



23/04931/REM – The Plains, Phase 3, Land North of Newmarket Road, (Marleigh) Cambridge

Application details

Report to: Joint Development Control Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Fen Ditton & Fulbourn

Proposal: Reserved matters application detailing, appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016.

Applicant: Hill Marshall LLP

Presenting officer: Laurence Moore

Reason presented to committee: This application is within the JDCC administrative boundary and comprises non-residential development on a site having an area of 1 hectare or more.

Member site visit date: 05 November 2024

Key issues: 1. Playing Field Management/Maintenance

2. Parking

Recommendation:

A. Approve this reserved matters application 23/04931/REM subject to:

- (i) The planning conditions and informatives as detailed in Section 27 of this report, with delegated authority to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary).
- (ii) The prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

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1. Introduction and Executive summary

- 1.1 The Joint Development Control Committee (JDCC) has for determination today a number of planning applications which officers have grouped together, describing them as the Marleigh Phase 3 'suite of applications'.
- 1.2 The suite of applications together form the final residential phase of Marleigh, proposing a total of 423 homes, of which 91 homes are above the residential cap of 1300 homes set by the outline planning permission. It comprises five separate planning applications which take the form of full applications, reserved matters applications and a Section 73 application. There are elements of interdependence. The suite comprises:
- A. **23/04930/REM** Reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 332 new homes and commercial space with associated infrastructure, internal roads, open space as part of phase 3 pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016. Part discharge of Conditions 13, 17, 18, 19, 20, 21, 23, 24, 25, 28, 30, 34, 40 of outline planning permission reference number S/2682/13/OL.
 - B. **23/04935/FUL** Construction of a community garden and store room with associated landscape features, street furniture, planters and boundary treatments including pedestrian and cycle connection between the Marleigh development and Jack Warren Green.
 - C. **24/03837/S73** S73 to vary conditions 1 (Approved drawings) and 28 (Visitor car parking) and additional condition 30 (pitch flexibility) of planning permission 23/01939/S73 (S73 to vary condition 1 (Approved plans) of reserved matters application 20/02569/REM (Reserved matters application as part of Phase 1B pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads) to replace six two-storey houses (C2 and C3) within phase 1b with three-storey houses and to replace five carports with garages (D4)) to increase the number of visitor car parking spaces that are available to the users of the Plains recreational field.

- D. **23/04931/REM** Reserved matters application detailing, appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016.
- E. **23/04936/FUL** Full planning application for the construction of 91 new homes with associated infrastructure, internal roads, open space as part of phase 3 within the Marleigh development as a modification to outline permission S/2682/13/OL to increase the overall unit numbers across the site to 1,391 homes.
- 1.3 When the outline planning permissions for Marleigh were approved in November 2016 under reference numbers S/2682/13/OL (District Council) and 13/1837/OUT (City Council), those outline permissions were supported by a Section 106 Agreement dated 30 November 2016 (the 2016 Agreement).
- 1.4 The suite of applications individually, if approved, will give rise to modifications to some of the planning obligations created by the 2016 Agreement. These modifications will take the form of new and/or replacement planning obligations. The details of the modifications have not yet been fully worked up into an agreed set of heads of terms. Once these are established, they will be the subject of an application under Section 106A but limited to the specifics of what the applications (where approved) demand to implement any of the approved applications. These limitations will be constrained to matters affecting open space; the removal of an allotment provision with a community garden in substitution; sports facilities – tennis courts, football pitches, parking arrangements and any consequential modification provisions.
- 1.5 The S106A will fall to officers to determine. Given the detail of the modification elements of the 2016 Agreement are yet to be finalised at the time of writing this report, and there are exceptional circumstances which this suite of applications brings in terms of S106 planning obligations – historical and new – officers recommend that determination in consultation with Chair and Vice Chair of the JDCC.
- 1.6 This application seeks to further enhance the sports provision at The Plains area on the eastern side of the Marleigh site, previously approved as Phase 1B application 20/02469/REM.

- 1.7 The application site is situated on land within the administrative boundary of South Cambridgeshire District Council and as such the application has been assessed against the relevant policies of the South Cambridgeshire Local Plan (2018) and associated appendices and SPDs.
- 1.8 The Plains already have consent for 5no. football pitches incl. 3no. junior pitches and 2no. senior pitches approved under reserved matters application 20/02569/REM for the Phase 1B proposals which were considered by this Committee in November 2020. The application proposes an additional 2 no. junior football pitches to the facilities approved under 20/02569/REM. In addition, 3 no. tennis courts are proposed to be relocated from the western side of the site where they were initially sought to be delivered under the outline permission under 13/1837/OUT and S/2682/13/OL.
- 1.9 The additional 2no. playing pitches are proposed to meet the additional sports demand in relation to the proposed uplift of 91 homes included within the suite of Phase 3 applications, under application reference number 23/04936/FUL the report for which can be found elsewhere on this Agenda.
- 1.10 A s73 application has been submitted to allow for the flexibility in pitch sizes in respect of the proposals approved under Phase 1B, to regularise the changes proposed by this application. A minimum of 7no. football pitches will remain at The Plains at any given time, subject to this consent being granted.
- 1.11 Upon discussion with the sports and recreation teams within the City and District Councils it has become evident that the level of car parking to be provided which will serve The Plains under previous permissions is not sufficient; furthermore the level of coach parking consented under the previous Phase 1B proposals is excessive. The Applicant has agreed to enhance parking arrangements serving The Plains. The proposed additional 30 no. parking spaces are considered to be a suitable compromise when compared with the indicative requirements of Policy TI/3. The parking arrangements are to be secured by a separate s73 application (24/03837/S73) in reference to 20/02569/REM (Phase 1B).
- 1.12 Officers recommend the Joint Development Control Committee approves this application, subject to the recommended conditions and the prior completion of a S106A planning obligation as appropriate.

2. Site description and context

- 2.1 The site consists of The Plains, an area of land situated on the eastern side of the Marleigh development site. The site already has planning consent for the provision of playing fields, 5no. parking pitches and a sports pavilion under application reference 20/02569/REM (Phase 1B). Allotments are to be provided to the north of the site through the same Phase 1B application.
- 2.2 The site also has planning consent for 5 no. car parking spaces and 6 no. coach parking spaces to serve The Plains.
- 2.3 Marleigh is a cross-boundary development (with the Cambridge City Council) but, falling predominantly within South Cambridgeshire District Council's administrative area. This application relates to land within the District.

3. The proposal

- 3.1 Reserved matters application detailing, appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016.
- 3.2 2no. additional junior football pitches are proposed. Three tennis courts are proposed to be relocated from their consented location on the western parcel of the site to ensure proximity to consented sports pavilion. The additional 2no. playing pitches are proposed to meet the additional sports demand in relation to application reference 23/04936/FUL which seeks the proposed uplift of 91 homes included within the suite of Phase 3 applications referred to above in paragraph 1.4.
- 3.3 A separate s73 application related to application reference 20/02569/REM (Phase 1B), has been submitted to regularise the proposed amendments to the parking arrangements and to ensure the desired flexibility of pitch size provision to meet ongoing demand for the District.

4. Relevant site history

Reference	Description	Outcome
S/2682/13/OL	up to 1300 homes primary school food store community facilities open spaces landscaping and associated infrastructure and other development.	Granted 30.11.2016

13/1837/OUT	Demolition of buildings and hard standing and construction of tennis courts, allotments, store room and toilets, informal open space and local areas of play, provision of drainage infrastructure, footpath and cycleway links, and retention and management of woodland.	Granted 01.12.2016
S/3317/17/NM	Non-Material Amendment for planning application S/2682/13/OL (amendment to parameter plans)	Granted 09.11.2017
S/1004/18/RM	Reserved matters application detailing appearance landscaping layout and scale for infrastructure works including internal roads landscaping and drainage as part of Phase 1 of the Wing masterplan of approved outline application S/2682/13/OL for up to 1300 homes primary school food store community facilities open spaces landscaping and associated infrastructure and other development	Granted 28.11.2018
S/1096/19/RM	Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL	Granted 12.09.2019
S/1610/19/NM	Non material amendment of outline planning permission S/2682/13/OL (amendments to access design)	Granted 14.11.2019
20/02569/REM	Reserved matters application as part of Phase 1B pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-	Granted 15.12.2020

	residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads	
S/1004/18/NMA1	Non Material amendment on application S/1004/18/RM- School Access	Granted 23.06.2020
S/1096/19/NMA2	Non material amendment of planning permission S/1096/19/RM (Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL) extension to ground floor layout of seven no. plots (plots 71-77) under the Phase 1A planning permission.	Granted 21.04.2021
S/2682/13/NMA1	Non material amendment on application S/2682/13/OL (up to 1300 homes primary school food store community facilities open spaces landscaping and associated infrastructure and other development) to show a revised southern building line and maximum building height dimension (now increased to 15m).	Granted 05.05.2021
21/02450/REM	Reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 421 new homes with associated infrastructure, internal roads and open space as part of Phase 2 pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL	Granted 05.11.2021
22/02554/S73	S73 to vary condition 9 of S/1096/19/RM (Reserved matters application detailing access appearance landscaping layout and	Granted 06.09.2022

	scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL) to extend the opening hours for the convenience store on Sundays and Bank/Public Holidays to 0700 to 2200 hours.	
22/01195/FUL	Use of Unit 2, Marleigh Square for commercial, business and service uses within Class E.	Granted 06.06.2022
22/03432/S73	S73 to vary condition 29 of ref: 22/02554/S73 (Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL) to enable retail unit 2 to be used for purposes covered under Use Class E(a), E(b), E(c), E(d), E(e) and E(gii) within Class E.	Granted 02.11.2022
23/01938/S73	S73 to vary condition 1 (Approved plans) of planning permission 22/03432/S73 (S73 to vary condition 29 of ref: 22/02554/S73 (Reserved matters application detailing access appearance landscaping layout and scale for the creation of 239 new homes and non-residential floorspace including 'Market Square' internal roads landscaping and associated works as part of Phase 1a of the Wing masterplan pursuant to condition 5 (reserved matters) of outline planning	Granted 27.09.2023

	permission S/2682/13/OL) to enable retail unit 2 to be used for purposes covered under Use Class E(a), E(b), E(c), E(d), E(e) and E(gii) within Class E) g) to re-orientate seven houses that front Gregory Park (Lot D3) and to replace eight carports with garages (D3).	
23/01939/S73	S73 to vary condition 1 (Approved plans) of reserved matters application 20/02569/REM (Reserved matters application as part of Phase 1B pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads) to replace six two-storey houses (C2 and C3) within phase 1b with three-storey houses and to replace five carports with garages (D4).	Granted 27.09.2023
S/2682/13/NMA2	Non material amendment on application S/2682/13/OL to show a community garden, relocated tennis courts and additional junior football pitches on the Plains	Granted 17.04.2024
24/00043/S73	S73 to vary condition 1 (Approved plans) of outline planning permission S/2682/13/OL (up to 1300 homes primary school food store community facilities open spaces landscaping and associated infrastructure and other development) to amend the highway improvement works on Newmarket Road.	Pending Determination
24/01549/REM	Reserved matters application for the B2 land (car dealership development) including access, appearance, layout,	Approved October 2024

	scale, landscaping, associated infrastructure, incorporating an extension to the Ford store together with discharge of conditions 12,13,17,18,23,34,39,40,41,42,43,45,46, and 48 in respect of outline planning permission S/2682/13/OL	
24/03406/S73	S73 to vary condition 1 (Approved plans) of reserved matters application 21/02450/REM (Reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 421 new homes with associated infrastructure, internal roads and open space as part of Phase 2 pursuant to condition 5 (reserved matters) of outline planning permission S/2682/13/OL) to move the housing of the Generator to an external location separate from the plant.	PCO

Table 2 Relevant site history

- 4.1 The other applications which form the suite of Marleigh Phase 3 applications, the reports for which can be found elsewhere on this Agenda, are as follows:

23/04930/REM Reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 332 new homes and commercial space with associated infrastructure, internal roads, open space as part of phase 3 pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016. Part discharge of Conditions 13, 17, 18, 19, 20, 21, 23, 24, 25, 28, 30, 34, 40 of outline planning permission reference number S/2682/13/OL.

23/04935/FUL Construction of a community garden and store room with associated landscape features, street furniture, planters and boundary treatments including pedestrian and cycle connection between the Marleigh development and Jack Warren Green.

24/03837/S73 S73 to vary conditions 1 (Approved drawings) and 28 (Visitor car parking) and additional condition 30 (pitch flexibility) of planning permission 23/01939/S73 (S73 to vary condition 1 (Approved plans) of reserved matters application 20/02569/REM (Reserved matters application as part of Phase 1B

pursuant to condition 5 (Reserved Matters) of outline planning permission S/2682/13/OL dated 30 November 2016 (EIA Development) for detailed access, appearance, landscaping, layout and scale for the creation of 308 new homes, non-residential floor space, laying out of playing fields, open space, allotments, associated infrastructure and internal roads) to replace six two-storey houses (C2 and C3) within phase 1b with three-storey houses and to replace five carports with garages (D4)) to increase the number of visitor car parking spaces that are available to the users of the Plains recreational field.

23/04931/REM Reserved matters application detailing, appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL dated 30 November 2016.

23/04936/FUL Full planning application for the construction of 91 new homes with associated infrastructure, internal roads, open space as part of phase 3 within the Marleigh development as a modification to outline permission S/2682/13/OL to increase the overall unit numbers across the site to 1,391 homes.

5. Policy

5.1 National policy

National Planning Policy Framework 2021
National Planning Practice Guidance
National Design Guide 2019
Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design
Circular 11/95 (Conditions, Annex A)
Conservation of Habitats and Species Regulations 2017
Environment Act 2021
ODPM Circular 06/2005 – Protected Species
Equalities Act 2010

5.2 South Cambridgeshire Local Plan (2018)

S/1 – Vision
S/2 – Objectives of the Local Plan
S/3 – Presumption in Favour of Sustainable Development
S/4 – Cambridge Green Belt
S/7 – Development Frameworks
SS/3 - Cambridge East
CC/1 – Mitigation and Adaption to Climate Change
CC/6 – Construction Methods
CC/7 – Water Quality
CC/8 – Sustainable Drainage Systems
CC/9 – Managing Flood Risk

HQ/1 – Design Principles
NH/2 – Protecting and Enhancing Landscape Character
NH/3 – Protecting Agricultural Land
NH/4 – Biodiversity
NH/8 – Mitigating the Impact of Development in & adjoining the Green Belt
SC/4 – Meeting Community Needs
SC/7 – Outdoor Play Space, Informal Open Space & New Developments
SC/9 – Lighting Proposals
SC/10 – Noise Pollution
SC/11 – Contaminated Land
SC/12 – Air Quality
TI/2 – Planning for Sustainable Travel
TI/3 – Parking Provision

5.3 Supplementary Planning Documents (SPD)

Cambridge East Area Action Plan (2006)
Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010
District Design Guide SPD – Adopted March 2010
Open Space in New Developments SPD – Adopted January 2009
Public Art SPD – Adopted January 2009
Trees and Development Sites SPD – Adopted January 2009

5.4 Other guidance

Greater Cambridge Housing Strategy 2019 – 2023
Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (2001).
Cambridge and Milton Surface Water Management Plan (2011)
Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (2010)
Greater Cambridge Sustainable Design and Construction SPD (2020)
Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste
Cambridgeshire Design Guide For Streets and Public Realm (2007)
Cycle Parking Guide for New Residential Developments (2010)

6. Consultations

Fen Ditton Parish Council

- 6.1 No objection. Comments relating to the following:
- retention of facilities in perpetuity
 - layout and potential for conflict between the uses

- lack of specific parking provision for the sports pitches
- concern that the development could raise issues of on-street parking

County Highways

6.2 No objection, no recommended conditions.

County Transport Team

6.3 No objection, subject to the provisions of application reference 24/03837/S73 and 10no. additional cycle spaces.

Cambridge City Airport

6.4 No objection, no recommended conditions.

Environmental Health Officer

6.5 No objection subject to conditions pertaining to Construction Noise/vibration (condition 8), artificial lighting (condition 5) and informatives.

Landscape Officer

6.6 No objection subject to conditions pertaining to surfacing of pitches and courts (condition 4 and 10), boundary treatments (condition 10).

Lead Local Flood Authority

6.7 No objection subject to conditions pertaining to surface water drainage (condition 6).

Urban Design Team

6.8 No comments.

Ecology Officer

6.9 No objection, subject to conditions pertaining to wildlife hazard management (condition 7) and ecological lighting strategies (condition 9).

S106 Officer

6.10 No comment.

Cambridge Quality Panel Meeting

- 6.11 The Panel advocated the relocation of the tennis courts to the sports area as a logical solution for enabling sports provision.

7. Third party representations

- 7.1 No representations have been received

8. Member Representations

- 8.1 None received.

9. Local Groups / Petition

- 9.1 None received.

10. Planning background

- 10.1 This is a Reserved Matters application detailing appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL. Whilst the application technically sits independent of other permissions, it is intertwined with the other Marleigh Phase 3 applications. The reports covering these other applications can be found elsewhere on this committee Agenda.
- 10.2 2no. additional junior football pitches are proposed. Three tennis courts are proposed to be relocated from their approved location on the western parcel of the site to ensure proximity to the approved sports pavilion. The additional 2no. playing pitches are required to meet the additional sports demand in relation to the proposed uplift of 91 homes included within the suite of Phase 3 applications.
- 10.3 A separate s73 application in respect of 20/02569/REM (Phase 1B), has been submitted under application reference: 24/03837/S73. This s73 applications seeks to allow for amendments to the approved parking arrangements and to ensure the flexibility of pitch size provision to meet ongoing demand for the District.
- 10.4 The additional 30no. parking spaces are considered to be a suitable provision for parking arrangements given the provisions of Local Plan Policy TI/3, the Marleigh Design Code and the Cambridge East Area Action Plan and will ensure The Plains have been constructed with best

practice in mind. The parking arrangements are to be secured through application reference 24/03837/S73 with s106 planning obligations securing the delivery of parking.

11. Assessment

- 11.1 From the consultation responses and representations received and from an inspection of the site and the surroundings, the key issues are:
- Principle of development
 - Design, layout, scale and landscaping
 - Biodiversity
 - Agricultural land quality and soils
 - Water management and flood risk
 - Car and cycle parking
 - Amenity
 - Open space and recreation
 - Planning obligations
 - Planning balance
 - Recommendation
 - Planning conditions

12. Principle of Development

- 12.1 The application site is subject to outline approval under application reference: S/2682/13/OL which established the principle of development.
- 12.2 The application seeks consent for detailing, appearance, landscaping, layout and scale for junior football pitches and tennis courts with associated infrastructure and drainage pursuant to condition 5 (reserved matter) of outline permission S/2682/13/OL.
- 12.3 The principle of the development is, on this basis, compliant with the provisions of the South Cambridgeshire Local Plan (2018).

13. Design, layout, scale and landscaping

- 13.1 Policy HQ/1 'Design Principles' provides a comprehensive list of criteria by which development proposals must adhere to, requiring that all new development must be of high-quality design, with a clear vision as to the positive contribution the development will make to its local and wider context.

- 13.2 Policies NH/2, NH/6 and SC/9 are relevant to the landscape and visual impacts of a proposal. Together, they seek to permit development only where it respects and retains or enhances the local character and distinctiveness of the local landscape and its National Character Area.
- 13.3 The Design Code for Marleigh (Wing Masterplan Design Code Hill/Marshall/PTE), the District Design Guide SPD (2010) and the Council's Landscape in New Developments SPD (2010) provide additional guidance. The NPPF provides advice on achieving well-designed places and conserving and enhancing the natural environment.
- 13.4 The proposed development constitutes 2no. junior football pitches, and 3no. tennis courts. The layout of the pitches and tennis courts proposed are considered to have utilised a high-quality design approach, with proximity to consented facilities i.e. the Sports Pavilion to ensure they can be effectively used without the need for further development.
- 13.5 The football pitches will be marked on the grassland within The Plains, meaning they will have limited impact on the visual amenity of the site.
- 13.6 The pitches will remain within a community use, under Use Class F2(c) of the current Planning Use Class Order by means of proposed condition 3.
- 13.7 The details provided with regards to the design of the proposed tennis courts are limited to the layout proposed, however, the surfacing materials and fencing details for the courts can be secured by condition.
- 13.8 The proposed development, subject to appropriate conditions as described above, is considered to provide a high-quality design appropriate for the character of the site and of the adjacent Greenbelt and is therefore considered compliant with the provisions of policy HQ/1, NH/8, NH/2, NH/6 and SC/9 of the South Cambridgeshire Local Plan (2018).

14. Trees

- 14.1 Whilst the wider Marleigh development is subject to Arboricultural Impact Assessments and other arboricultural considerations, this application site does not host any existing trees thus, arboricultural matters are not a constraint.

15. Biodiversity

- 15.1 This application follows the previously approved outline permission S/2682/13/OL and as such is not subject to BNG requirements.
- 15.2 The application has been subject to formal consultation with the District Council's Ecology Officer who raises no objection to the proposal and recommends several conditions to ensure the protection of species and ecological interests.
- 15.3 The recommended conditions include: compliance with the Wildlife Hazard Management Plan and Ecological Impact Assessment, a pre-commencement of use condition requiring details of an Ecologically Sensitive Lighting Strategy for The Plains. These conditions are considered reasonable and necessary to ensure the protection of ecological assets and are recommended (conditions 7 and 11).
- 15.4 In consultation with the District Council's Ecology Officer, subject to appropriate conditions as referred to above, Officers are satisfied that the proposed development complies with the District Council's policy NH/14, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

16. Agricultural land quality and soils

- 16.1 The existing site comprises Grade 2 Agricultural Land.
- 16.2 Local plan policy NH/3 'Protecting Agricultural Land' states that permission will not be granted for development which would lead to the irreversible loss of Grades 1, 2 or 3a agricultural land unless, inter alia
a) land is allocated for development in the Local Plan;
- 16.3 The application site has been allocated for development within the local plan under policy SC/7 and on this basis the proposal is therefore compliant with policy NH/3 and NPPF advice.

17. Water management and flood risk

- 17.1 Policies CC/7, CC/8 and CC/9 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 17.2 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

- 17.3 Whilst the redline boundary of the site measures approximately 1.2ha, the majority of it has been previously approved for playing field provision under application reference: 20/02569/REM, meaning the unapproved elements of the site subject to assessment measures approximately 0.33ha. A Flood Risk Assessment would not usually be expected given the development of less than 1ha in size where the land lies within Flood Zone 1.
- 17.4 The applicants have submitted a Flood Risk Assessment. The Lead Local Flood Authority have reviewed it and confirmed that they have no objection to the development proposed subject to conditions relating to surface water drainage (condition 6).
- 17.5 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies CC/7, CC/8 and CC/9 and NPPF advice.

18. Highway safety and transport impacts

- 18.1 Policy HQ/1 states that proposals must provide safe and convenient access for all users and abilities to public buildings and spaces, including those with limited mobility or those with impairment such as sight or hearing.
- 18.2 Policy TI/2 requires developers to demonstrate adequate provision will be made to mitigate the likely impacts of the proposed development and for larger developments to demonstrate they have maximised opportunities for sustainable travel and provided a Transport Assessment and Travel Plan.
- 18.3 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 18.4 The application is supported by a Transport Assessment relevant to the entirety of the Phase 3 applications for Marleigh.
- 18.5 The suite of Phase 3 applications have been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal.

- 18.6 Subject to conditions to ensure the delivery of the amended parking provisions, the proposal accords with the objectives of policy TI/2 of the Local Plan and is compliant with NPPF advice.

19. Car and cycle provision

- 19.1 Policies HQ/1 and TI/3 set out that car and cycle parking provision should be provided through a design-led approach in accordance with the indicative standards set out in Figure 11 of the Local Plan. Cycle parking should be provided to at least the minimum standards.
- 19.2 The Design Code for Marleigh (The Wing Masterplan – Hill/Marshall/PTE) and Appendix 1 of the Cambridge East Area Action Plan (CEAAP) provide indicative cycle and car parking provision for the Marleigh Development although neither document pays direct reference to areas of open space and/or sports provisions which do not provide seating. Paragraph 5 of Appendix 1 of the CEAAP states that some developments may have an exceptional need for vehicle parking in addition to that specified in the standards.
- 19.3 Given the lack of direct policy referencing for cycle/car parking provision for sites such as The Plains, an on-merit assessment has been undertaken by Officers.

Cycle parking

- 19.4 TI/3 provides indicative figures for cycle parking. Para. 10.24 states the standards are indicative. A bespoke (on merit) approach is needed on a case-by-case basis.
- 19.5 Phase 1B of the Marleigh development approved under application reference 20/02569/REM, allowed for 60 cycle parking spaces to be situated at the sports pavilion.
- 19.6 It is considered, given the existing level of provision within Phase 1B of the development, that the cycle parking arrangements approved under the Phase 1B proposals will provide sufficient cycle parking arrangements to meet the needs of future users of the site, and therefore the scheme is considered to remain compliant with the provisions of Policy TI/3.

Car parking

- 19.7 TI/3 provides indicative figures for car parking. Para. 10.24 states the standards are indicative, and a bespoke approach is needed on a case-

by-case basis. Paragraph 5 of Appendix 1 of the CEAAP, states that some developments may have an exceptional need for vehicle parking in addition to that specified in the standards.

- 19.8 The 3no. tennis courts proposed are to facilitate the needs of the local community and thus car parking arrangements are not deemed as a requirement for this aspect of the development.
- 19.9 During the course of the application and in discussion with the District Council's Sports and Recreation Teams, additional car parking was identified being as necessary to cater for the needs of future users of the site. It was also identified that the level of coach parking which was secured under the previous Phase 1B approval was an over-provision.
- 19.10 On the advice of Officers, the applicant agreed to amend the amend visitor parking layout to reduce coach parking from 6no to 2no. coach bays whilst allowing for the addition of 30no. car parking spaces. The consented 5no. car parking spaces will be adapted to 5no. disabled bays. This will ensure the needs of future users of the site can be met and to fulfil the requirements of para. 3 Appendix 1 of the CEAAP.
- 19.11 Noting paragraph 10.24 of Policy TI/3, which states that the parking standards are indicative and a bespoke approach is needed on a case-by-case basis. In addition to the need for more car-parking and the limited/reduced demand for coach parking, the additional 30no. car parking spaces are considered acceptable by Officers. Furthermore, the loss of 4no. coach parking spaces is not considered to result in any compromise of sustainable access to the site. The parking arrangements will be secured through a s73 application (reference: 24/03837/S73) which seeks to amend the parking layout of Phase 1B as approved under 20/02569/REM.
- 19.12 On this basis, the proposal is considered to accord with policies HQ/1 and TI/3 of the Local Plan, the Marleigh Design Code, the CEAAP and the Greater Cambridge Sustainable Design and Construction SPD.

20. Amenity

- 20.1 Policy HQ/1 (n), sets out that proposals must protect the health and amenity of occupiers and surrounding uses from development that is overlooking, overbearing or results in a loss of daylight or development which would create unacceptable impacts such as noise, vibration, odour, emissions and dust.

Neighbouring properties

- 20.2 The development, which consists of outdoor sport provision, may result in the need for artificial lighting to be installed (i.e. flood lights) yet it forms no part of this application. In the interest of protecting the amenity of neighbouring occupiers, a condition should be added to any permission granted stating that in the event artificial lighting is required, an artificial lighting strategy be submitted to and agreed in writing by the local planning authority, to protect the residential amenity of neighbouring properties (condition 5).
- 20.3 Subject to imposing the condition outlined above the development is not considered to create any adverse impacts on the amenity of neighbouring occupiers outside of the construction period.
- 20.4 To prevent adverse impacts on the amenity of neighbouring occupiers throughout the construction period the EHO has recommended several conditions including restricted construction hours. The piling and construction phasing conditions are not relevant to this specific application which is for tennis courts and football pitches. The condition pertaining to construction hours is deemed reasonable and necessary to ensure the amenity of neighbouring occupiers are protected and are recommended (condition 8).
- 20.5 The proposal adequately respects the amenity of its neighbours and of future occupants. Subject to conditions, the proposal is compliant with policy HQ/1 of the Local Plan, the Marleigh Design Code and the District Design Guide 2010. The associated construction and environmental impacts would be acceptable and in accordance with policies CC/6, CC/7, SC/9, SC/10, SC/12 and SC/14 of the Local Plan subject to conditions.

21. Third party representations

- 21.1 None received.

22. Open space and recreations

- 22.1 Policy SC/7 requires all housing developments to contribute towards outdoor play space (including children's play space, formal outdoor sports facilities) and informal open space in accordance with the following minimum standards.
- 22.2 This application has been prepared in response to the additional need for sports provision following the proposed uplift of 91 homes (reference

23/04936/FUL) contained within the suite of Phase 3 planning applications.

- 22.3 This application seeks to relocate 3no. tennis courts previously approved within the western parcel of the site. These three tennis courts and the approved 5no. football pitches at The Plains are derived from the sports and recreation requirements associated with the 1300 homes approved under the outline permissions and subsequent RMAs for Marleigh.
- 22.4 This application seeks the provision of 2no. football pitches to address the additional sports/recreation requirements stemming from the uplift of 91 dwellings sought under application reference: 23/04936/FUL (Marleigh Phase 3B).
- 22.5 The required open space and recreation facilities to meet the need of the occupiers of the up-lift of 91 dwellings are sought by the delivery of two football pitches. The additional sports provision of 2no. football pitches equates to approximately 0.33ha of sports provisions. Appendix 3 of the CEAAP states that 1.2ha of sports provisions are required per 1000 people. The proposed 0.33ha of sports provision is therefore considered sufficient to meet the demand associated with the uplift of 91 dwellings.
- 22.6 The proposed quantity of additional sports facilities is sufficient to meet the demand associated with the 91-dwelling uplift and accords with the CEAAP and is therefore supported.

23. Planning obligations (S106)

- 23.1 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation fails the tests then it is unlawful. The tests are that the planning obligation must be:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 23.2 Policy TI/8 'Infrastructure and New Developments' states that Planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. The nature, scale and phasing of any planning obligations and/or Community Infrastructure Levy

(CIL) contributions sought will be related to the form of the development and its potential impact upon the surrounding area.

23.3 The applicant has indicated the willingness to vary the existing S106 planning obligations via a s106a application in accordance with the requirements of the District Council's Local Plan and the NPPF. The relevant obligations associated with this application would relate to the following:

- delivery of 2no. Playing Fields (for 7no. total at The Plains)
- delivery of 3no. Tennis Courts
- delivery of 35no. Parking Spaces (incl. 5no disabled bays), and delivery of 2no. coach parking bays.

23.4 The planning obligations are necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the required planning obligation(s) passes the tests set by the Community Infrastructure Levy Regulations 2010 and are in accordance with Policy TI/8 of the South Cambridgeshire Local Plan (2018).

24. Other matters

24.1 Bins

A condition will be included to any permission granted requiring details of litter bins to be installed on site (condition 13).

25. Planning balance

25.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

25.2 The application proposes to increase the level of sports provisions at The Plains. The increase in football pitches to 7no. football pitches in total, will require additional parking spaces to cater for future users of the site and prevent on-street parking stress elsewhere in the surrounding streets. The additional parking arrangements, secured through application reference 24/03837/S73, will ensure the delivery of a site that works effectively and caters for the needs of its future users.

25.3 The application will allow for the addition of 2no. football pitches at The Plains, which is considered appropriate to meet the additional sports provision demand associated with the 91-dwelling uplift associated with

the Phase 3 proposals. The application proposals ensure that residents of the Marleigh development have suitable access to sports provision and should be supported on this basis.

25.4 In addition, the application will allow for 3no. tennis courts to be provided in close proximity to other approved sports facilities within The Plains. This will encourage a sense of place at The Plains to form, whilst ensuring the sports provisions for the Marleigh development meet the needs of future communities.

25.5 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

26. Recommendation

B. Approve this reserved matters application 23/04931/REM subject to:

- (i) The planning conditions and informatives as detailed in Section 27 of this report, with delegated authority to officers to carry through minor amendments to those conditions and informatives (and include others considered appropriate and necessary).
- (ii) The prior completion of a planning obligation by deed under S106 and S106A (as appropriate) of the Town and Country Planning Act 1990 (as amended) which secures the necessary modifications to the 2016 Agreement supporting S/2682/13/OL, to release those obligations no longer required as a consequence of the approval of this proposal, and to the new planning obligations specified in this report, with delegated authority to officers to include other relevant planning obligations necessary to make the proposal acceptable in planning terms, and to negotiate, settle and complete such planning obligation in consultation with the Chair and Vice Chair of JDCC.

27. Planning conditions

1 Time Limit	<p>The development hereby permitted shall be carried out in accordance with the following approved drawings and technical documents:</p> <ul style="list-style-type: none"> - Site Location Plan Dwg. No. 01836-JTP-S-01 Rev P1 - Plains Red Line Plan Dwg. No. 01836-JTP-S-05 Rev A - Landscape Plan – Dwg. No. D9565.03.001
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2 Use of Playing Fields	<p>The playing fields hereby approved shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class F2(c) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).</p> <p>Reason: To protect the playing field from loss and/or damage and to maintain the quality of and secure the safe use of sports pitch/es (South Cambridgeshire Local Plan; policy SC/4).</p>
3 Playing Field Management and Maintenance	<p>Prior to the bringing into use of the playing fields a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.</p> <p>Reason: To ensure that the playing fields are capable of being managed and maintained to deliver sports facilities which are fit for purpose, sustainable and ensure sufficient benefit of the development to sport (National Planning Policy Framework (NPPF) para 97; South Cambridge Local Plan 2018 policy SC/4).</p>
4 Landscape Management and Maintenance	<p>Prior to commencement of the development hereby approved, a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape plan shall be carried out as approved. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as it is reasonably practicable with others of species, size and number as originally approved. Replacement trees shall be maintained for a period of five years after planting.</p> <p>Reason: In the interests of visual amenity and to ensure that hard and soft landscape is provided as part of the</p>

	development (South Cambridgeshire Local Plan 2018; policy HQ/I).
5 Artificial Lighting	<p>Notwithstanding details provided within the application submission, full details of any external lighting, such as street lighting and residential lighting (as set out in outline condition 18), and any lighting associated with the sports pitches and tennis courts hereby approved, shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that there is no conflict with the final lighting positions agreed as part of the S278 Agreement, and in the interests of amenity (South Cambridgeshire Local Plan 2018; policy HQ/1).</p>
6 Surface Water Drainage	<p>No laying of services, creation of hard surfaces or use of playing pitches/tennis courts shall commence until a detailed surface water drainage scheme for the site, based on the agreed Proposed Surface Water Strategy prepared by WSP (ref: 70093947) dated 20th December 2023 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to commencement of development above slab level.</p> <p>Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat amenity (Cambridge Local Plan Policies 30 and 31)</p>
7 Wildlife Hazard Management Plan	<p>The development shall be carried out strictly in accordance with the Wildlife Hazard Management Plan, Project Wing, Aviaire, March 2019, V007 and Wildlife Hazard Management Compliance Statement, Project Wing, Aviaire, August 2020 V004. This includes provision of adequate bird control measures and the regime of monitoring in the construction period and post completion phases as set out in the WHMP.</p> <p>Reason: To minimise the attractiveness of the development to birds, to ensure the safe movement of aircraft and the operation of Cambridge Airport (South Cambridgeshire Local Plan 2018; policy CE/32).</p>

8 Noise – Construction Hours	<p>No construction work and/or construction related dispatches from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 hours on Saturdays and no construction works or collection / deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise approved in writing by the local planning authority.</p> <p>Reason: In the interest of protecting the amenity of neighbouring occupiers throughout the construction period (South Cambridgeshire Local plan 2018 Policy HQ/1)</p>
9 Ecological Lighting Strategy	<p>Prior to the installation of any external lighting, an ecologically sensitive lighting strategy shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The lighting installed on site shall be delivered in accordance with the approved lighting strategy and maintained thereafter.</p> <p>Reason: To ensure the protection of ecological assets (Cambridge Local Plan Policy 69)</p>
10 - Tennis courts management	<p>Prior to the construction of the tennis courts hereby approved, a tennis court management and maintenance plan shall be submitted to and agreed in writing by the Local planning Authority. The management strategy shall include details of:</p> <ul style="list-style-type: none"> a) Management guidelines to show who will manage the tennis courts b) How the tennis courts will be managed c) How the tennis courts will be cleaned and maintained

	<p>d) Showing how the tennis courts will be safe and secure</p> <p>e) Landscape maintenance</p> <p>f) Hours of use of the tennis courts</p> <p>g) A programme for delivery of the tennis courts and open space.</p> <p>The provision of tennis courts and open space shall be carried out in accordance with the approved details and in accordance with the approved programme for delivery contained within the approved management plan.</p> <p>Following their provision, the tennis courts shall be managed in accordance with the approved management plan unless the local planning authority gives its written consent to any variation.</p> <p>REASON: To ensure that appropriate sports facilities and open space are provided in relation to the development of the site, in compliance with policies CE20 of the Cambridge East Action Plan 2008 and Policy HQ/1 of the South Cambridgeshire Local Plan 2018.</p>
<p>11 Ecological Impact Assessment</p>	<p>The development shall be delivered in accordance with the approved document: Ecological Impact Assessment (MD Ecology, December 2023).</p> <p>Reason: To ensure the protection of ecological assets (South Cambridgeshire Local Plan Policy</p>

Background papers:

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

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework SPDs

Appendix 1: Drawing Pack

Drawing title	Drawing number	Revision	Scale	Paper
Existing Site Plans				
Site Location Plan	01836-JTP-S-01	P1	1:1250	A0
Plains Red Line Plan	01836-JTP-S-05	A	1:1250	A0
Landscape Plans				
Landscape Plan	D9565.03.001	-	1:750	A1