



Further to your information request FOI/EIR 24/25-140, please find your question and our response below.

Request:

I would like to draw your attention to the East Cambs Local Plan 1991. The plan designates Soham as a Rural Growth Settlement and states as one of its policies that 'No development will be permitted on the commons and any development proposal within the vicinity of the commons will not be permitted if it would adversely affect their character and setting' The Commons were protected for 25 years by CCC, ECDC and Soham Town Council. Although this protection should have been in place until 2016, plans to develop the land between the commons was in the pipeline long before the time had elapsed! In 2015 it was included in the Local Plan by ECDC. This, despite the fact that any development would indeed have a negative impact on Qua Fen and East Fen Commons. This is the biggest development that Soham has ever seen!

My questions are as follows:-

- *When and by whom, was the decision taken to develop the land between two ancient Commons and to include it in the 2015 Local Plan?*
- *Was the East Cambs Local Plan 1991 and the protection of the commons raised at the meeting between all three parties before East Cambs Local Plan 2015?*
- *Where is the evidence supporting why the 'Character and setting' would not be adversely affected?*

Response:

When and by whom, was the decision taken to develop the land between two ancient Commons and to include it in the 2015 Local Plan?

Preparation of the 2015 Local Plan was over a number of years and included several public consultation rounds. Decisions were taken at various stages in that process, and most often on a collective plan basis, rather than individual decisions for individual sites. Ultimately, two key bodies had responsibility for taking decisions: Full Council, on behalf of East Cambridgeshire District Council; and the independent Planning Inspector, on behalf of the Secretary of State. It was Full Council, therefore, that made the decision to allocate the land in 2015, but only after an independent Inspector agreed it was appropriate to do so. The Inspector's Report is available here:

https://www.eastcambs.gov.uk/sites/default/files/Inspector%27s%20Report_0.pdf

Was the East Cambs Local Plan 1991 and the protection of the commons raised at the meeting between all three parties before East Cambs Local Plan 2015?

It is unclear what 'meeting' is being referred to in this question. Nevertheless, the Town Council and the County Council were consultees through the drafting of the Local Plan (alongside the general public) and no doubt would have considered carefully the proposals for Soham and made representations accordingly. We have no known records whether the 1991 plan was discussed in any such meetings or in any representations made.

Where is the evidence supporting why the 'Character and setting' would not be adversely affected?

Amongst other matters, the suitability of the site was a matter for the independent Inspector to test. This would include character and setting issues. Of the many 100s of documents that was available to the Inspector (and before that, to the Council), it is unknown which documents in

particular influenced the decision makers of that time to conclude that the site was appropriate for inclusion in the Local Plan 2015. However, according to my records, the Inspector was aware of the Council approved Eastern Gateway Masterplan 2011 and refers to it at paragraph 89 of his report, at footnote 75 (the masterplan being OD/11 in the Local Plan examination library). That masterplan remains available on the internet via this committee report of 2011:

https://www.eastcambs.gov.uk/sites/default/files/agendas/sd050411_K305.pdf

Whilst it cannot be certain, it is reasonable to assume that both the Council (when preparing the plan) and the Inspector (when examining the plan) considered the evidence as contained in that masterplan in order to help reach the conclusion that the site was suitable for inclusion in the 2015 Local Plan. Nevertheless, no doubt other evidence (including representations received via the consultation) would also have been considered.

This concludes your request FOI/EIR 24/25-140.

If information has been refused, please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.