed Members' that the proposed extension had been moved away from the boundary slightly and lowered in height as much as possible in order that the visual impact on neighbours be reduced. The applicant had also agreed to take out the proposed five trees and enhance the screening of the southern boundary. Mr Fletcher also confirmed that the car parking standards were the maximum for the parking policies in South Cambridgeshire District Council's adopted plan. Members' were informed that work had been undertaken and was continuing with the school to encourage sustainable travel to and from the school and thereby reduce the impact on neighbours. Mr Fletcher drew Members' attention to the Environmental Health Officer's comments contained within the report in relation to the outdoor teaching spaces and it was confirmed that the outdoor teaching areas were intended as such and would not therefore be used as play areas during lunch or at break time.

In response to Members' questions Mr Fletcher explained that other than the comments of Sport England, the location of the pond and its role in the sustainable drainage scheme and the logical movement of children around the school determined the positioning of the extension and drew attention to the fact that if Sport England had raised an objection to the plan then it would have been referred to the Secretary of State. For these reasons the location of the extension could not be moved.

Mr Alan Taylor, resident of Hatton Park addressed the Committee. Whilst not objecting to the extension of the school in principle, Mr Hatton raised concerns regarding safety and road traffic conditions surrounding the site for school children. Mr Taylor explained that the approach road to the school was narrow, with a crossing point in between and a hedge which restricted driver's vision. Mr Taylor told the committee that he had witnessed several incidents of near misses and possible danger to young people.

Mr Taylor highlighted the behaviour of drivers dropping off and picking up their children and suggested that improvements could be made to improve road safety including; the construction of lay-bys; parking restrictions that limited on-street parking during peak times and improved road markings. He informed Members that he had parked his own car in a manner that demonstrated the issues he described when Members' attended the site visit.

Attention was drawn by Mr Taylor to there only being one access road to the school and highlighted to Members the designated pathway behind the school which could be accessed next to the play area in Magdeline Close if an additional entrance to the school was constructed. The additional entrance would relieve both vehicular and pedestrian traffic in the Hatton's Park and High Street area.

The original school was built in the early 1950's when the village was much smaller with most children travelling to school on foot, Mr Taylor informed Members. Now that the village

was much larger and parents did not have the time nor inclination to walk their children to school Mr Taylor, while accepting it was a highways issue, urged the Committee look seriously at the road safety problems as there was a distinct possibility that an accident would arise as a result of the ensuing congestion.

In response to Members' questions Mr Taylor confirmed that although he was unable to see from his house whether the designated drop-off point was utilised properly, the road around his house became congested with parents parking anywhere they could. If a car parked outside Mr Taylor's house then it created a blind corner and therefore posed a hazard to drivers and pedestrians.

Local Member Councillor Peter Hudson was unable to attend the meeting but wished that his comments that he supported the views of the Parish Council wholeheartedly be relayed to Members.

During discussion Members:

- Noted the comments made by Mr Taylor but they were typical of all schools and drew attention to the traffic management plan within the application and the substantial steps undertaken by the school to ensure that journeys were made in a sustainable manner. In addition to this, the report demonstrated that the applicant had taken as many steps as possible to minimise the impacts on local residents. There was a very narrow time frame for construction of the school to be completed and was a much needed resource. The Committee owed a duty to residents that a school that was fit for purpose was in place.
- Raised concerns regarding the exterior lighting of the school and noted that the Environmental Health Officer had requested precise details of the proposed exterior lighting by condition to ensure that the amenity of local residents was maintained. Officers advised that South Cambridgeshire District Council's Environmental Health Officer would be consulted when security lighting was developed for the site
- Questioned whether the school would be functioning for a year before a travel plan was put in place. Officers explained that the existing travel plan would remain in place while data was collated and the recommended nine months was needed to allow time for the data relating to the extension to the school to be collected when the children had returned to the school. The travel plan would then be amended to ensure that it was fit for purpose.
- Confirmed that the drainage condition could be met and that the discharge rate would be an improvement on the current site.
- Noted that Longstanton Parish Council had raised concerns regarding traffic and had investigated the possibility of installing a zebra crossing on High Street Longstanton. Dr John Finney, Highways Officer explained that due to the high peak movements of traffic, installing a zebra crossing could perversely increase the level of risk on High Street.

It was resolved to grant planning permission subject to the conditions attached at appendix A to these minutes and an amendment to condition 3 to refer to the relevant email correspondence confirming that the existing vegetation, which had been referred to as being on the southern boundary of the application site was to remain, with delegated powers provided to the Head of Growth and Economy to be able to finalise the wording to take account of any amendments to the landscaping scheme.

**206. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS**

It was resolved to note the decisions made under delegated powers.

**207. DATE OF NEXT MEETING: THURSDAY 3<sup>RD</sup> NOVEMBER 2016**

Chairman

1. The landscaping scheme being amended by removal of the 5 proposed trees to the rear of numbers 28 to 31 Thornhill Place; further consideration being given to the most appropriate species for the proposed new hedgerow along this south eastern boundary of the site; and retention of the existing vegetation.

And

2. the following conditions (as varied to take into account the amendment of the landscaping scheme):-

#### Commencement

1. The development hereby permitted shall be commenced no later than three years from the date of this permission.

*Reason: In accordance with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.*

#### Occupation of the School

2. Within one month of the occupation of the school the County Planning Authority shall be notified in writing of the date at which the school was first occupied.

*Reason: In order to be able to establish the timescales for the approval of details reserved by conditions. To ensure that the development is sustainable and makes efficient use of energy, water and materials; and to ensure the safe and efficient operation of the highway and promote sustainable travel policies in accordance with Policies DP/1, NE/1, and NE/2 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policies CC/4 and T1/2 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Approved plans and documents

3. The development hereby permitted shall not proceed except in accordance with the details set out in the application documents and the modifications/supporting information, including the Technical Note dated 12 Aug 2016 by Atkins, the Porous Surfacing 1\_100 Summary of Results for 100 year Return (+40%) details dated 27 Sept 2016 and as amended by the following conditions of this decision notice, and in accordance with the following drawings:

- Proposed Location Plan, Drawing Number 3002 dated March 2016;
- Proposed Site Plan, Drawing Number 3008 Rev *[to be confirmed]*;
- Proposed Floor Plan, Drawing Number 3009 Rev B dated 29-06-2016;
- Proposed Roof Plan, Drawing Number 3010 Rev A dated 04-06-2016;
- Proposed Elevations, Drawing Number 3011 Rev B dated 20-06-2016;
- Proposed Elevations, Option 1, Drawing Number 3011 Rev B dated 04-06-2016;
- Proposed Courtyard Elevations, Proposed Roof Plan, Drawing Number 3013 Rev A dated 04-06-2016;
- Soft Landscape and Biodiversity Management Plan Drawing number 3904 Rev *[to be confirmed]*;
- Landscape Layout - Drawing Number 4901 Rev *[to be confirmed]*;
- Landscape Layout – Detail Area 01, Drawing Number 4902, Rev *[to be confirmed]*;

- Landscape Layout – Detail Area 02, Drawing Number 4903, Rev *[to be confirmed]*;
- Landscape Layout – Detail Area 03, Drawing Number 4904, dated July 2016;
- Landscape Layout – Reception Courtyard Area, Drawing Number 4905, Rev *[to be confirmed]*;
- Landscape Layout – Planting Areas 1 - 5, Drawing Number 4906, dated Aug 2016;
- Below Ground Drainage Plan, Drawing Number S-D01 Rev P8 dated 28/09/16;
- Tree Protection Plan Proposed Site, Drawing Number: TPP\_HATTONPRK\_2 Rev B dated 08/16.

*Reason: To define the site, protect the character and appearance of the locality, in accordance with Policy DP/1 and NE/4 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy S/3 and HQ/1 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Construction Management Plan

4. The development hereby permitted shall be carried out in accordance with the Construction Management Plan rev 3 dated 24 August 2016 by Kier Construction Eastern. The plans shall be carried out in full and adhered to throughout the construction period.

*Reason: To protect the amenities of nearby residential properties and in the interests of road safety in accordance with policies NE/15 and DP/6 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy HQ1 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Construction working hours

5. No construction work shall be carried out or plant operated other than between the hours of 07:30 to 17:30 on Monday to Friday, and 07:30 to 13.30 hours on Saturdays and no construction related dispatches from or construction deliveries to the site shall take place other than between the hours of 09:30 and 15:30 on Monday to Friday and 09:30 and 13:30 on Saturdays. No construction works or construction collection / construction deliveries shall take place on Sundays, Bank or Public Holidays.

*Reason: To protect the amenities of nearby residential properties in accordance with Policies NE/15, NE/16 and DP/6 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy HQ/1 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Protection of trees during construction

6. The development hereby approved shall not be commenced until the existing trees and hedgerow to be retained have been fenced to ensure their protection and ground protection installed. The protective fencing, ground protection and proposed hand excavation shall be implemented in its entirety in accordance with Figures 1-4 of Greenwillows Associates Ltd Arboricultural Impact Assessment and Method Statement dated August 16 and Tree Protection Plan, drawing number: TPP\_HATTONPRK\_2 Rev B dated 08/16 and shall thereafter be retained in its approved form for the duration of the construction period.

*Reason: For the avoidance of doubt and in the interests of biodiversity in accordance with Policies DP/1 and DP/2 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policies HQ1 and NH/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031. This pre-commencement condition is required to ensure that existing trees are protected prior to the commencement of construction work that could result in their loss or damage.*



### Landscaping Implementation

7. The approved landscaping scheme shown on drawing number [TO BE INSERTED ONCE AGREED] shall be implemented in its entirety during the first planting season (October to March) following the substantial completion of the development.

*Reason: For the avoidance of doubt and in the interests of biodiversity in accordance with Policies DP/1 and DP/2 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policies HQ1 and NH/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

### Replacement of Trees and or shrubs

8. If within a period of five years from the date of the planting of any tree or shrub that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place during the first available planting season following the removal, unless the local planning authority gives its written consent to any variation.

*Reason: For the avoidance of doubt and in the interests of biodiversity in accordance with Policies DP/1 and DP/2 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policies HQ1 and NH/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

### Retention of existing trees and hedgerow

9. All existing trees and hedgerows, which are not shown to be removed on the landscape layout drawing number 4901 [final reference to be inserted], and are situated within the application site that is edged red on the Location Plan Drawing number 3002 March 20016, shall not be removed before or within 5 years of the first occupation of the development hereby permitted. Should any of these trees or hedgerows or part of a hedgerow be removed, or be irreversibly damaged as a result of any works relating to any part of the development hereby permitted suitable replacements shall be planted during the first available planting season in accordance with details which shall have been previously submitted to and approved in writing by the County Planning Authority.

*Reason: For the avoidance of doubt and in the interests of biodiversity in accordance with Policies DP/1 and DP/2 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policies HQ1 and NH/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

### Landscaping and Ecological Management Plan

10. Prior to the first occupation of the development hereby approved, a revised Landscape and Ecological Management Plan to take account of all amendments to the landscape and ecological proposals shall be submitted to and approved in writing by the County Planning Authority. The programme shall include but not be limited to a 5 year management period showing how this will maximise the wildlife value of the site. The approved programme shall be implemented in full in accordance with an implementation period to be contained within the approved scheme.

*Reason: In the interests of landscape character and nature conservation in accordance with policies DP1, NE/1 and NE/3 of the South Cambridgeshire Local Plan, Development Control Policies Development Plan Document adopted July 2007 and Policies HQ1 and NH/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

### BREEAM

11. The development hereby permitted shall be constructed in accordance with the submitted BREEAM Pre-assessment Estimator dated 7 June 2016 and shall be constructed to achieve a minimum BREEAM rating of 'Very Good'.

*Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with Policies DP/1, NE/1 and NE/2 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy CC/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### BREEAM

12. Within 3 months of the first occupation of the development, as identified through condition 2, a post-construction review shall be submitted to the County Planning Authority indicating that a BREEAM rating of 'Very Good' or better has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

*Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with Policies DP/1, NE/1 and NE/2 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy CC/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Maintenance of surface water drainage scheme

13. Prior to the first occupation of any building, 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) including an implementation timetable shall be submitted to and approved in writing by the County Planning Authority. 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 approved details shall be implemented in full in accordance with the approved timetable.

*Reason: To ensure the satisfactory maintenance of unadopted drainage systems to prevent flood risk and to ensure satisfactory drainage in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework and with Policy NE/11 Flood Risk of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policies CC/8 Sustainable Drainage Systems and CC/9 Managing Flood Risk of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Bird and bat boxes

14. Prior to the first occupation of the development hereby approved, elevation drawing(s) showing the exact locations of the bird and bat boxes shall be submitted to and approved in writing by the County Planning Authority. The bird and bat boxes shall be installed and overseen by a qualified ecologist in accordance with the approved details and retained thereafter for their specific use.

*Reason: In the interests of enhancing biodiversity on the site in accordance with Policy NE/6 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy NH/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Covering of trenches

15. All trenches and pits that may be dug shall be covered or alternatively a ramp shall be installed within each uncovered pit or trench prior to completion of each day's work.

*In the interests of preventing badgers and hedgehogs from being trapped in accordance with Policy NE/6 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy NH/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Car parking

16. Prior to the first occupation of the development hereby approved, the on-site parking shown on drawing number: 3008 Rev E dated 07-06-2016 shall be laid out in accordance with the approved details and made available for use. It shall be retained thereafter in its entirety for that specific use.

*Reason: To ensure there is an acceptable level of car parking provision on site in accordance with policies DP/1, DP/2, DP/3 and TR/1 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy TI/3 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Cycle and or scooter parking

17. Prior to the first occupation of the development hereby approved, the on-site cycle and scooter provision shown on drawing number 3008 Rev E dated 07-06-2016 shall be provided in its entirety in accordance with the approved plan and shall be made available for use. It shall be retained thereafter in its entirety for that specific use.

*Reason: To ensure there is adequate cycle parking provision on site in accordance with policies DP/1, DP/2, DP/3 and TR/1 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy TI/3 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Travel plan

18. Within nine months of the date on which the school is first reoccupied by the children, as identified through condition 2, a full School Travel Plan shall be submitted to, and approved in writing by, the County Planning Authority. The approved plan shall be implemented in full and reviewed in accordance with a timetable that shall be included within the approved Travel Plan.

*Reason: To ensure the safe and efficient operation of the highway and promote sustainable travel policies in accordance with Policy DP/1 of the South Cambridgeshire Local Plan, Development Control Policies adopted 2007 and Policy TI/2 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Delivery and service vehicles

19. No delivery or service vehicles shall access the application site shown edged red on drawing no. 3002 dated March 2016 between the hours of 0800 and 0900 and 1500 and 1600 on any day when the school or nursery is being or is to be attended by children.

*Reason: To ensure the safe and efficient operation of the highway and the premises in accordance with Policy DP/1 of the South Cambridgeshire Local Plan, Development Control Policies adopted 2007 and Policy TI/2 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Hard court areas

20. The hard court areas shown on drawing number 3008 Rev E dated 07-06-2016 shall be marked out and made available for use prior to the occupation of the extensions hereby approved. They shall be retained thereafter in their entirety for that specific use.

*Reason: To ensure the school makes adequate provision for outdoor sport, in the interests of recreational provision, and in accordance with Policy DP/1 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy HQ1 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Lighting

21. No new or replacement lighting shall be installed or operated except in accordance with details which shall have been submitted to and approved in writing by the County Planning Authority.

*Reason: In the interests of residential amenity and to prevent unnecessary light pollution in accordance with Policy NE/14 of the South Cambridgeshire Local Plan, Development Control Policies adopted July 2007 and Policy SC/10 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

#### Informatives

##### Bird breeding

The operational set up should avoid the bird breeding season February to August inclusive to avoid damage to nesting species. If this is not practicable then a nesting bird survey should be undertaken by an experienced ecologist prior to the site clearance commencement to identify whether active nests are present. If any nests are found they should be clearly marked and avoided until after the young have fledged and left the nest.

##### Bats

As a precautionary measure the lead flashing should be stripped by hand prior to any large scale work commencing. If bats are found to be present then work should cease until further advice is sought from a licensed ecologist on how to proceed.

**Agenda Item No. 3**

**Construction of 1.9km of shared use path (2.5m wide) between Stow cum Quy and Lode.**

**AT: Colliers Lane/Quy Road, Cambridgeshire, CB25 9DJ**

**APPLICANT: Cambridgeshire County Council**

**APPLICATION NO: S/0133/16/CC**

**To: Planning Committee**

**Date: 3 November 2016**

**From: Head of Growth & Economy**

**Electoral division(s): Bottisham, Lode and Stow cum Quy**

**Purpose: To consider the above planning application.**

**Recommendation: That permission is granted subject to the conditions set out in paragraph 7.2.**

<b>Officer contact</b>
<b>Name: Rochelle Duncan</b>
<b>Post: Graduate Trainee Planner</b>
<b>Email: <a href="mailto:planningdc@cambridgeshire.gov.uk">planningdc@cambridgeshire.gov.uk</a></b>
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## **1.0 The Application Site and Surroundings**

- 1.1 The application site would link the village of Stow cum Quy to Anglesey Abbey, which is to the south west of the village of Lode. It is situated mainly within the parishes of Stow cum Quy and Bottisham, passing through the parish of Lode in the central section where it would be within the highway verge. Stow cum Quy is within the District of South Cambridgeshire, which is approximately 7 miles to the north east of the centre of Cambridge. The proposed shared use path would run north east from the edge of Stow cum Quy and would be accessed from the B1102 and Quy Court. It would start within the highway prior to crossing private agricultural land to the east of the B1102 to end on the opposite side of the B1102 to Anglesey Abbey where it rejoins the highway, adjacent to an existing uncontrolled crossing with a central reservation, which is situated in the centre of the highway, to the west of the village of Lode. The north eastern sections of the route are within the parish of Bottisham, which is in East Cambridgeshire. The B1102 lies north of the A14 on the north eastern edge of South Cambridgeshire. Beyond and to the south west of the application site is Quy Court, which is comprised of commercial units, and an existing recreation ground and carpark. On the opposite side of the road is a yard and buildings, which are agricultural in appearance.
- 1.2 The application site area is 0.855 hectares and is 1.9 kilometre long. It includes space for a contractor's compound at the south western end of the site to the north east of Quy Court.
- 1.3 The application site is situated mainly within Flood Zone 1. A central section of approximately 250 metres lies within Flood Zones 2 and 3, which is situated on both sides of an existing drain that crossed beneath the highway. Bounded by a belt of hedgerow trees and hedgerow to the west, the application site is situated within the Green Belt. Anglesey Abbey and gardens is a National Trust Property to the north of the application site. Anglesey Abbey is a grade I listed building and has gates, which have their own listing and are grade II. The historic gardens of the Abbey are registered as a historic park or garden.
- 1.4 The trees and hedgerows on and adjacent to the application are not subject to tree preservation orders nor are they situated within a conservation area.

## **2.0 Development Proposal**

- 2.1 This planning application seeks permission to provide a new 1.9 kilometre, 2.5 metre wide shared cycleway and footpath for pedestrians and cyclists. The sections of the path that would be on private land would be permissive. Construction access to the site would be gained from the B1102 via Quy Court which also provides means of access to the recreation ground. The contractor's compound would be sited at the southern end of the application site, approximately 60m north of the Quy Recreational Ground Car Park.

- 2.2 The application site includes the area required for the path which is 2.5 metres wide and (except in relation to sections that are within the highway) it includes a 2 metre wide verge on the western side between the path and hedgerow for root protection and a 0.5 metre buffer for construction on the eastern side of the proposed path. The proposed route includes short sections at each end and in the middle, which would cross an existing drain as part of the public highway with the first 20 metres from Stow cum Quy adjoining highway and the next approximately 690 metres constructed mainly on private agricultural land. The route returns to the highway verge for approximately 270 metres before going onto National Trust land for the next 690 metres. The last 10 metres of the path, opposite Anglesey Abbey, is proposed on the highway verge.
- 2.3 The applicant proposes to construct the path from asphalt to provide a smooth and durable surface suitable for wet weather. The applicant has also submitted details to indicate that solar studs would be embedded where the path runs adjacent to the carriageway to provide guidance lighting.
- 2.4 Within the highway and outside of the scope of this application it is also noted that it is intended that the existing speed limit would be moved 24 metres further away from Quy Court and that the existing uncontrolled crossing near Anglesey Abbey would be improved and the path at the opposite side of the road realigned.

### **3.0 Planning History**

There is no relevant planning history relating to the application site.

### **4.0 Consultation Responses**

4.1 The following responses were received from consultees:-

4.2 East Cambridgeshire District Council; has considered the submitted information and raise no specific objections. However, they draw attention to the following points:-

- There are possible impacts to the setting of nearby listed buildings and historic parks and gardens at Anglesey Abbey;
- The proposal would impact green belt land, therefore the Planning Authority should ensure that it complies with NPPF 9: Protecting the Green Belt and that the development is suitable in such a location;
- The recommendations of the Ecological Constraints Assessment (February 2016) are considered to be acceptable;
- Highway safety should be considered and the Highway Authority Consulted;
- ECDC's Tree Officers thank the applicant for the information and note that a number of trees for removal are designated as structural condition poor. The Tree Officers have no further comment on the application; and

- The link between the two developments is considered to be positive as it encourages non-motorised modes of transport which encourages people to be active.

4.3 South Cambridgeshire District Council: - no response received.

4.4 Bottisham Parish Council: - fully support this application.

4.5 Stow cum Quy Parish Council; support this scheme and made the following comments in summary:-

- Concerned about the delay in the scheme getting planning permission;
- Want to see the work started without delay;
- Children from the village attend Bottisham Primary School and then move on to Bottisham College and more would cycle if there was this safer route available;
- Benefit would be felt by parishioners who attend the doctors at Bottisham; and
- Want to make it clear that the Parish Council support this scheme and are getting anxious over its delay.

4.6 Lode Parish Council; raise no objections and comment as follows in summary:-

- Wish to thank the CCC (Cycling Team) for their help acquiring the funding for this project and working with them over the past 3 years to achieve this cycle path and other bodies and a local business;
- There have been many difficulties which have been discussed and worked on slowly the project is coming to a conclusion;
- It is a fine example of a community project which Lode Parish Council is proud to have been part of and looks forward to more people getting on their bikes, wheelchairs, feet and prams to get out in a safe environment to go from one village to another without getting in a car;
- Lode Parish Council has supported the active promotion of the path for four years;
- The initial impetus for a cycle path came out of a Village Plan exercise in which residents identified the link as a priority project. Lode Parish Council are aware of the British Horse Society's objection. It considered the possible use by horses. However, it became clear that this would add greatly to the cost and, in a time of diminishing opportunities for funding, we decided to focus on the primary objective;
- It was also clear that the demand for a bridleway between Lode and Quy was lacking, certainly when compared to the clearly expressed need for a safe cycle path;
- Whereas the proposed cycle path will connect with the existing cycle paths (Lode Swaffham Bulbeck, Lode to Bottisham and Quy to Cambridge), there are no existing bridleways for the route to connect to;
- It became clear that acquisitions needed to be kept to a minimum;
- Landowners were keen to avoid excessive loss of land and more recently it became clear that one of the major landowners did not wish to allow horses;



- The location is an important consideration. We were keen to have the path remote from the road but the route is a necessary compromise to meet the requirements of the landowners and takes the path on roadside verge for some of its length. It would be unacceptable for use by horses on the roadside verge even if space were available for dual use (which it is not); and
- The path is fully supported by the National Trust, which is keen to promote access to Anglesey Abbey and Wicken Fen by bicycle with the Cambridge catchment being a major source of visitors to these properties.

4.7 CCC Asset Information; has no objection in principle to the proposed scheme:-

- However, the Team is aware of the objection made by the British Horse Society. Section 71 of the Highways Act 1980 places a duty on the Highways Authority to provide in or by the side of a public highway an adequate margin for the accommodation of ridden horses or driven livestock where the authority believes it is necessary or desirable to do so;
- The County Council also has a policy to improve the bridleway network for equestrians in its Rights of Way Improvement Plan, updated in 2016. Statement Of Action 2 *A safer and health-enhancing activity* points out that equestrians are particularly vulnerable on busy roads, and encourages healthy lifestyles, mental and physical well-being through improvements to the network;
- SOA5 *Filling in the gaps* sets out that the County Council will support the development of the network for cyclists but also 'Prioritise bridleway improvements on grounds that bridleway users currently suffer highest risk on roads and bridleway network is currently most disjointed. Ensure that bridleway improvements have least possible effect on pedestrians so as to maximise benefit to widest user community, subject to available funding';
- Asset Information recommends that the applicant asks the objector to provide additional supporting evidence to demonstrate that the demand by equestrian users along this route would make it appropriate for the inclusion of equestrians (for example the number of horses/equestrian facilities in the area and previous incidents);
- Asset Information would ask the applicant to discuss the evidence with the Team to agree whether or not there is a case. If there is a case for equestrian provision, the applicant should also discuss with the Rights of Way Officer as to what facilities would be required, and whether that is viable for this scheme.
- Based on experience with existing examples of equestrian/cycle verge provision, Asset Information is not clear that any additional facilities to that being proposed would be necessary;
- In addition, it is currently unclear how the proposals will be secured. Asset Information requires further information as to the legal

mechanisms intended to bring about the proposals both for the section within the public highway and those currently within agricultural land;

- The Team also requires information as to the proposed future maintenance liability; and
- If there are to be permissive rights, a commuted sum may be required. This is necessary to ensure that the new rights are correctly recorded in the highway asset records, and that future maintenance can be appropriately planned.

4.8 CCC Ecology; no objections in principle subject to recommended conditions as follows:-

Habitats

- Welcomes the submission of an ecological assessment as part of the planning application - however, disappointed with the quality of the habitat assessment undertaken as part of the Ecological Constraints Assessment. The survey work was undertaken in winter, which is outside the normal botanical survey period;
- Considers that the quality of the road verge habitat has been undervalued. The report states that the road verge comprises “semi-improved species poor grassland”. However, a site visit 6th September 2016 has confirmed that although the road verge is dominated by rough grasses and becoming encroached by areas of nettle and dewbury (i.e. species-poor), the verge contain small areas with more species-rich sward dominated by Common Knapweed;
- The grassland is not considered of Protected Road Verge or County Wildlife Site quality, but still supports a number of good quality grassland indicator species, including Agrimony, Bird’s-foot Trefoil, Field Scabious, Wild Basil, Perforate St John’s Wort and Greater Knapweed. The best quality patches of grassland are located within the central section of the verge (section CH700 to CH950), of which a 270m section is scheduled to be lost to the proposed development. In light of the loss of 270m stretch of the verge;
- Recommends that a landscape scheme be designed to off-set the loss of areas of moderate species-rich grassland. For example, enhancement of the species-richness of the retained section of the road verge and sowing of native wildflower seed mix (indicative of the local area) between the hedgerow and the new path (arable land).
- Opportunities should be explored to store the topsoil containing the botanical interest and reuse it to ‘make good’ area of road verge within the construction zone, in order to retain the seedbank on-site – this could be secured through the CEMP / landscape scheme;
- The scheme will also result in a loss of a small section of hedgerow and woodland. Therefore, we seek a landscape scheme be designed to off-set the loss of woodland/hedgerow habitat. It is considered that these impacts can be addressed through the enhancement to the existing hedgerow to plant up the large gaps, as suggested within the Ecological Constraints Appraisal.

## Protected Species

- The Ecological Constraints Appraisal has identified that habitat suitable to support Great Crested Newt, reptiles, breeding birds, Badger and bats will be lost to the proposals. The Ecological Constraints Appraisal recommends further detailed Great Crested Newt assessment. Upon being asked why a detailed assessment to confirm the presence / absence of Great Crested Newts was not completed on the watercourse located immediately adjacent to the site, the project ecologist has confirmed that the steepness of the banks of the watercourse & depth of water made it difficult to collect water samples for eDNA analysis & undertake bottle trapping, netting or torch surveys and he therefore considered the adoption of a precautionary method of working approach to be the most appropriate solution for this project. In light of this, it will be important that the production and implementation of a Precautionary Method of Work for Great Crested Newts, as well as reptiles (identified within the ecological report), is secured as part of a Construction Environment Management Plan (through planning conditions) if permission is granted. The Construction Environment Management Plan should also incorporate the recommendations set out within Table 3-1 (page 9-10, Ecological Constraints Appraisal) to protect these species during construction;
- The Landscape scheme should incorporate recommendations set out within Table 3-1 page 9-10, Ecological Constraints Appraisal) to enhance the habitats for protected species, particularly planting up gaps in the hedgerow and management of the grassland sward. In addition, we seek that opportunities to enhance the woodland for biodiversity (e.g. creation of log piles) be secured. The landscape scheme should be managed for a minimum period of 5 years.
- Recommends planning conditions (subject to granting of planning permission) to ensure that the development will protect 'protected species' and result in a net gain (or at the very least, no net loss) in biodiversity value requiring:-
  - (1) the submission and implementation of a Construction Management Plan prior to the commencement of on-site activities to incorporate the recommendations set out within Table 3-1 of the Ecological Appraisal Report and a Precautionary Method of Works for Great Crested Newts and reptiles; and the protection and storage of botanically important topsoil;
  - (2) requiring a Landscape scheme prior to the commencement of on-site activities (to ensure that any measures to retain topsoil are agreed prior to soil stripping) incorporating recommendations set out within Table 3-1 of the Ecological Appraisal Report, measures to compensate for the loss of a small section of moderately species-rich grassland; and

- (3) Requiring a Landscape and ecological management plan covering at least 5 years and focus on improving the quality of the grassland sward and hedgerow.

Following further consideration, the Ecology Officer has advised that given that the site is not a County Wildlife Site nor does it contain protected verges that conditions to control soil stripping and replacement and a five year management plan are no longer requested.

4.9 CCC Floods and Water; although the Lead Flood Authority (LLFA) does not have any objection in principle to the proposal, they commented as follows:-

1. The proposed shared use path crosses the floodplain of an ordinary watercourse. This has the potential to impact on the drainage and flood storage capacity of the wider area. Appropriate measures should be implemented to mitigate the risk of any potential loss of floodplain as a result of the proposals.
2. An appropriate drainage scheme should be implemented which considers where runoff can be discharged to avoid increasing the risk of flooding. Where possible, the design of the system should aim to reduce discharge rates but as a minimum there must be no increase.

Recommends a condition to ensure that development shall not begin until a surface water drainage scheme has been submitted, and implemented prior to completion of the development.

4.10 CCC Highways Development Management;

- Recommends a condition requiring a traffic management plan prior to the commencement of development. The principle areas of concern to be addressed are: the movements and control of muck away lorries to and from the site and the times of operation; contractor parking, where this will be located and how this will be controlled; the movements and control of all deliveries to and from the site and the times of operation and control of dust, mud and debris, in relationship to the operation of the adopted public highway in the interests of highway safety;
- Requests that the use of the road studs be excluded from any planning permission that may be granted to remove the potential for conflict between any planning permission and the final design of unit to be used.
- Notes the objection raised by the British Horse Society in connection with the exclusion of horses from the proposed path. At present horses can use the grass verge i.e. off the carriageway. If the path were legally made into a cycle track then this would force horse riders to use the live carriageway and ride in in busy road. Our Policy and Regulation

Team have informed that it is legal for a cyclist to ride on a bridleway, but not for a horse to be ridden (or lead) on a cycle track. Therefore, the objection from the British Horse Society could be overcome if the path were made a bridleway. While there would be a potential conflict between pedestrians, horse riders and cyclists, such conflict will probably be low and of a significantly lesser degree than that created by requiring horse riders to use the carriageway.

- 4.11 CCC Transport Assessment Team; raise no objection to the application having previously confirmed that a Transport Statement is not required.
- 4.12 Cycling Campaign (Camcycle); are concerned that the proposed width makes it impossible to share the path with people walking and people riding horses. If those uses are to be properly accommodated, then a wider cross-section will have to be considered and make the following comments:-
- The most significant weaknesses of the proposal are at either end, where the separate path terminates and leaves people at uncontrolled, informal crossings of the B1102. These crossings will be very difficult to navigate for children walking or cycling, and also for people riding cycles with trailers, or tandems. The problem of these crossings will make the path much less usable than it could be.
  - Has it been considered to keep the path on the same side as the Abbey, avoiding the need for at least one crossing and what are the future plans for this path?
  - Now the proposed Stow cum Quy end terminates unhelpfully at the end of the village. In future, it would make sense for the path to be extended through the village, and connect with the NCN 51 towards Cambridge via the tunnel under the A14. If the path is kept on the Abbey side, then that could avoid both crossings of the B1102.
  - The approach to the path on the Lode side should be improved as well, so that there are decent connections to the path on both sides.
- 4.13 British Horse Society (BHS) objects upon the following grounds in summary:-
- The current application for a shared cyclist/pedestrian path will exclude use by horse riders;
  - This path would provide safe passage for all Non-Motorised Users – including horses. This is discriminatory and contrary to the Equal Opportunities Act, Equality Act Cambridgeshire Rights of Way Improvement Plan; Highways England Accessibility Strategy; Paragraph 75 of the NPPF; Sexist (as the majority of riders are women); and Ageist (as the majority of riders are in the older age group).– the County Council should be providing access for all users;

- Horse riders, like cyclists and pedestrians, are a Vulnerable User Group and it would discriminate against them;
- Sustrans have been asked for data upon which their opinion that there would be a lack of use by horse riders- none had been provided (prior to 23 September 2016);
- There are 242 British Horse Society Members in the CB1, CB5, CB21 and CB5, postcode areas and 1348 members in Cambridgeshire (not including other equestrian organisations);
- It is difficult to approximate how many riders would use a non-existent path however, there are several clusters of horses liveried in both Quy and Lode with the largest being at a site in Lode where there are 40 horses and 70 polo ponies; and clusters of horses in Fen Ditton, the Swaffams, Burwell, commercial end etc.;
- The bridleway network in this area is extremely poor – There are opportunities to improve the network such as the dead end byways at Swaffham Lock and, Mill Drove, which the current discussions about a multi user route from Wicken to Waterbeach and beyond. Having carried out this study and discovered the complete lack of access available to horse riders, it is obvious that the existing path which extends to Swaffham Bulbeck and beyond should also be designated a bridleway which would allow riders to access quiet roads;
- The availability of equestrian access on such a path leads to opportunities to create further linking access by way of permissive and dedicated access. With a little careful planning, new multiuser routes could open up links to the existing bridleway network bringing the opportunities of recreational exercise and access to the outdoors with all its health benefits to all users and economic benefits;
- Decision to exclude horse riders was based on extra cost, which had not been quantified – how much cost?- this point is raised by the Assets Information Definitive Map Officer;
- The proposed path would need to be widened to avoid conflict between pedestrians, cyclists and equestrians. In summary, the Bridleways Officer states that creating restrictive cycling and pedestrian access creates more dangerous gaps in the already fragmented Bridleway Network and opening up the availability of equestrian access on applications such as these, leads to opportunities to create further linking access in future;
- CCC officer advised route generally 4.5 metres wide making it 'practicable';
- Do not agree with Sustrans that the path would need to be 7 metres wide;
- Horse riders (and many pedestrians and dog walkers too) prefer to use a grassed path when ground conditions permit reducing the opportunity

for conflict on a path of this width. The BHS would like to be consulted as to the final design of the path as they are the group with the most experience of creating paths suitable for all three users – bridleways;

- Fast moving commuter cyclists will mostly be using the path early weekday mornings, say from 7.30 – 9.30 a.m. and again at the end of the working day, say 4.30 – 6.30 p.m. It is possible that it will also be used by school children – again at the beginning and end of the school day. Most riders take their horses out at weekends, during the day or summer evenings. It is highly unlikely that significant numbers of horses will be using the path at the same time as potentially high volume of commuter cyclists. This point is also raised in the Sustrans Technical Information Note No. 28. Where conflict can arise between all users – not just with horse riders – is on poorly maintained paths where the herbage is not cut and is allowed to migrate on to a path reducing the useable width forcing the various users onto a narrow path. A proper and ongoing maintenance programme and liability needs to be established at the outset. Poor maintenance renders capital expenditure poor value. Incorrect or non-existent signage is also a source of conflict. Signage should make it clear that all three user groups have the right to use the path;
- The claims are unsubstantiated that the landowners concerned would not allow equestrian access on the path. Part of the route is on the highway verge. The verge forms part of the highway and horses have access to the highway therefore they cannot be excluded from this part of the path. The BHS has spoken to two landowners and one is said to have offered to provide extra land if needed - concerned that inaccurate potentially damaging claims of a discriminatory nature have been attributed to organisations;
- There is a wider picture to be taken into account including health benefits to horse riders;
- Public money should be used for widest benefit;
- Councillors urged to review Council Policy concerning new access.

4.14 Gardens Trust; no response received.

4.15 Individual Representations; over 85 letters have been received from individuals in support, whose addresses include Bottisham, Cambridge, Little Shelford, Longmeadow, Longstanton, Newmarket, Swaffham Bulbeck, Swaffham Prior and Trumpington commenting as follows (in summary):-

- B1102 is very dangerous at dawn and dusk, in winter and during bad weather, traffic is heavier mornings and evenings when there are more cyclists on the road; Speeding traffic on B1102 do not give enough

room. It is currently absurd that the wonderful path from Swaffham Bulbeck to Lode does not currently continue on;

- It would provide a safer alternative to the existing B1102 especially for young cyclists; the sooner it can happen the better cycling opportunities;
- Bus service further reduced particularly in the evenings increasing necessity for path;
- It would provide a safer route to and from the city important for young people needing to get to work and schools including Lode College and Bottisham Village College;
- It would enable students living in in Quy and Teversham to reach Bottisham Village College more directly than needing to travel via Newmarket Road;
- It would benefit visitors travelling to Anglesey Abbey (parking at Anglesey Abbey is horrendous). Support has been demonstrated for the scheme by two yarn storming events held at Anglesey Abbey with cycling themes (one being held in March 2014, to celebrate the grant in 2015);
- It would benefit people travelling between Quy and Lode and is needed by residents of Lode and would be of great benefit to surrounding villages and to visit family and friends in Lode; commuters to Cambridge and those put off by the traffic conditions it would sit well with the council's vision for sustainable transport on the road;
- Many from the villages along the A1301 from the Bulbecks etc. through to Quy and onto the city have long been campaigning for a safe cycle path and are thrilled to have got so far and look forward to planning permission being granted and the dream come into reality;
- Dismayed to find the NCN11 stops at Clayhithe and starts again at the back of Lode, the only alternative safe route from Cambridge to Swaffham and Burwell is NCN51 involving a detour through Bottisham to arrive safely in Lode is much longer, which probably deters most cyclists with young cyclists not considering this alternative notwithstanding safety issues;
- It would bring Economic benefits;
- There would be clear public health and community benefits - it would encourage more people to cycle and be well used;
- It would also enable easier access to cropshare cycle route from Cambridge to Watergull Organic Farm in Lode and is thought to be the missing link between Burwell and Ely;
- It would sit well with the Council's vision for sustainable transport and urge Council members to give it wholehearted support;
- A parish council is currently working to link this cycleway through to Cambridge;



- The path would enable a running loop to be completed around Bottisham Lode and Quy;
- It would enable toddler groups to be walked as a more sustainable means of travel. Having run toddler groups in Quy and Swaffham Bulbeck it was evident that residents of Quy feel somewhat cut off and have no alternative but to drive – it will enable families to go to groups and visit playgrounds by sustainable means;
- Starting from Longmeadow currently a substantial detour via Bottisham or travelling along bridleways via Quy not always passable by bike in bad weather nor feasible in the dark would be needed; and
- It must be a good quality path not stopping or giving way at every junction, the devil is in the detail Cambridge Cycle Campaign could advise. Poor quality can result in cyclists being attacked or abused, which happened on the way to Bottisham.

4.16 Publicity; the application has been publicised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 i.e. neighbouring properties have received individual notifications and site notices have been displayed outside of the land to which the application relates.

## 5.0 Planning Policy

### National Planning Policy Framework (NPPF)

5.1 The National Planning Policy Framework (NPPF), sets out the Government's planning policies and how these are expected to be applied. It is a material consideration in determining planning applications and has a presumption in favour of sustainable development at its core. The NPPF provides that development which accords with the local development plan should be approved "unless other material considerations indicate otherwise" (Paragraph 12) in line with the statutory requirements of the Town and Country Planning Act 1990.

5.2 The following paragraphs within the NPPF are considered to be amongst those relevant to this application:

Paragraph 14 – Presumption in Favour of Sustainable Development.

Paragraph 17 – Core Planning Principles including to secure high quality design; protecting the Green Belts around our main urban areas; supporting the transition to a low carbon future; contribute to conserving and enhancing the environment reducing pollution conserving heritage assets in a manner appropriate to their significance; to actively manage patterns of growth to make the fullest possible use of walking and cycling and to support local strategies to improve health and wellbeing.

Paragraph 30 – Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

Paragraph 75 - Planning policies should protect and enhance public rights of way and access. Local Authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National trails.

Paragraph 79 – The Government attaches great importance to Green Belts. The fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 80 – Green Belt serves five purposes:

To check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 81 – Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Paragraph 87 – As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 89 – A local planning authority should regard the construction of new buildings inappropriate in Green Belt and provides exceptions to this.

Paragraph 90 - Certain other forms of development are also not inappropriate in the green belt and do not conflict with the purposes on including land within Green Belt. These include local transport infrastructure, which can demonstrate a requirement for a green belt location.

### The Development Plan

The development plans and their most relevant policies relating to the proposed development that would fall within the respective boundaries of East Cambridgeshire or South Cambridgeshire are as follows:-

#### East Cambridgeshire Local Plan (April 2015)

5.3 East Cambridgeshire District Council's Local Plan was adopted in April 2015 and the relevant policies to consider are:-

GROWTH 5 Presumption in favour of sustainable development

ENV 1 Landscape and settlement character

ENV 2 Design

ENV 4	Energy and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 10	Green Belt
ENV 12	Listed Buildings
ENV 15	Historic parks and gardens
COM 7	Transport impact

South Cambridgeshire Core Strategy Development Plan Document (January 2007)

5.4 South Cambridgeshire District Council's Local Plan was adopted in January 2007. The strategic objectives have been included where relevant to the application:-

ST/1	Green Belt
ST/b	To locate development where access to day-to-day needs for employment, shopping, education, recreation, and other services is available by public transport, walking and cycling thus reducing the need to travel, particularly by car.
ST/f	To provide and enable provision of enhanced infrastructure to meet the needs of the expanded population.
ST/j	To ensure that the district's built and natural heritage is protected and that new development protects and enhances cherished townscape assets of local urban design, cultural, and conservation importance, and character of the landscape.

South Cambridgeshire Development Control Policies Development Plan Document (July 2007)

5.5 South Cambridgeshire District Council's Development Control Policies Development Plan document was adopted in July 2007 and the relevant policies to consider are:-

DP/1	Sustainable Development
DP/2	Design of New Development
DP/3	Development Criteria
DP/6	Construction Methods
DP/7	Development Frameworks
GB/1	Development in the Green Belt
GB/2	Mitigating the Impact of Development in the Green Belt

GB/5	Recreation in the Green Belt
NE/1	Energy Efficiency
NE/4	Landscape Character Areas
NE/6	Biodiversity
NE/11	Flood Risk
NE/14	Lighting Proposals
CH/3	Listed Buildings
TR/1	Planning for More Sustainable Travel
TR/4	Non-Motorised Modes

Emerging South Cambridgeshire Local Plan 2011- 2031: Submission of Local Plan (28 March 2014)

- 5.6 On 28 March 2014, South Cambridgeshire District Council submitted their Local Plan and supporting documents to the Secretary of State for Communities and Local Government for independent examination. The Proposed Submission is a material consideration but does not yet form part of the adopted development plan.

The following emerging planning policies are of relevance to this application:-

S/3	Presumption in Favour of Sustainable Development
S/4	Cambridge Green Belt
CC/6	Construction Methods
CC/9	Managing Flood Risk
HQ/1	Design Principles
NH/2	Protecting and Enhancing Landscape Character
NH/4	Biodiversity
NH/8	Mitigating the Impact of Development In and Adjoining the Green Belt
NH/10	Recreation in the Green Belt
NH/14	Heritage Assets
SC/10	Lighting Proposals
TI/2	Planning for Sustainable Travel

Cambridgeshire Rights of Way Improvement Plan Update (April 2016)

- 5.7 The Cambridgeshire County Council's Rights of Way Improvement Plan (ROWIP) was adopted in 2006 as part of the Cambridgeshire Local Transport

Plan 2006 – 2011. The ROWIP Update published in April 2016 supersedes the Statements of Action first published and the relevant Policies to consider are:-

- SOA2            A safer and health-enhancing activity
- SOA5            Filing the gaps

## **6.0 Planning Assessment**

### Policy Considerations

- 6.1 Both Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (as amended) require applications for planning permission to be determined in accordance with the development plan, unless other material considerations indicate otherwise. The National Planning Policy Framework (NPPF) provides the National Planning Policy Framework. Additionally the South Cambridgeshire Local Plan 2011 – 2031: Submission of Local Plan (2014), provides emerging planning policy, which is a material consideration that needs to be taken into account as does the Government's Planning Practice Guidance.

### Justification and Need

- 6.2 This proposal seeks to provide a new shared use path for cyclists and pedestrians as an alternative to cycling on the road, or walking on the verges of the B1102 between the villages of Stow cum Quy and Lode. Core principles of the National Planning Policy Framework (Paragraph 17) seek to actively manage patterns of growth to make the fullest possible use of public transport walking and cycling and to support local strategies to improve health and wellbeing. An application which encourages alternative modes of travel for journeys to work and for leisure, is supported by the sustainable development principles set out in Paragraphs 14, 17, and 30 of the NPPF; Policy GROWTH 5 of the East Cambridgeshire Local Plan (2015); Policy DP/3 of the South Cambridgeshire Development Control Policies (2007); and Policy S/3 of the South Cambridgeshire Proposed Submission Local Plan 2011-2031 (2014).
- 6.3 Policy TR/1 of the East Cambridgeshire Local Plan (April 2015) goes further in stating that there will be a presumption in favour of development which can increase integration of travel modes and accessibility to non-motorised modes subject to the scheme not giving rise to a material increase in travel demands elsewhere. As this application seeks to create provision for cyclists and pedestrians it would encourage sustainable travel along this route. The local representations received indicate a demand and support the need for this provision referring to current concerns including dangers in relation to travelling along the B1102, which has an unrestricted 60 miles per hour speed limit outside of the villages of Stow cum Quy and Lode, and the off putting length of

alternative routes to travel between these villages and the services that they provide. The development would be likely to reduce congestion and vehicle dependence in the wider road network and improve public health in accordance with Policy COM 7 of the East Cambridgeshire Local Plan (2015); Policy TR/4 of the South Cambridgeshire Development Control Policies (2007); strategic objectives ST/b, ST/f and ST/j of the South Cambridgeshire Core Strategy; and Policy TI/2 of the South Cambridgeshire Proposed Submission Local Plan 2011-2031 (2014).

#### Development in the Green Belt

- 6.4 The proposed application site lies entirely within the Cambridge Green Belt. Paragraph 90 of the NPPF, lists the types of development not considered inappropriate within the Green Belt, and do not conflict with the purposes of including land within a Green Belt, local transport infrastructure, which can demonstrate a requirement for a green belt location. Additionally Paragraph 81 of the NPPF encourages local planning authorities to plan positively to enhance the use of the Green Belt such as looking for opportunities for outdoor sport and recreation to retain and enhance landscapes, visual amenity and biodiversity. Policy ENV/10 of the East Cambridgeshire Local Plan(2015), Policy GB/5 of the South Cambridgeshire Development Control Policies, and Policy NH/10 of the South Cambridgeshire Proposed Submission Local Plan 2011-2031 (2014) all seek to protect the Green Belt. The proposal is comprised of an asphalt path and does not include any structures (other than any temporary structures which may be placed within the proposed construction compound). There is no alternative location for the proposal outside of the Green Belt that could provide an alternative route. It is considered that the proposal would have limited visual impact given the existing field boundary vegetation and would not erode the openness of the Green Belt nor encourage encroachment between the two villages in accordance with Paragraphs 79 – 80 of the NPPF. Given this, the proposal is considered in accordance with the above mentioned policies referred to within this paragraph. Accordingly the application is not considered to be a departure from the development plan.

#### Listed Buildings and Historic Park or Gardens

- 6.5 Anglesey Abbey and its main entrance gates and gate piers are listed separately as Grade I and II listed buildings respectively and its gardens are contained within the Historic Parks or Gardens Register. Given that the proposal is limited to a narrow 2.5m tarmac path at existing ground levels and would be separated visually from the Anglesey Abbey by the B1102 and existing hedgerow, it is not considered that the proposal would affect the setting of the listed buildings nor would it have an adverse impact upon the historic gardens. The proposal therefore complies with Policy ENV 12 of the East Cambridgeshire Local Plan (2015); Policy CH/3 of the South Cambridgeshire Development Control Policies; and Policy NH/14 of the South Cambridgeshire Proposed Submission Local Plan 2011-2031 (2014). Additionally, the proposal

would be likely to benefit the property by encouraging more visitors to reach the historic property by using sustainable means of travel.

### Ecology

- 6.6 The Ecological Constraints Assessment (ECA) undertaken by Atkins Ecology in February 2016 recommended further investigation into the presence of great crested newts, a protected species. As a result, the applicant undertook an Environmental DNA analysis to monitor the existence of freshwater species in water bodies. Although the water course could not be accessed safely to collect water samples along the suggested route, Habitat Suitability Index Assessments (HSI) were made on 18 March 2016 to evaluate all ditches within 250m of the site.
- 6.7 The HSI assessment concluded that there were no water bodies recorded within 250m of the site and out of the five assessed ditches, three were categorised as 'dry ditches' not holding water and thus not suitable for a great crested newt breeding habitat. As the two other ditches lie approximately 30m from the application site, they will not be directly affected by the scheme. However, the HSI deemed both as unsuitable, regardless of proximity as the flow of water present in D2 would deter breeding as standing water is required whilst the grassy banks of D5 result in a below average score for breeding habitat suitability.
- 6.8 Although the applicant has proposed to proceed with a precautionary method of working which assumes the great crested newts could inhabit the site in future, they would also need to take into account the reptiles identified in the ECA. This would be secured by condition as part of a Construction Environment Management Plan in order to protect the biodiversity and geological value of the land and minimise harm to native species in accordance with Policies ENV 7 of the East Cambridgeshire Local Plan (2015) as well as NE/6 and DP/3 of the South Cambridgeshire Development Control Policies (2007).
- 6.9 With regard to the road verge, the Ecology Officer has stated that the quality of the road verge habitat has been undervalued as the ECA was undertaken in winter and outside of the normal botanical survey period. The ECA states that the road verge comprises "semi-improved species poor grassland", however, a site visit on 6<sup>th</sup> September 2016 has confirmed that although the road verge is dominated by rough grasses and becoming encroached by areas of nettle and dewbury (i.e. species-poor), the verge contain small areas with more species-rich sward dominated by Common Knapweed. The grassland is not considered of Protected Road Verge or County Wildlife Site quality, but still supports a number of good quality grassland indicator species including; Agrimony; Bird's-foot Trefoil; Field Scabious; Wild Basil; Perforate St John's Wort; and Greater Knapweed.
- 6.10 The best quality patches of grassland are located within the central section of the verge (section CH700 to CH950), of which a 270m section is scheduled to be lost to the proposed development. A landscaping scheme would be required by condition, which would look to mitigate the loss of both woodland/hedgerow and 'species-rich grassland' along the 270m stretch of road verge.

### Trees and Landscaping

- 6.11 The applicant has advised that part removal of H49 will be necessary and a short length of hedgerow, is required to be removed but would seek to minimise any further removal of the existing vegetation. The Arboricultural Report anticipates that an early mature Field Maple tree (T21) and two early mature Norway Maple trees (T75 and T83) may need to be removed in future. This could prove necessary to prevent direct damage to the path from incremental stem growth should it prove necessary in future.
- 6.12 Trees T67, T68, T69, T71 and T73 have all been assessed as Category U: 'Poor Quality and Value Trees'. Owing to their declining habitat or poor structural condition, the report states that these trees have a limited life expectancy of less than 10 years. Considering the proximity of the trees to the adjacent roadway and the new potential users of the path, it is likely that the trees listed above may need to be removed in future in the interests of health and safety.
- 6.13 In terms of pruning works, the applicant is proposing some minor crown lifting in order to allow sufficient clearance for cyclists and pedestrians. The Arboricultural Report recommends that the required canopy clearance is 2.5m – 3m from ground level and is not considered to be detrimental to the health of the trees concerned or affect the character of the local area. The Arboricultural Report recommends tree protection fencing and ground protection measures and conditions would be imposed to require further details and the implementation of these. East Cambridgeshire District Council's Tree Officers have no objection to the proposal noting that a number of the trees have been identified as poor specimens.
- 6.14 It is considered that the development would not have an adverse impact upon the local landscape subject to appropriate mitigation being conditioned. Accordingly, it is considered that the development would be in accordance with Policies ENV 1 and ENV2 of the East Cambridgeshire Local Plan ( 2015), NE/4 of the South Cambridgeshire Development Control Policies and NH/2 of the South Cambridgeshire Proposed Submission Local Plan 2011-2031 (2014).

### Flood Risk and Sustainable Drainage

- 6.15 The central section of the application site lies within Flood Zones 2 and 3 to either side of an existing drain which crosses under the road (this is a section of highway verge upon which works could otherwise be carried out by the Highway Authority without the need to submit a planning application). The remainder of the site falls within Flood Zone 1. The Council's Flood and Water Team have been consulted and have recommended that a condition be imposed to require the submission and implementation of a surface water drainage scheme, in order prevent the increased risk of flooding. It is considered that appropriately conditioned that the proposed development would comply with Policy ENV 8 of the East Cambridgeshire Local Plan (2015), Policy NE/11 of the South Cambridgeshire Development Control Policies Development Plan Document (2007); and CC/9 of the South Cambridgeshire Proposed Submission Local Plan 2011 – 2031 (2014).



### Highways and Traffic

- 6.16 No highway's objections have been raised to the principle of the proposed development being located to the eastern side of the B1102. The applicant has provided details of the vehicle movements throughout the 21 week construction period and a total of 1,050 vehicle movements are proposed. This includes 840 HGV movements and 210 7.5 tonne flat-bed truck movements which equates to approximately 10 trips per day as the applicant does not intend to deliver on weekends. The applicant has considered use by horses and has decided for the reasons set out elsewhere in this report, including in particular paragraph 4.6 (Lode Parish Council's comments) and paragraphs 6.17 to 6.21 below, not to amend this application to accommodate use by horses. A former Chairman of the Lode Parish Council has confirmed that the option of incorporating a bridleway was considered in a preliminary assessment report in 2013 and advice was sought from Sustrans. It was decided at that time to focus on a cycleway for reasons of safety thinking that the demand for a bridleway along the route would be small and that the extra cost and land acquisition would be difficult to justify. In 2013 the promoters' letter to landowners had mentioned that a bridleway was being considered and following that the route was promoted as a cycleway and footpath in the belief that there would not be sufficient demand for a bridleway in this location to justify the additional costs.
- 6.17 The application has been amended to ensure that the solar lighting studs information is only indicative in response to the Highways Officer's comments. Should permission be granted a Construction Traffic Management Plan could also be secured by condition to ensure that the additional information required by the Highway Authority could be assessed. For the above reasons it is considered that the proposed development would not be contrary to Policies COM 7 and GROWTH 5 of the East Cambridgeshire Local Plan 2015, Policies DP/1 (Sustainable Development) and TR/1 (Planning for More Sustainable Travel) of the South Cambridgeshire Development Control Policies (2007), and TI/2 of the South Cambridgeshire Proposed Submission Local Plan 2011 – 2031 (2014).

### Equestrian Users

- 6.17 The British Horse Society (BHS) have objected to this application on the grounds that a shared use path for non-motorised users should not exclude equestrian use. The BHS has also questioned the assertions that the demand for equestrian access between Lode and Quy is lacking and that the width of the path would need to be increased to reduce the risk of conflict between horse riders and other user groups. The British Horse Society has provided information about the numbers of their members and details in relation to horses in the locality, to seek to demonstrate that there is a need for the path to accommodate horses.
- 6.18 Although the BHS has provided evidence to support potential future need for equestrian use, the route does not provide any direct linkages to existing bridleways. There is a bridleway which runs north-east from Station Road to the west of Stow cum Quy, and then turns west shortly before it crosses the old railway line. This bridleway links Stow to the village of Horningsea, to the north-

west. The old railway line runs parallel with the B1102 along the Drove Way. The applicant has advised orally of the old railway track being used informally by users on horseback as a link to the north of Lode. The applicant has also advised planning officers that there would be a need for a safety holding area to accommodate horses at the north eastern end of the path opposite Anglesey Abbey by the road crossing. That area is wooded and there is not sufficient space within the existing application area to accommodate such a facility. At this point there is the option to cross the road or to proceed along a narrow footway. The highway crossing would be an uncontrolled crossing with central refuge. The maximum size of refuge that can be accommodated here is a width of 2 metres. There is also an existing ditch, which separates the highway verge from the group of trees on the farmland beyond where the path would be constructed within the highway in the central section which would place limitations upon seeking to increase the width of the path.

- 6.19 Consideration has been given to the Cambridgeshire County Council Rights of Way Improvement Plan Update (April 2016) both by the applicant and planning officers including Policy SOA2 which states that provision should be safe for all users and that paths are open and unthreatening for all users with the text of the document recognising that there is a particular problem for horses, which can react unpredictably to traffic. The applicant has confirmed that the issue of equestrian use was explored at the negotiation stage by Sustrans but rejected because of the land take required and owing to one of the landowners not wishing to give any more land than was absolutely necessary. The applicant has also considered and has asked landowners if use by horses could be accommodated.
- 6.20 Lode Parish Council was involved in the promotion of the proposed path and in working with other bodies to raise money locally and to secure Department of Transport Funding towards the project which is time limited and is available only until March 2018. Both Stow cum Quy Parish Council and Bottisham Parish Council have also sent in their support to the scheme. Letters of support have also been received for the proposal of a shared cycleway and footpath.
- 6.21 The proposal seeks to provide a predominantly permissive path, which would provide benefits to cyclists and pedestrians and would encourage the use of sustainable transport for some sections of community. Having given full consideration to the concerns of the British Horse Society, it is considered that they do not outweigh the benefits of the proposed scheme. It is considered that reasonable consideration was given to seeking to provide full access for horses to the path. The construction of the proposed scheme would not prevent further consideration being given in the future to seeking to provide for the needs of horses within the locality and therefore it is considered that the proposal would not be contrary to Policies COM 7 and GROWTH 5 of the East Cambridgeshire Local Plan 2015, Policies DP/1 (Sustainable Development) and TR/1 (Planning for More Sustainable Travel) of the South Cambridgeshire Development Control Policies (2007), and TI/2 of the South Cambridgeshire Proposed Submission Local Plan 2011 – 2031 (2014).

## 7.0 Conclusions and Recommendations

7.1 Taking account all of the above considerations in relation to the Green Belt; Historic Environment including Gardens; Ecology; Trees and Landscaping; Flood Risk and Sustainable Drainage; and Highways Traffic and Equestrian Users, it is considered that the proposed development complies with both the development plan and national planning policy.

7.2 It is recommended that planning permission be granted subject to the following conditions:-

### Advisory Note

The Town & Country Planning (Development Management Procedure) (England) Order 2015 requires the Planning Authority to give reasons for the imposition of pre-commencement conditions. Conditions 4, 5 and 8 below all require further information to be submitted to protect the environment and are therefore attached as pre-commencement conditions. The developer may not legally commence operations on site until these conditions have been satisfied.

#### 1. Commencement

The development hereby permitted shall be commenced no later than three years from the date of the decision notice.

*Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act and Section 51 of the Planning and Compulsory Purchase Act 2004.*

#### 2. Approved Plans and Documents

The development hereby permitted shall not proceed other than in accordance with the planning application dated 1 June 2016 including the supporting information, as amended by the additional information email sent 22 June 2016 (Flood Risk), email sent 7 September 2016 (Background information), September 2016 reports (Responses to concerns raised by British Horse Society and Consideration of horses on the Quay to Lode Cycle path), and the amendments sent by emails on the 18th October 2016 (revised description and solar studs indicative only) and the following plans and documents (received 2 June 2016, unless otherwise stated):

- Site Location Plan, Drawing Number LPCH000-CH1950, dated 21/10/16 (received 21 October 2016);

- Quy to Lode Quy Court, Drawing Number CH0 – CH050 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH050 – CH250 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH250 – CH500 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH500 – CH700 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH700 – CH900 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH900 – CH1050 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH1050 – CH1250 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH1250 – CH1500 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH1500 – CH1750 (received 16 June 2016);
- Quy to Lode Quy Court, Drawing Number CH1750 – CH1950 (received 16 June 2016);
- Arboricultural Report, reference 151219-PD-11 January 2016 including Appendices A-E and Tree schedule 151219-FD-01 (BS5837) by Tim Moya Associates dated 01/02/2016;
- Tree Survey – Master Plan, Drawing Number 151219-F-01 dated January 2016;
- Tree Survey, Drawing Number 151219-F-01-01 dated January 2016;
- Tree Survey, Drawing Number 151219-F-01-02 dated January 2016;
- Tree Survey, Drawing Number 151219-F-01-03 dated January 2016;
- Tree Survey, Drawing Number 151219-F-01-04 dated January 2016;
- Tree Survey, Drawing Number 151219-F-01-05 dated January 2016;
- Tree Survey, Drawing Number 151219-F-01-06 dated January 2016;
- Tree Constraints Plan – Master Plan, Drawing Number 151219-F-02 dated January 2016;
- Tree Constraints Plan Drawing Number 151219-F-02-01 dated January 2016;
- Tree Constraints Plan Drawing Number 151219-F-02-02 dated January 2016;
- Tree Constraints Plan Drawing Number 151219-F-02-03 dated January 2016;
- Tree Constraints Plan, Drawing Number 151219-F-02-04 dated January 2016;
- Tree Constraints Plan Drawing Number 151219-F-02-05 dated January 2016;

- Tree Constraints Plan Drawing Number 151219-F-02-06 dated January 2016;
- Quay to Lode – Shared Use Path Ecological Constraints Assessment by Atkins, reference 5124710.054\_ECA\_V1.0 dated 12/02/16.

*Reason: To define the development and minimise harm to the locality in accordance with Policies COM 7, ENV 1, ENV 2, ENV 7, ENV 10, ENV 12, ENV 15 and GROWTH 5 of the East Cambridgeshire Local Plan (2015); Policies DP/2, DP/3, DP/7, CH/3, GB/1, GB/2, GB/5, NE/4, NE/6, NE/14, TR/1, and TR/4 of the South Cambridgeshire Development Control Policies Development Plan Document (2007); and Policies HQ/1, NH/2, NH/8, NH/14, S/3, and S/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

### 3. Lighting

No lighting shall be installed except in accordance with details, which shall have been previously submitted to and approved in writing by the County Planning Authority.

*Reason: To protect the character and appearance of the countryside and to prevent inappropriate light pollution and to minimise impact upon bats in accordance with policies ENV 1, ENV 4, ENV 7 and ENV 9 of the East Cambridgeshire Local Plan (2015); NE/1, and NE/14 of the South Cambridgeshire Development Control Policies Development Plan Document (2007); and SC/10 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031;*

### 4. Construction Environmental Management Plan (CEMP)

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the County Planning Authority. The CEMP shall include but not be limited to:-

- The movement and control of deliveries to and from the site and times of operation;
- The movement and control of any muck away lorries to and from the site and times of operation;
- Details of contractor parking and how this will be controlled;
- Measures for the control of dust, mud and debris;
- Mitigation measures to protect the site's ecological features, including provisions for a re-survey of the site to search for any newly constructed badger setts;
- A precautionary Method of Works for reptiles and Great Crested Newts including hand searching and any necessary resurvey work to be carried out prior to strimming or soil stripping;
- The removal of the construction compound; and
- A timetable for the implementation of the CEMP.

The approved CEMP shall be implemented in its entirety in accordance with the approved timetable.

*Reason: To minimise impact upon the environment and impact upon 'protected species' and biodiversity habitat to result in no net loss in biodiversity value, and in the interests of highway safety in accordance with, COM 7, ENV 1, and ENV 7 of the East Cambridgeshire Local Plan (2015); Policies GB/2, DP/3, DP/6, NE/4 and NE/6 of the South Cambridgeshire Development Control Policies Development Plan Document (2007); and Policies HQ/1, NH/4 and CC/6 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031. These details are required prior to the commencement of development to ensure that the environmental impacts of the construction phase are minimised in relation to highway safety, amenity and biodiversity and landscaping.*

5. Tree Protective Fencing and Arboricultural Supervision with Root Protection Zones

Prior to the commencement of development details of the positions of tree protective barriers, which take into account the size and condition of the specific trees to be protected and the risks to their health during development, and details of provisions for arboricultural supervision during excavations within any root protection areas as shown on the Tree Constraints Drawings that are listed within Condition 2 above shall be submitted to and approved in writing by the County Planning Authority. The tree protection barriers shall be erected in their entirety in accordance with the approved details prior to the commencement of any other part of the development and the development shall be implemented only in accordance with the approved arboricultural supervision details.

*Reason: To protect existing vegetation and to minimise any impact upon 'protected species' and biodiversity habitat and result in no net loss in biodiversity value, any impact upon the Green Belt and landscape character in accordance with Policies, ENV 1, ENV 7, and ENV 10 of the East Cambridgeshire Local Plan (2015); Policies GB/1, GB/2, DP/36, NE/4 and NE/6 of the South Cambridgeshire Development Control Policies Development Plan Document (2007); and Policies S/3, S/4, HQ/1, NH/2 and NH/4 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031. These details are required prior to the commencement of development to ensure that the environmental impacts of the construction phase are minimised in the interests of landscape character, biodiversity and protection of the green belt.*

6. Landscaping Scheme

Within six months of the commencement of development, a detailed landscaping scheme shall be submitted to and approved in writing by the County Planning Authority. The landscaping scheme shall include, but not be limited to, replacement planting and hedgerow gap planting including size, species, and spacing details and a native wildflower seed mix (indicative of the local area) to be sown between the hedgerow and new path and the proposed times of planting and seeding. The approved planting and seeding shall be carried out in its entirety in accordance with the approved details and timings.

*Reason: To ensure that the suitable conditions for biodiverse habitats are provided for and to ensure that there is no net loss in biodiversity and in the interests of the visual appearance and the character of the countryside and the Green Belt in accordance with Policies, ENV 1 ENV 7, and ENV 10 of the East Cambridgeshire Local Plan (2015); Policies GB/1, GB/2, DP/3, NE/4, and NE/6 of the South Cambridgeshire Development Control Policies Development Plan Document (July 2007); and Policies S/3, S/4, HQ/1, NH/2, NH/4 and NH/8 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

7. Replacement Planting and Seeding

If within a period of two years from the date of the planting of any tree shrub or seeding fails, that tree or hedgerow, or any tree or hedgerow planted in replacement for it, is removed, uprooted or destroyed or dies, it shall be replaced by like for like replanting at the same place, unless the County Planning Authority gives its written consent to any variation.

*Reason: To ensure that there is no net loss in biodiversity and in the interests of the visual appearance and the character of the countryside and the Green Belt in accordance with Policies Growth 5, ENV 1, and ENV 10 of the East Cambridgeshire Local Plan (2015); Policies GB/1, GB/2, DP/3, and NE/4 of the South Cambridgeshire Development Control Policies Development Plan Document (2007); and Policies S/3, S/4, HQ/1, NH/2 and NH/8 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031.*

8. Flood Risk

No development shall begin until a detailed surface water drainage scheme for the proposed shared use path has been submitted to and approved in writing by the County Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is first brought into use.

*Reason: To prevent the increased risk of flooding, improve and protect water quality and improve habitat and amenity in accordance with Policy ENV 8 of the East Cambridgeshire Local Plan (2015); Policy NE/11 of the South Cambridgeshire Development Control Policies Development Plan Document (2007); and CC/9 of the Proposed Submission South Cambridgeshire Local Plan 2011 – 2031. These details are required prior to the commencement of development to ensure that the flood risks associated to the construction of the path are controlled and assessed in the interests of flood risk and local amenity.*

Informative

Protection of Nesting Birds

The applicant should be aware that nesting birds, their eggs and (active) nests are protected under the Wildlife and Countryside Act 1981 and therefore, the applicant will need to take appropriate measures to avoid disturbing nesting

birds and destruction / damage to active nests. Removal of vulnerable vegetation should ideally avoid the bird breeding season (late February to August inclusive) to avoid damage to nesting species. If this is not practicable then a nesting bird survey should be undertaken by an experienced ecologist prior to direct impact on suitable nesting bird habitat to identify whether active nests are present. If any are found they should be clearly marked and avoided until after the young have fledged and left the nest.

Compliance with paragraphs 186 & 187 of the National Planning Policy Framework (NPPF)

In accordance with paragraphs 186 and 187 of the NPPF, the County Council takes a positive approach to development proposals focused on encouraging alternative modes of travel for journeys to work and for leisure. As part of the planning process, additional information was supplied to demonstrate that equestrian use of the proposed path had been considered in accordance with County Council policy and duties under the Highways Act. The statement that one of the landowners involved was not in support of horses using the proposed route was also investigated and confirmed in writing on Wednesday 28 September 2016. The County Planning Authority has advised the applicant of the concerns raised and has explained the application process to enable the applicant to seek to address all outstanding matters.



**Summary of Decisions Made Under Delegated Powers**

*To:* **Planning Committee**

*Date:* **03 November 2016**

*From:* **Head of Growth and Economy**

*Electoral division(s):* **All**

*Purpose:* **To consider the above**

*Recommendation:* **The committee is invited to note the report**

***Officer contact:***

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## 1.0 INTRODUCTION

- 1.1 At the committee meeting on 31 January 2005 it was agreed that a brief summary of all the planning applications that have been determined by the Head of Strategic Planning under delegated powers would be provided.
- 1.2 The powers of delegation given to the Head of Strategic Planning (now Head of Growth and Economy) are as set out in the Scheme of Delegation approved by full Council on 17 May 2005 (revised May 2010).

## 2.0 SUMMARY OF DECISIONS

- 2.1 3 applications have been granted planning permission under delegated powers during the period between 27 September 2016 and 24 October 2016 as set out below:

1. **F/2011/16/CC** - Siting of two mobile classroom units to provide 4 classrooms

Ramnoth Junior School, Ramnoth Road, WISBECH, PE13 2JB

Decision granted 29/09/16

For further information please contact Mary Collins on 01223 715518

2. **H/5009/16/CC** - Section 73 application to develop land without complying with condition 2 (approved plans) to reflect drainage strategy redesign, alteration to site levels, elevations and layout and condition 18 (surface water drainage) to reflect drainage strategy redesign of planning permission reference H/5000/16/CC dated 15.07.16 for the erection of two form entry (420 place) Primary school and nursery building (56 place) with associated infrastructure including new vehicular and pedestrian access, car and cycle parking, means of enclosure, play areas, landscaping and engineering works.

Land North West of Bearscroft Farm, Bearscroft Lane, Godmanchester, HUNTINGDON, PE29 2LQ

Decision delegated 06/10/16

For further information please contact Mary Collins on 01223 715518

3. **S/0196/16/CC** - The removal of existing jackleg temporary structure and the installation of a 5-bay modular classroom building (15 metres x 8.1 metres) for a temporary period until 31st August 2021, with associated paving, leveling of earth mound and installation of LPG gas storage area.

Guilden Morden School, Pound Green, Guilden Morden, ROYSTON, SG8 0JZ

Decision delegated 13/10/16

For further information please contact Rochelle Duncan on 01223 743814

Source Documents	Location
Applications files	SH1315, Shire Hall, Cambridge, CB3 0AP