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**MAIN CASE**

**Reference No:** 19/00717/OUM

**Proposal:** Proposed erection of up to 175 dwellings and associated infrastructure with access from Broad Piece

**Site Address:** Broad Piece Soham Cambridgeshire

**Applicant:** Persimmon Homes East Midlands

**Case Officer:** Barbara Greengrass Planning Team Leader

**Parish:** Soham

**Ward:** Soham North  
Ward Councillor/s: Victoria Charlesworth  
Alec Jones

**Date Received:** 17 May 2019      **Expiry Date:** 5 March 2021

[V137]

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**1.0 RECOMMENDATION**

1.1 Members are recommended to REFUSE planning permission for the following reasons:

1. The proposed development is located within the countryside outside the defined settlement boundary of Soham, where new development is strictly controlled. The construction of up to 175 dwellings in the countryside does not meet any of the defined exceptions within Policy GROWTH2 and would therefore give rise to an inappropriate development with no justification to override the normal presumption against development in the countryside. As such it is contrary to adopted East Cambridgeshire Local Plan 2015 Policy GROWTH2 and the National Planning Policy Framework, which seek to protect the countryside and the setting of towns and villages.

**2.0 SUMMARY OF APPLICATION**

2.1 This application seeks outline planning permission for up to 175 dwellings together with public open space, landscaped buffer, and attenuation basin and drainage infrastructure. The application also proposes 30% affordable housing and 5% self build/custom build plots. All matters are reserved apart from means of access. The proposal is to provide for a single access onto Broad Piece, provided for through the demolition of number 12. A secondary emergency access is also provided close to it, which will be used as a pedestrian/cycle access.

- 2.2 The application is accompanied by an illustrative masterplan illustrating how up to 175 dwellings could be accommodated on the site of 10.83 ha (26.7 acres). Due to the requirements for a substantial cordon sanitaire for the sewage works immediately to the west of the site, which represents a significant constraint to development, the green infrastructure/open space will be some 6.19 ha (15.2 acres) and 58% of the overall site area. This leaves a residential developable area of 4.64 ha (11.4 acres). A further corridor of open space is shown east to west through the developable area.
- 2.3 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>.
- 2.4 This application has been brought to Committee in line with the Council's Constitution.

### **3.0 PLANNING HISTORY**

- 3.1 No relevant planning history for this site but planning permission for an upgrade to the PROW to the north approved on 07/02/2020 – ref 19/01729/FUL.

### **4.0 THE SITE AND ITS ENVIRONMENT**

- 4.1 The site is located to the northern end of Soham, close to and adjoining the settlement boundary but within the countryside as identified within the Local Plan. The site also lies within the water treatment works safeguarding zone as the facility lies immediately to the west of the site. To the south and east is residential development, and to the north east a farm potato storage business. A drain and Public Footpath 17 run along the northern boundary of the site leading further afield to Footpath 205/16 and 205/18.
- 4.2 The site itself is largely agricultural land with the residential curtilage of number 12.

### **5.0 RESPONSES FROM CONSULTEES**

- 5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

#### **Cambridgeshire Archaeology**

3 January 2020

No further comments.

3 June 2019

Our records indicate that the site lies in an area of high archaeological potential, situated close to the north-western tip of the former 'fen island' of Soham: 'high' land that lay surrounded by fen deposits that accrued in the fen basin since the end of the Neolithic period about 4000 years ago. Such locales frequently provided rich mosaics of vegetation and natural resources that were exploited by communities living nearby. While evidence of prehistoric and later settlement and occupation is known from areas of recent development subject to archaeological investigation,

these mostly occurred on area of the island that had a thin gravel cap and better draining soils.

To the east of the site by 500m, very recent evaluations to the north of The Shade have recently revealed further Late Bronze Age-Early Iron Age (c. 900-500BC) occupation and field systems (Cambridgeshire Historic Environment Record reference ECB4753), including a metalled area around a large pit that demonstrates well the need to manage the claggy ground underfoot. This archaeological evidence is a continuation of Bronze Age and Roman field systems with field wells from the Cloverfield Drive/Townsend area to the south.

Excavations at Cloverfield Drive to the immediate southeast (ECB2139) in 2004 revealed Bronze Age occupation and field systems in the heart of this housing development, while Medieval quarrying and cultivation evidence was also present across the development area (MCBs 15835, 16867). Later field ditches were seen in the access road to Cloverfield Drive (CB15241). Fieldwalking of the route of the Soham bypass in advance of its construction demonstrated the presence of medieval settlement in this area of Townsend, roughly 0.5km to the east.

The application area lies to the north of the former Soham Mere, a large wetland area of around 550 hectares first recorded in the 11<sup>th</sup> Century. Drainage was first attempted in the later 17<sup>th</sup> century and it was fully drained and managed by the late 18<sup>th</sup>/19<sup>th</sup> centuries. Immediately north of the mere is a section of Soham Lode or River, a canalised southern branch of the River Snail that flows northwards from Fordham to the River Great Ouse via Soham. The date of original canalisation is not known but could be of later medieval origin to enable communications with the villages on the chalk to thrive. Improvements of the Lode undertaken by the Bedford Level Commissioners in the later 17<sup>th</sup> century coincided with general land improvements as part of the wider, long-term fenland draining scheme enabling more consistent protection from flooding.

No dry land passage between Soham and Ely was possible before the early 12<sup>th</sup> century, which had posed significant difficulties for communications to exist between the abbeys at Ely and Bury St Edmunds. The original causeway, formed of bundles of reeds, was constructed by a monk from Ely priory, the latter of whom held the duty to maintain it until at least the 14<sup>th</sup> century. Records indicate that the Dean and Chapter of Ely contributed to road repairs from the north end of the village well into the 18<sup>th</sup> century and there is reference to a much-despised tollgate close to the north end (<https://www.british-history.ac.uk/vch/cambs/vol10/pp489-499> (Communications)). The First Edition OS mapping for this area (1885) names the road now known as 'The Shade' north of Shade Common, and 'Ely Road' (A142) to the west as 'Soham Causeway'. Evidence of the reed bundles, should any survive, is expected to be beneath the current road bed.

The survival of the open medieval field system (*cf* Hall, D., 2014, *The Open Fields of England*. Oxford: Clarendon Press) is an important non-designated heritage and historic landscape asset for Soham. Typical of the Midland Field System, the three field for arable rotation and common lands for livestock grazing formed the heart of village life. Three commons survive today owing to the Decree of the Court of the Exchequer of 1686: Angle Common, East Fen and Qua Fen, supplemented by South and North Horse Fens.

Broad Piece lies to the north of Soham Lode and a drained wash land, south of the land parcel subject area, and was more occupied in the 19<sup>th</sup> century than was The Shade, which saw settlement expansion in the 20<sup>th</sup> century.

An 18th century windmill (06946) and a late 19th/early 20thC brick kiln (07088) are known from within 0.5km to the north of the Soham bypass and the north west of the proposed development area respectively: indicating the rural industrial usage of the area in the Post-Medieval period.

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured by condition.

**Design Out Crime Officers**

6 January 2020

No further comments to make.

3 June 2019

This is at present a location with a low vulnerability to the risk of crime. There have however been some incidents of disorder reported.

There is no specific Security or Crime Prevention section outlining what measures are being proposed but there is mention of NPPF Para 127. While this appears to be an appropriate layout in relation to crime prevention and the fear of crime, it is an illustrative masterplan. It would be good to see what security measures will be proposed/adopted particularly in relation to building security, boundary treatments and lighting.

**Soham Town Council –**

29 June 2020

The width of the road as it stands at present is 5.5m. Persimmon proposes to reduce this by 0.5m to 5m by widening the footpath from 1.3 to 1.8m. This width reduction is unacceptable for the following reasons:

From a document number 18409-04 Rev B response to CCC comments 19 December 2019 available on the ECDC planning site which indicates a road width of 5.5m. These new proposals do NOT follow the Cambridgeshire Design Guide. "13.1 it is noted as part of the proposals the existing footway and carriageway on Broad Piece will be widened to provide a 1.8m footway and 5.5m carriageway between the site access junction and the Broad Piece/Kingfisher Drive junction. It is noted the 5.5m carriageway falls in line with the carriageway widths recommended within the Cambridgeshire Design Guide for suburban and rural areas. The developer should confirm the 5.5m carriageway and footway improvements can be constructed within the existing highway extent. Furthermore, if it can be suitably accommodated within the existing boundary, the Highway Authority request the improvements are secured as a minimum 2m footway and 5.5m carriageway in order to encourage sustainable travel to and from the site. A detailed drawing of the

proposed footway improvements should be submitted and agreed with the Highway Authority.

This site was identified in the emerging local plan for no more than 100 dwellings. This application is contrary to the Local Plan and is constrained by the water treatment works. Anglian water are satisfied with the odour report but they should not be relied on and no report is provided by CCC waste. 30% affordable housing should be provided not 20%. Insufficient capacity for foul water drainage. Insufficient mitigation to prevent flooding on and of site. Cumulative impact of large scale housing developments. Expectation that the Council will apply the local Plan policies.

27 January 2020

- The site is not in the Local Plan 2015
- Outside of the development envelope of Soham
- Resides totally within Water Treatment Works Safeguarding Area and Water Recycling Area and there is no report from Cambridgeshire County Council
- Fails to provide 30% housing as outlined in Policy HOU3
- The schematic for surface water drainage does not provide quantal data to demonstrate the effectiveness of the shall depression
- Known drainage issues and the proposal indicates the necessity to in fill the ditch to provide an emergency access into the development
- Concerns raised with regards to the roads within the proposal nothing that there is a presumption in favor of providing this amenity using communal car parking areas. Would prefer to have direct parking at their properties and will for convenience in its absence of such often parking, double park and obstruct residential roads
- Residential roads must also be of an adoptable standard for refuse collection servicing to access
- Issues raised regarding the widespread and known insufficiencies to Soham town's current foul water drainage network.
- Although emerging Local Plan has now been withdrawn it should be reminded the relevant criteria that would be applied to this particularly site:
  - o 100 dwellings (maximum figure)
  - o Access only onto Kingfisher Drive
  - o Extensive buffering/landscape scheme to North and West which must be agreed by Anglian Water
  - o Order mitigation scheme agreed with Anglian Water

27 August 2019

Noted -significant number of resident objections to proposal  
Objections-amended flood risk assessment received marked as revision B remains as Revision A previously submitted for comment. Noted report as provided to mitigate IDB concerns remains factually incorrect/misleading

3.3.1-flooding of property 27 Broad Piece and surrounding environment formally noted/acknowledged by Anglian Water and action in remedy of installing a flood relief drain and culvert to assist with flooding of the properties and not as stated as ' drainage ditch created by local residents to remain'.

Amended drainage feasibility layout shows (again) a 'shallow depression' at the lowest (southerly) point of the site for 'exceedance conditions' which will further

exacerbate the overflow conditions at number 27. We have also significant concerns as it appears that the subterranean clay drainage system will be destroyed in the building process and will not be replaced raising the water further.

30 July 2019

It occurred to the residents of Broad Piece who were present at the meeting to ask if This Land had been approached by Persimmon Homes regarding using the A142 roundabout access road to access their planned development. The answer was not clear, but when asked if This Land would approach Persimmon Homes they replied it was not up to them. Although if This Land were approached by Persimmon Homes they would be open to negotiation.

The public mentioned that it would be more sustainable to have the access from the north of the development from the A142 roundabout thereby avoiding the building traffic and future residents travelling down Kingfisher Drive and Broad Piece almost doubling up on themselves. Would Persimmon Homes be willing to have negotiations with This Land? They are acting for Cambridgeshire County Council who own the land of both the Eastern Gateway and the Northern Gateway.

2 July 2019

Noted its objections and concerns to current proposal to develop Broad Piece, citing failure of the current application to mitigate and address the committee's previous response highlighting objection to the most recent web-based consultation by the Developers. Reinforcing its alarm as well as its previous comments from the web-based consultation and this planning applications which:

- Fails to address the known surface drainage issues that will impact new homeowners and exacerbate the current problems
- Lack of proper water migration, mitigation and management plan
- Unacceptable mitigation to surface water drainage management by utilizing surrounding ditches outside of the development
- Foul water provision is insufficient
- Lack of infrastructure or current proposed road for additional vehicular stress to and from development and in traffic loading to wider road transport network
- Cordon sanitaire recommendations appears to have been ignored/omitted from design
- The current plan involves a residential dwelling number 170 houses although a maximum of 100 houses were to be allowed at this site and any approval would be subject to:
  - o The site be considered for development only when and if other large scaled developments in the Local Plan as defined for Soham were delivered
- Under consideration of what is and what doesn't constitute sustainability when development is neither within the current development zone nor currently listed in the Local Plan appears current to be a significant factor to gaining planning approval from the Planning Authority due to the Districts deficient in 5 year housing supply the membership noted:
  - o An assumption in current planning application that there is sufficient amenity provision for these dwellings within a specified walking time/distance but that this accessibility is predicated and reliant on a theoretical 'as the crow flies' scenario outside of the current area of the development and using available footpaths that are not maintained but also on a theatrical 'amenity; planning documentation

- The BP garage next to Kingfisher Drive is the only amenity provision currently available to the propose development

5 June 2019

Acknowledged that the layout was illustrative so any comment on style of layout and design was presumptive at this stage, immaterial and outweighed by more important substance. Concerns raised at preapplication stage are as follows;

- a) Single exit onto Broad Piece not suitable for large scale housing due to width etc.
- b) Open space provision close to sewage works will have odour implications and maintenance should be secured.
- c) Drainage and flooding – properties continually flooded in the south west corner. Land is higher on the site. The development could worsen this situation. Questioned the effectiveness of the attenuation basin proposed.
- d) Foul water and capacity.
- e) Traffic volume and speed.

**CCC Minerals and Waste**

25 February 2020

Whilst the proposed development falls in the Waste Water Treatment Works Safeguarding Area for the Soham works, as designated through the adopted Cambridge and Peterborough Minerals and Waste Site Specific Proposals Plan 2012 (Policy W7AK), I note that an Odour Assessment was provided with the application, and that Anglian Water has been consulted on this.

The County Council, as the Waste Planning Authority, is satisfied that this matter has been considered by the utility provider; and notes that no objections have been raised by Anglian Water, and that the layout proposed is considered acceptable. I therefore have no comment to make on this planning application

**Local Highways Authority**

12 February 2021

After the investigation and agreement of the highway extent by the CCC Definitive mapping team I have no further objections to the proposed access or road widening. Subject to conditions being attached to any permissions granted including the delivery of the junction, road widening and footway/s along Board piece as per approved drawings and to CCC specifications.

15 July 2019

The Highways Authority objects to this application for the following reasons:

The application is not supported by sufficient highways information to demonstrate that the proposed development would not be prejudicial to the satisfactory functioning of the highway or highway safety

This application is to determine the access to the site. However no drawings showing clear dimensions, or an accurate OS base information of the proposed

junction and widening works have been submitted. The new junction with Broad Piece should show the measurements of the footway, carriageway and include the kerb radii. For this size of development I would recommend the following 1.8m but 2m footways preferable, 6m carriageway and 6m radii. Drawing number 18409-08 Rev B does not provide the required level of detailed information needed to confirm that the proposal is achievable.

The application proposes the widening of the footways and carriageway on Broad Piece. In order to ascertain if this is possible and can be achieved within the current adopted highway extent I require the following information: an accurate and current OS Base / TOPO drawing showing the adopted highway boundary extent and confirmation by CCC Definitive Mapping Team that this is correct. This must be overlaid with the proposed widening works. This will allow me to determine if the proposed widening works can be achieved. Drawing number 18409-08 Rev B does not provide the required level of detailed information needed to confirm that the proposal is achievable.

Whilst direct vehicle access on to Kingfisher Drive would have been preferable to the highways authority the proposed widening works on Broad Piece would facilitate the development. It is my understanding that the developer only controls and owns the land as shown within the redline boundary and as such this is why the access must be located as proposed and why the works on Broad Piece would be required.

I would recommend that a pedestrian and cycle link is installed to the north of the site linking to Footpath No. 17 this would provide a safer and more sustainable and convenient link to the school and the west of Soham.

The 85% percentile speeds in section 3.3.5, of the Transport Assessment, demonstrate that there is often speeds above the posted limit. Whilst this is a concern this cannot prejudice the outcome of this application as this is an existing issue. The achievable visibility shown at the proposed junction is actually over and above the requirement of 2.4m x 43m for this speed of road and it is also above what would be required for the recorded 85% percentile speed. Therefore the visibility at the junction is correct.

**County Highways Transport Team**  
20 November 2020

Background

These comments regard the additional information submitted by the applicant for the planning application concerning the proposed erection of 175 dwellings on the land north east of Broad Piece, Soham.

Transport Assessment Review

Proposed Mitigation

It is noted as part of the proposals the existing footway and carriageway on Broad Piece will be widened to provide a 1.8m wide footway and 5.5m wide carriageway between the site access junction and the Broad Piece/Kingfisher Drive junction as detailed in drawing nos. 18409-08-3 Rev O, 18409-08-2 Rev O, 18409-08-1 Rev O and 18409-08 Rev O respectively. This is agreed.



The direct footway link as detailed in drawing no. 18409-13 Rev I between the northern site boundary, The Shade Primary School, and Footpath no.17 which links to the existing footway network on Kingfisher Drive is agreed. Such works should form part of the S106 agreement.

The applicant is willing to provide a S106 contribution of £123,600 towards the A142/Fordham Road/A1123 roundabout capacity improvement scheme. This is agreed.

As part of the proposals, the applicant will also upgrade the existing pedestrian crossing at the Mere Side/Julius Martin Lane junction to comprise dropped kerbs and tactile paving in addition to localised footway widening in the crossing vicinity to 1.8m as detailed in drawing no. 18409-12-2 Rev B. This is agreed.

#### Travel Plan

CCC has not commented on any detail of the Framework Travel Plan at this stage. The Travel Plan should include suitable targets and measures inclusive of the provision of bus taster tickets or cycle discount vouchers. The Travel Plan will need to be subject to a condition should approval be given.

#### Conclusion

The Highway Authority does not wish to object to the application subject to the following:

1. Prior to first occupation of the development, the applicant shall provide a direct footway link between the northern site boundary, The Shade Primary School and Footpath no.17 as detailed in principle in drawing no. 18409-13 Rev I. Details to be submitted to and approved in writing by the Local Planning Authority and works to form part of the S106 agreement.
2. Prior to first occupation of the development, the applicant shall pay £123,600 (one hundred and twenty three thousand six hundred pounds) towards the A142/Fordham Road/A1123 roundabout capacity improvement scheme.
3. Prior to first occupation of the development, the applicant shall upgrade the existing pedestrian crossing at the Mere Side/Julius Martin Lane junction to comprise but not be limited to dropped kerbs and tactile paving in addition to localised footway widening in the crossing vicinity to 1.8m. Details to be submitted to and approved in writing by the Local Planning Authority and works to be carried out by the applicant as part of S278.
4. Prior to first occupation of the development, the applicant shall be responsible for the provision and implementation of a Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of cycle discount vouchers and/or bus taster tickets. The plan is to be monitored annually, with all measures reviewed to ensure targets are met.

4 February 2020

#### Transport Assessment Review

##### Existing Traffic Patterns

It is noted Broad Piece in the vicinity of the site is subject to 30mph. The County Council are aware of concerns regarding speeding on this stretch of road. ATC data

coincides with this as the 85th percentile speed on Broad Piece in the vicinity of the site access is 39mph. The applicant is willing to deliver traffic calming improvements along Broad Piece. Given the road is frequented by HGVs and tractors, a gateway feature is proposed on approach to Soham at the existing speed change to emphasise the 30mph speed limit. This gateway feature is combined with a give-way priority build out feature to the east of the 30mph transition which is designed to slow down vehicles on approach to Soham. Such mitigation is not acceptable to the Highway Authority. The inclusion of a horizontal feature and introduction of a give way measure is not required to facilitate this development. It also restricts the free flowing movement of the traffic. The County Council would accept soft measures such as road lining and a gateway feature via a planning condition. Therefore, drawing no.18409-12 should be revised to consider the above comments.

#### Pedestrian and Cycle Network

It is noted Footpath No.17 abuts the development site to the north. The County Council previously requested the applicant to deliver a direct footway link between the site and Footpath No.17, in addition to upgrading the surface of Footpath No.17 between the site and Kingfisher Drive. This is to enhance pedestrian access and reduce walking and cycling distances for residents to existing facilities and amenities within Soham inclusive of The Shade Primary School. The County Council are currently in discussions with the applicant regarding such improvements.

#### Site Access

Site access details should be agreed with Highways Development Management who will provide separate comments.

#### Traffic Generation

TRICS software has been used to determine vehicular trip generation. The proposed development is anticipated to generate 89 vehicular trips in the AM Peak and 83 vehicular trips in the PM Peak. The County Council had initial concerns that the vehicle trip rates for the development seemed a bit low. A separate TRICS assessment was undertaken by ourselves which included a revised sample size of sites that are more representative of the development in terms of size. Such assessment found similar results to the initial TRICS assessment. Therefore, it is considered the vehicle trip rates used within this assessment are acceptable for use.

#### Junction Assessments

The majority of junctions assessed are anticipated to operate within capacity for all assessment scenarios. The A142/Fordham Road/A1123 roundabout however, is anticipated to operate over capacity with a maximum RFC value of 1.00 on the Fordham Road (W) arm in the AM peak and a maximum RFC value of 1.06 on the A142 (S) arm in the PM peak in the 2028 future year + committed development + development scenario.

A mitigation scheme for the roundabout is proposed to improve capacity at the roundabout. Such scheme seeks to provide two lane entry and exits on all arms to improve capacity and has an in-principle total cost of £1.2 million. As requested by the County Council, the applicant has calculated a proportionate mitigation sum towards the A142/Fordham Road/A1123 improvement scheme in order to mitigate

the development. The applicant is willing to provide a proportionate S106 contribution of £123,600 towards the roundabout improvement scheme.

Proposed Mitigation

It is noted as part of the proposals the existing footway and carriageway on Broad Piece will be widened to provide a 1.8m wide footway and 5.5m wide carriageway between the site access junction and the Broad Piece/Kingfisher Drive junction. It appears some widening works are possible however, the applicant might not be able to achieve 5.5m along the entire length as shown in drawing no. 18409-08 Rev C and so the widening works may not be able to be constructed as shown. Drawing no. 18409-08 Rev C should be revised to reflect what can be accommodated.

As previously mentioned, the applicant is willing to deliver traffic calming improvements on Broad Piece in the form of a gateway feature at the existing speed change to emphasise the 30mph speed limit combined with a give-way priority build out feature to the east of the 30mph transition designed to slow down vehicles on approach to Soham. Drawing no.18409-12 should be revised to consider the comments made by the County Council earlier in this document.

As also mentioned, the applicant is willing to provide a footway link between the northern site boundary and Footpath no.17 which links to the existing footway network on Kingfisher Drive. The County Council are currently in discussions with the applicant regarding such improvements.

The applicant is willing to provide a S106 contribution of £123,600 towards the A142/Fordham Road/A1123 roundabout capacity improvement scheme. This is agreed.

As part of the proposals, the applicant will also upgrade the existing pedestrian crossing on the northern side of Mere Side at the Mere Side/Julius Martin Lane junction to comprise dropped kerbs and tactile paving in addition to localised footway widening in the crossing vicinity to 1.8m. Such mitigation will improve pedestrian access to the future Soham Station site. The shown works however, in drawing no.18409-12-2 Rev A are not to CCC standards. The layout of the tactile paving and locations of the dropped kerbs are not acceptable. Due to the existing junction layout, the crossing point is not considered to be located in a safe place as the crossing distances are too long furthermore, the tactile arrangement is not to the correct standard. Drawing no.18409-12-2 Rev A should be revised to consider the above comments.

Travel Plan

CCC has not commented on any detail of the Framework Travel Plan at this stage. The Travel Plan should include suitable targets and measures inclusive of the provision of bus taster tickets or cycle discount vouchers. The Travel Plan will need to be subject to a condition should approval be given.

Conclusion

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

18 July 2019

Conclusion

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed the Highway Authority would reconsider the application.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

**Lead Local Flood Authority**

24 January 2020

No further amendments have been made to the submitted drainage strategy. Therefore, we remain supportive of the proposed development. However, since our latest response we have received further reports of flooding to the rear gardens of Broad Piece, Soham. We would therefore recommend conditions for submission of surface water drainage details and long term maintenance.

20 August 2019

No further amendments have been made to the submitted drainage strategy. Therefore, we remain supportive of the proposed development and have no further comments to make beyond those set out in our previous response.

26 July 2019

Based on the latest documents, we can remove our objection to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of an attenuation basin draining the majority of surface water by gravity from the residential and access areas of the proposed development. The basin then discharges surface water to the IDB drain to the north of the development. The southern access of the development will drain through a swale before discharging to south of the site.

The adapted Drainage Feasibility Layout drawing (ref: 971-00-01 Rev A) shows a depression in the open space, along the back of the properties on Broad Piece. This has been introduced to assist in providing mitigation to overland flows from the site and provide a level of protection the properties from any exceedance event. Further details of the design of this feature should be included at the detailed design stage. Conditions recommended.

27 June 2019

Object as insufficient plans to reduce flood risk to surrounding areas, insufficient surface water treatment and clarification over micro-drainage calculations.

According to the Local Topography shown in Figure 2.2, the site is significantly higher than the existing properties on Broad Piece to the south of the site, some of which have previously experienced internal surface water flooding. An informal

channel has been dug to the south of the site to divert surface water away from the rear of their properties as a protective measure. Whilst this channel will be left unaltered and no development has been proposed in proximity of the channel, 1.4 hectares of the southern section of the site will still drain towards the properties in the south.

Developers should seek flood risk management opportunities (e.g. safeguarding land) and to reduce the causes and impacts of flooding (e.g. through the use of sustainable drainage systems in developments). In addition, opportunities should be considered to reduce flood risk to existing communities through better management of surface water provision for conveyance and storage for flood water. Although some of the surface water that would naturally drain to south will be intercepted to the north, measures should be introduced to divert or intercept runoff from the 1.4 hectares in the south away from the properties along Broad Piece.

The submitted drainage strategy does not include detail on how surface water quality will be managed. This can be achieved through sustainable drainage systems such as permeable paving.

At present, two sets of Causeway drainage system calculations have been provided. Each set of calculations shows a different level of flooding during a 1 in 100 year event with a 40% allowance for climate change. Clarification is required as to why two sets of calculations have been provided.

**Technical Officer Access**

12 June 2019

Welcome footpaths throughout the site. Question whether this is an ideal location for a housing site, with an air quality problem it may impact on respiratory conditions.

**Ward Councillors**

26 June 2019

Cllr Jones - "Thank you for your invitation to comment on the plans for the 175 dwellings off Broad Piece in Soham. I should point out a declaration of interest in this development application, as I live on the neighbouring estate of Kingfisher Drive. During campaigning a number of residents raised concerns about the development of the land. These broadly fall into two categories, the impact of traffic and the suitability of the site.

With regard to issues of traffic, I would raise the following points:-

- Neighbours adjacent to the site entrance had concern around the ability of the narrow road width to deal with the increase in traffic. I can see a mention of a slight/limited widening of the road and I wonder will this be adequate? Residents have complained that this road is notorious for people breaking the speed limit, and a number have suffered damage to vehicles. Any substantial increase in the volume of traffic would only further aggravate this.
- Have looked at the plans, I have some concerns whether the 5.5 metres site entrance is adequate for the quantity of traffic generated from such a large development.

- Residence with roads that exit onto Kingfisher Drive (particularly Teal avenue and Avocet Grove) have mentioned that at peak times it can be difficult for vehicles to get out at these junctions and are concerned that an increase in traffic from this development would exacerbate this situation.
- Another similar issue to the previous one is the increase in traffic to the junction of Kingfisher Drive and the Shade. This junction is currently a cause for concern as it the major crossing point for children to access The Shade Primary School. However, currently there is no formal crossing point and parents are already struggling to negotiate crossing safely without any increase in traffic.
- I do feel that the current traffic survey is inadequate and would like to see a full traffic survey to assess the full impacts of this development and consider if more appropriate access to the site exists.

With regard to suitability of the site:-

- The documents supplied mention the Blue clay makeup of the soil and its tendency to flood in the winter months. I am not sure if the current plans deal with the issue, while the pond seems to deal with road surface water. As I understand it is the southern side that is more prone to flooding. Residents are again concerned that their properties situated some 3 metres below the height of the site are likely to encounter increased flooding if the issue of suitable drainage is not addressed.

Finally, I have reservations about situating a play area in the cordon sanitaire, which might be legal, but begs the question of is it good practice?

Although I know none of these points raised are particularly new, I feel you should be aware that there are concerns from many local residents that may not have formally raised their concerns. While, there is a need for further housing in Soham, any developments should not adversely impact its existing residents.”

### **CCC Education**

14 June 2019

Early Years - £19,992 per place (36 places) =£719,712  
Primary - £19,992 per place (70 places) = £1,399,440  
Secondary - £24,667 per place (44 places) = £1,085,348  
Life long learning - £26,288

### **ECDC Trees Team**

6 March 2020

Ref widening of existing footway: I agree with the submitted arboricultural assessment that tree T5 to the front of 1 Broad Piece the Blue Atlas Cedar (*Cedrus atlantica*'Glauca') is an A grade tree worthy of un-altered retention due to its high amenity value and street scene presence. Any excavations in its vicinity will require careful monitoring and planning to avoid affecting the trees vitality and stability.

Please note that the submitted Arboricultural Impact Assessment (AIA) is missing some details that should be provided. The (AIA) shall provide information to show how trees/hedging worthy of retention would be sustainable and justification and

mitigation measures for any tree removal proposed. The AIA shall identify areas to be excluded from any form of development, specify protective fences for these exclusion areas and for individually retained trees, life expectancy of trees, recommendation for any remedial work, identify acceptable routes for all mains services in relation to tree root zones, identify acceptable locations for roads, paths, parking and other hard surfaces in relation to tree root zones, suggest location for site compound, office, parking and site access, identify location(s) for replacement planting and show existing and proposed levels. The missing detail can be provided by condition for submitting a new/updated AIA.

20 January 2020

No further comments.

20 June 2019

Although most of the trees assessed as part of the tree survey were judged to be of a low quality, as a whole they offer a significant landscape value to the area and the integration of this site into the landscape, as such the retention of the majority of the trees is key to the potential future success of this application site.

Please note that an Arboricultural Method Statement will be required for this site prior to full planning permission being granted, along with the high quality Soft Landscaping scheme.

**Environmental Health (Technical)**

5 February 2020

I have read the revised NIA and have made the following observations –

- Page 9 clarifies that the mitigation measures proposed are for the unknown proposed employment use to the north of the site.
- On page 13 there is some additional information in the Ventilation and Cooling section which clarifies that if you find the development necessary and desirable and therefore relax the levels by 5dB then the entirety of the site will achieve acceptable sound levels. This is further confirmed in Section 7.3 General Ventilation Notes (which I must have missed the first time around).
- The Conclusions section has been updated and now outlines two proposals for the site. Both of which will achieve the desired internal levels using methods acceptable by the LPA.

7 January 2020

I have read the revised NIA dated the 5<sup>th</sup> September 2019.

The revised report includes a section on ProPG and makes the point that if the development is found to be necessary and desirable then the desired levels can be relaxed by 5dB and acceptable internal levels still achieved. This was something I neglected to mention in my original response but based on the recordings made in 2017 it would appear as though acceptable levels can be met across the entire site if levels are relaxed by 5dB.

Despite this the report is still stating that for 'Scenario 2' an open window on some facades will lead to a minor exceedance in internal sound levels and so recommends an alternative form of ventilation. I think some further clarity from the applicant is required on this point as it may be that this is the applicant's proposed method of mitigating the potential noise from the allocated business use to the north of the site (assumption - but that as things stand now acceptable levels can be met with an open window).

With regard to the Lafmax internal levels the revised report has expanded this section and broken down the previous measurements in to 5 minute periods in order to better represent the instances where levels are exceeded. The report finds that there is only one instance out of the 24, 5 minute periods where an exceedance took place. It is generally accepted that 10-15 exceedances a night is the point before sleep disturbance takes place and so I have no issues to raise with this element of the report.

11 June 2019

I would advise that construction times and deliveries during the construction phase are restricted.

I would also advise that prior to any work commencing on site a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing with the Local Planning Authority (LPA) regarding mitigation measures for the control of pollution (including, but not limited to noise, dust and lighting etc) during the construction phase. The CEMP shall be adhered to at all times during the construction phase, unless otherwise agreed in writing with the Local Planning Authority (LPA).

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

With regard to the Odour Statement, the findings indicate that future residents will not be exposed to odour levels which would compromise their amenity or cause a nuisance. I have no reason to disagree with these findings but I would expect Anglian Water to be consulted as part of the planning process who may wish to make comments on this report.

I have read the Noise Impact Assessment produced by Cundall and dated the 9<sup>th</sup> May 2019. Sound measurements were taken on a Wednesday and Thursday in May 2017 and then a worst case scenario was modelled from the data sets obtained. These measurements were taken over two years ago and did not take in to account the morning rush hour (first measurement was taken at 12:45), although it did take in to consideration the evening commuters. If there have been any meaningful developments in the area since May 2017 which you feel may mean that these recordings are no longer representative then you may wish to request an updated NIA.



Figure 6 on page 13 of the report demonstrates that the majority of the dwellings on site will be able to achieve acceptable internal noise levels with a partially open window but that there are several properties on the northern and southern extremes which will require mitigation to achieve this.

External amenity spaces have been demonstrated to meet acceptable noise levels and so I have no concerns to raise with this element of the report.

Night Time Lafmax exposure has been demonstrated to fall below the WHO Community Noise guidelines with closed windows. If the mitigation above is not found to be acceptable then I would request confirmation that acceptable Lafmax levels can be achieved with a partially open window.

**Environmental Health (Scientific)**

13 August 2019

The Phase 1 Site Appraisal (Desk Study) prepared by GRM dated October 2014 is acceptable. The report recommends that a Phase 2 intrusive investigation is carried out. Standard contaminated land conditions recommended.

I have read the Air Quality Assessment dated April 2019 prepared by Create Consulting Engineers and accept the findings that the development is unlikely to have a significant impact on air quality. I agree with the recommendation that a CEMP should be supplied which includes a Dust Management Plan.

**Housing Section**

13 January 2020

Same comments as previous.

10 June 2019

The Strategic Housing Team supports the above application in principle, as it will meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 to deliver 30% affordable housing on site. (Up to 175 dwellings will secure up to 53 affordable dwellings)

Developers will be encouraged to bring forward proposals which will secure the affordable housing tenure as recommended by the most up to date SHMA at 77% rented and 23% intermediate housing and I acknowledge that the applicant has referred to this within the Housing Statement.

Detailed discussions are recommended with the developer prior to submission of the reserved matters application in order to secure an affordable housing mix that meets the housing needs of the area. Early indication suggests a mix of dwelling types, ranging from one to four bedroom homes.

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG; National Describes Space Standards.

It is also recommended that the affordable dwellings are not clustered in parcels greater than 15 dwellings. This will help to create a balanced and mix community.

**Waste Strategy (ECDC)**

31 May 2019

- East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances and/or loose gravel/shingle driveways; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).
- Waste Services would request a plan from the applicant showing the drag distances for residents to present bins/bags at the curbside as per the above distances.
- Waste Services would also request a provision for litter and dog bins should the development be approved, these should be fitted in locations approved by Waste Services.

**Consultee For Other Wards In Parish**

No Comments Received

**Anglian Water Services Ltd**

23 January 2020

Nothing has changed since our last response of the 9<sup>th</sup> September which states the encroachment range is appropriate.

The foul drainage from this development is in the catchment of Soham Water Recycling Centre which currently has capacity to treat the development flows. The development is connecting directly to the WRC and will not impact on the local network.

*Odour Assessment*

We can confirm that the Create analysis is acceptable and that we concur with the conclusions set out in the submitted report. The encroachment range shown in the Flood Risk Assessment/Plan is appropriate and is acceptable to us.

6 January 2020

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

The foul drainage from this development is in the catchment of Soham Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows.

Anglian Water notes the close proximity of this development to SOHAM STW water recycling centre (WRC) and would draw attention to the potential for nuisance, associated with the operation of this treatment works, to effect the proposed development. Our initial odour risk assessment indicates that there is potential for loss of amenity at sensitive property within the proposed development due to odour emissions from the operation of the WRC. This WRC is operated in compliance with the appropriate regulatory standards and in accordance with established best practice, however, the process is inherently prone to short periods of relatively strong odorous emissions, against which there is little practical mitigation. We would advise therefore, that the proposed layout seeks to maintain an effective distance between the treatment works and sensitive accommodation. We would further recommend that a detailed odour risk assessment is undertaken to establish the range at which the amenity of neighbouring property is likely to be impaired. The results of any detailed assessment can be reviewed in further consultation.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

9 September 2019

Thank you contacting us regarding Broad Piece Soham, planning application 19/00717/OUM in relation to Soham Water Recycling Centre encroachment and the indicative pumping station design and location. We have the following comments to make:

*Odour Assessment*

We can confirm that the Create analysis is acceptable and that we concur with the conclusions set out in the report. The encroachment range is appropriate and therefore the proposed development layout is acceptable to us.

We would like this assessment to form part of the approved documents.

*Pumping Station*

Based on the submitted information and the indicative location and design of the pumping station Anglian Water cannot commit to adopting the pumping station at this point. However, we have assessed the site based on a pumped connection and, as stated in our response from the 24 June 2019, there is capacity in the network to accept the flows from the development. The developer is aware of our adoption standards for pumping stations, which includes access and maintenance requirements.

We engage with the developer regularly and will ensure we discuss this with them.

26 June 2019

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

The foul drainage from this development is in the catchment of Soham Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

**The Ely Group of Internal Drainage Board**

27 January 2020

No further comment but concerned about flooding that occurs to the properties in Broad Piece and which happened at Christmas. The proposal must address this issue and ensure water is captured on the site and drained away from the affected properties. Any system would have to be regularly maintained.

26 July 2019

The Board's boundary runs through the middle of the site, so only the northern half of the site is within the Board's District, though it is proposed that all of the site will drain into the Board's Cofton Main Drain, which is adjacent to the site.

The board has agreed in principle with the developer that no structure can be erected within six meters of the watercourse. There will also need to be a long term maintenance plan for the on-site surface water features.

The Board share the concerns of the Lead Local Flood Authority in relation to the surface water drainage at the southern end of the site. Residents in Broad Piece have experienced flooding in their properties, as this site is significantly higher than the existing neighboring properties.

If this site is to be developed, the application must make provision to reduce the flood risk to the affected properties in Broad Piece.

19 June 2019

The Board objects as no Flood Risk Assessment has been included. Without discharge rates the Board cannot make an informed decision. The indicative plan shows buildings and gardens within the Board's 9 metre Byelaw easement and would not be allowed.

**Environment Agency**

03 January 2020

We have no comments to add to our original response.

19 June 2019

No objection.

**Foul Drainage**

The latest measured flow data we have received from Anglian Water suggests that the foul flows through Soham WRC are approximately 60-70% of the maximum

permitted by the current discharge permit.

Our estimate (not confirmed by Anglian Water) is that there may be sufficient capacity to accommodate in the region of 400 new domestic properties before a breach of permit conditions, and a resultant threat of deterioration in the Soham Lode, occurs. Any deterioration in status of the Soham Lode would be in breach of Water Framework Directive obligations and the current River Basin Management Plan.

There is currently capacity at Soham WRC to accommodate foul flows from new development, and this application, in isolation, is not a cause of concern. We are aware, however, that foul drainage from a number of other allocated sites is also expected to connect into Soham WRC, and the full quantum of development proposed for all sites in combination cannot be accommodated within the current discharge permit.

The East Cambs Water Cycle Study (WCS) has recently been completed. The WCS assesses the potential impact of all allocated sites within the District, and includes the following Conclusion for the Water Quality Assessment (EA emphasis. *The proposed growth is predicted to lead to a deterioration greater than 10% and/or class deterioration in WFD determinands at Burwell, Ely (New) and Soham WRCs.*

In the case of Soham this can be accommodated through an upgrade to the WRC (Application of BAT) and a tightening of permits.

The Anglian Water Pre-Planning Report (dated March 27 2017), submitted in support of this application, confirms that Soham WRC “currently has capacity” to treat the flows from this development site. Bearing in mind the WCS conclusions, and the time that has elapsed since the Pre-Planning Report, it would be pertinent to request confirmation from Anglian Water that capacity is still available, and that an upgrade to the Soham WRC is not yet required.

**Asset Information Definitive Map team**

6 September 2019

Please note Public Footpath 17 Soham runs adjacent to the application site. Whilst the Definitive Map Team has no objection to this proposal, the applicant should be aware of the presence of the public right of way. Its legal alignment and width which may differ from what is available on the ground.

The public right of way must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it.

**Natural England**

7 January 2020

Natural England has previously commented on this proposal and made comments to the authority in our letter reference 286014 dated 04 July 2019.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

4 July 2019

No objection. Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Your Authority should ensure that recreational pressure impacts to statutory and locally designated wildlife sites, including Soham Wet Horse Fen SSSI are adequately mitigated. This should include provision of sufficient quantity of high quality multi-functional informal open space and contribution towards delivery of measures identified in the Soham Commons Recreational and Biodiversity Enhancement Study.

**Cambs Wildlife Trust**

13 January 2021

I have considered the submission from the local resident regarding the impacts on Broad Piece Common. From the additional evidence presented Broad Piece Common, which is a County Wildlife Site, is used by local people for recreation including dog walking. The new development will likely increase the numbers of people using this site. However, the development is also proposing to provide approx. 4.97 Ha of natural greenspace. Using Natural England recommended figures of 8 Ha per 1000 population for provision of Suitable Alternative Natural Greenspace (SANGS), to avoid impacts on nearby designated conservation sites, the new development meets this requirement. It would therefore be unreasonable to claim that significant impacts are likely to arise at Broad Piece. However, as a more mature landscape, the common is likely to be attractive to the new residents, and numbers of visits are likely to increase, particularly in the short term until the new greenspaces adjacent to the development mature. It would therefore not be unreasonable to seek a contribution from the applicant towards management of Broad Piece to help manage the impacts from additional visitors. This may include a contribution toward habitat management or towards access improvements including entrance gates, path management or waymarking.

The ecological and other reports submitted with this application could be updated to reflect the facts presented by the consultees. However, this does not materially change the acceptability of the proposals in terms of accordance with biodiversity planning policies.

06 January 2021

I have reviewed the additional ecological information submitted in December 2020, including the Habitat Creation Plan Fig 1 Rev A, Updated Habitat Impact Assessment Calculator, Natural Environmental Statement Rev A, and Management Strategy Rev A. The revised habitat creation plan shows a significant increase in the area of natural greenspace on site with increases in semi-improved neutral grassland at the expense of the area of amenity grassland. The area of natural

greenspace on site now equates to 45% of the site area as opposed to 34% in the original proposals. This has consequently increased the % net biodiversity gain from 0.4% to over 10%. The revised Management Strategy also incorporates appropriate targets for the species-rich semi-improved neutral grassland, which should form the basis for a detailed Landscape and Ecology Management Plan, which will be required by way of a planning condition should this application be approved. The latest Dec 2020 proposals can therefore be considered to demonstrate a significant net gain in biodiversity and now accord with Policy SPD.NE6 of the East Cambridgeshire Natural Environment Supplementary Planning Document adopted September 2020.

19 November 2020

This professional ecological advice has been provided in accordance with the Service Level Agreement held with East Cambridgeshire District Council.

The Wildlife Trust has reviewed the additional information submitted including the Natural Environment Statement and Open Space and Landscape Management Plan and has the following additional comments to make.

The Natural Environment Statement seeks to demonstrate how the proposed development accords with the ECDC Natural Environment SPD adopted September 2020. The proposals do currently accord with the following policies:

SPD.NE1, SPD.NE2, SPD.NE3, SPD.NE4, SPD.NE5, SPD.NE7, SPD.NE9, and SPD.NE10.

They also appear to accord with policy SPD.NE8, in respect of ecology, though I cannot comment on the arboricultural aspects.

I would also make the following observations with respect to policy SPD.NE7. The application is for 175 dwellings and so this policy applies. This policy requires at least 20% of a development area to be allocated to wildlife-rich habitat. The proposals currently include 3.81 Ha of habitats out of a development site area of 11.01 Ha, which equates to 34% of the development site. Even if not all of these habitats turned out to be wildlife-rich, I believe it should be possible to meet this policy requirement through the detailed design of the development and production and implementation of a Landscape and Ecology Management Plan (LEMP).

However, the Natural Environment Statement does not demonstrate how the proposals accord with policy SPD.NE6.

Policy SPD.NE6 policy requires that developments demonstrate significant net gain in biodiversity, though a detailed definition such as a % increase is not specified. However, the Environment Bill currently going through Parliament suggests that new developments should achieve a minimum of 10% biodiversity net gain.

The Biodiversity Impact Assessment that accompanies the application has calculated a baseline site value of 23.97 Biodiversity Units (BU). The predicted post development site value is 24.07 BU. This represents an increase of 0.1 BU or 0.4%. In our January 2020 response the Wildlife Trust accepted the 0.4% Biodiversity Net Gain, as that met (though only just) the policy requirements at the time. However, I

do not count this level of Biodiversity Net Gain as significant; it is negligible. Further, there is the prospect of the development resulting in a net loss in Biodiversity Units, should implementation of the LEMP fail to meet expectations in any way.

The submitted Open Space and Landscape Management Plan does not give reassurance that the predicted post development biodiversity units will be realised. For example, under chapter 3 - General Amenity Grass and Wildflower Meadow Mix performance requirements, it is stated that success will be a maximum of 10% herb species. For the wildflower meadow to achieve the predicted Biodiversity Units in the Biodiversity Impact Assessment there will need to be a considerably higher percentage of wildflowers. I therefore advise that the application does not currently meet policy SPD.NE6.

However, it would be possible to achieve a 10% gain in Biodiversity Units (which could reasonably be considered significant) by increasing the areas of habitat on site from 34% to 40% (an increase in 0.6 Ha), assuming this extra area was allocated as semi-improved neutral grassland habitats. Another option for increasing on-site Biodiversity Units would be potentially by using a specialist wildflower lawn species mix with native wildflowers over at least part of the amenity areas. Incorporation of either of these options into a revised Biodiversity Impact Assessment could potentially demonstrate a significant net gain in line with policy SPD.NE6. The Open Space and Landscape Management Plan would also need to set appropriate targets and management regimes to support these habitats.

If additional on-site habitat and Biodiversity Units were not provided, then an off-site location elsewhere in East Cambs would have to be found in line with the policy SPD.NE6, in order to deliver significant Biodiversity Net Gain.

22 January 2020

The amendments to the above proposal do not significantly change the ecological impacts, therefore I have nothing further to add to my previous comments regarding protected species and open space.

I note a Biodiversity Impact Assessment (BIA) calculator has now been provided, and I am satisfied that this has demonstrated that a small net gain in biodiversity should be achievable on this site, based on the proposed layout. Should permission be granted, I recommend a condition requiring production of a Landscaping and Ecological Management Plan (or similar document), setting out details of mitigation, habitat creation, and long-term management measures to achieve the target conditions for created habitats, in line with the BIA calculator. Should details of layout change at a later stage, revisions will need to be made to the BIA calculator, to ensure a net gain can still be delivered.

2 July 2019

“With regards to impacts on protected species, I am satisfied with the mitigation measures proposed in section 5 of the Ecological Impact Assessment (EclA). Should permission be granted, these should be required by way of a suitably worded planning condition(s). I note that a Low Impact Class licence would be required to demolish the building with a confirmed small bat roost, and therefore also recommend a condition requiring a copy of the licence is submitted prior to demolition, to confirm appropriate mitigation is in place.



With regards to provision of open space, and potential recreational impacts on other sites, I welcome the significant area of open space proposed within the site. However, I do not agree that potential recreational impacts on nearby Qua Fen Common can be ruled out on the basis of size and location of the development. There are a number of existing and proposed developments in Soham, and the cumulative impacts of all of these (regardless of size) on existing open spaces must be taken into account. If new alternative open spaces do not provide sufficiently attractive recreational opportunities for new residents, then they will travel to existing more attractive sites within easy driving distance such as Qua Fen Common and Wicken Fen.

Therefore, the design of the on-site open spaces will need to provide an attractive destination, including significant areas of semi-natural habitat, and links with existing rights of way to allow for circular walks, which should be at least 2.5km and ideally up to 5km to encourage use for dog walking. Should permission be granted, the applicant should provide further detail on how this will be achieved.

Finally, with regards to net gains in biodiversity, no assessment of measurable net gains has been provided. Given the large area of open space proposed, there should be scope to deliver a net gain, but this will depend on the detailed habitat creation and enhancement proposals, the areas of semi-natural habitats to be included in the open space, and whether suitable management to sustain such habitats is viable in the future.

I recommend that an overview of habitat losses and gains (using a recognised biodiversity accounting tool such as the Warwickshire Biodiversity Impact Assessment Calculator) is provided to demonstrate how this development can achieve a measurable net gain in biodiversity, which should be provided before this application is determined.”

- 5.2 **Neighbours** – A site notice was posted and advert placed in the Cambridge Evening news. In addition 101 neighbouring properties were notified and 40 responses received which are summarised below. A full copy of the responses are available on the Council’s website.

Planning Policy

- Application attempts to use policies from rejected 2017 Local Plan document – not seen as valid because not previously adopted.
- Site only appears in Soham in the 2015 Soham Master Plan Vision Document, and not in the 2015 Local Plan (Adopted) Document.
- Land is outside of development envelope in current local plan.
- Part of land is used for equine support – losing this is against the council’s policy.
- Estate increases footprint of Soham – against previous policy.
- The site is outside the development envelope and should only be considered if the existing allocations have been filled and these are a long way off.
- The Local Plan refers to new high quality eco-housing. Is this met?

- The land is identified within the LP as a broad location for future development but that it is vital that the identified housing allocations come forward first. This has not happened.

Infrastructure and Highways

- Traffic surveys are now out of date
- New retail outlet Cotes Country store is opening increasing cars and deliveries on Broad Piece
- No plans to improve the road west of the site entrance/ roads have deteriorated
- Access should be from Broad Piece or by the M&S garage
- Broad Piece cannot cope with the volume of traffic as it is a rural back road and too narrow. Tractors and HGVs cannot pass.
- The surrounding roads are used by tractors and employees going to Shropshire & Son and local residents. The whole road structure would therefore have to be upgraded.
- The small road widening proposed is not enough. There is space to achieve this along some of the road but at 5 to 5d there are gardens and driveways with no footpath
- Broad Piece not suitable to be used as an access road being a rural road and will not be able to deal with the increased traffic created by the proposed estate. Broad Piece is a narrow and already busy road. Increased traffic on this road will create difficulty for current neighbours to access their driveways. Road widening is not seen as possible for Broad Piece road and will take up residents' land. Increased traffic will make it difficult for cyclists and horse riders who already use this road.
- Speed limit on Broad Piece Road is largely ignored. Increased traffic on this road increases residents' concerns with regards to damage to property and gardens, as well as the potential increased harm to young children who live down there with their families.
- Concerns regarding highway safety. Broad Piece access not good – access should be made by the M&S garage roundabout, or at Kingfisher Drive.
- More traffic towards the Cotes is unsafe.
- Drivers exceed the speed limit.
- There is already congestion near the school.
- Residents who live down roads that exit onto Kingfisher Drive already find it difficult to get out of these junctions at peak times.
- Increased traffic will make it difficult for vehicles to get out of junctions on Kingfisher Drive. On junction where Kingfisher drive meets Mereside – not maintained so there are concerns to how new infrastructure will be maintained.
- Current traffic survey seen as inadequate.
- Cars per property in a rural area are likely to be 1.5 per property.
- There is a 20 minute walk to the town centre and existing parking problems will be worsened.
- Soham has enough houses and there has been no increase in employment thus more congestion on the roads
- There has been no legal confirmation that the land is highway land.
- With heavy rainfall, water from field can run onto and collect on road, making road dangerous.

- Ditches that help water drain get filled in by large vehicles – e.g. farm vehicles and double decker school buses.
- The Cotes road is in a poor state which would be dangerous with increased traffic.
- Access to Broad Piece via end of Mereside is in total darkness. This would cause issues with putting in place cycle lanes.
- Traffic calming measures proposed on Broad Piece Road are not seen as the answer e.g. not seen as suitable for the large agricultural vehicles and would create additional traffic noise.
- Site entrance width of 5.5m seen as possibly inadequate.
- Estimates of cars per property are not realistic for this location and poor public transport and will cause heavy increase in demand upon Kingfisher Drive and The Cotes/Blockmoor Road.
- Unsure of proposed traffic widening.
- The development will increase to the parking problems in Soham.
- Broad piece is not wide enough for two HGVs to pass resulting in vehicles driving on footpath and causing damage to public highway. Not suitable for construction traffic.
- Widening part of Broad Piece will affect amenity of existing residents and not solve problems encountered elsewhere in Broad Piece.
- Kingfisher Drive is used as a rat run, on road parking in this area increases safety risks when crossing to main playground.
- Proposed Traffic calming in Broad Piece by way of build is considered to be better placed midway between sewer works and No 14. A gateway emphasising the 30mph limit is welcomed.
- Traffic calming is better placed to the east of Kingfisher Drive end and existing 30mph restriction.
- Nowhere suitable along Broad Piece for an access and traffic calming will not make an access here suitable.
- Objection to road humps due to vibrations from HGVs which have also caused damage to road since when visiting sewage works.
- Proposed Road traffic calming will not facilitate farm vehicles due to their size.
- No detailed plans provided for full permission for access. Questions whether there is sufficient width to accommodate sufficient roadway and footpath for heavy traffic.
- Consider 5.5m roadway insufficient to accommodate extra traffic and due to type of traffic using road. Also insufficient space for widening without encroaching onto properties' frontages.
- Queries how additional land will be purchased to increase width of road. Plans shows properties along Broad Piece losing parts of their land in order to facilitate road widening.
- Road also subject to flash floods so will need drainage.
- Road widening proposals and removal of vegetation and structures are proposed on land owned by residents, resulting in a loss of their property. Clarification of ownership is required and objects to the removal of property boundaries.
- Sewage tanks are underneath roadway along Broad Piece.

- No cycle path proposed which will result in road safety issues. Some park on the footpath to avoid cars being damaged.
- Proposed traffic calming not suitable. Insufficient information from developer. Cars will speed after. Best access is Shade roundabout.
- Details needed as to the relocation of street furniture, telegraph pole, GP Box and water meters to front of property and impacts to car parking which will no longer be able to park in front of garages and safety implications of this.
- Road widening proposals are on residents' land.
- Access from Broad piece would involve the demolition of an existing property as no suitable access available.
- The reduction in road width to 5m and the increase to footpath by .5m is downsizing to fit the plan for the housing estate entrance. This will lead to highway safety especially to pedestrians where large vehicles have to mount the path.
- The change from 5.5m width to 5m road width is not a road widening scheme. The existing road measures 5.5m. Not suitable for more traffic. Does not adhere to Cambridgeshire Design Guide or with Highways statements that the road needs to be at least 5.5m.

### Flooding, Watercourses and Drainage

- The site is regularly flooded and sits 3 metres higher than the houses in Broad Piece and gardens are often flooded.
- A shallow depression for exceedance flows is wholly inadequate
- Land to be built on is flooded regularly over Autumn and Winter months. Resident's living on land 2-3m lower around proposed estate believe flood water may affect them. Greater runoff due to new estate.
- No credible assurance that the surface water from the entire plot is to be appropriately managed in way that prevents residents from continuing to receive a rapid stream of water overflowing into properties
- The land does not drain well, being blue clay.
- Existing sewage and drainage infrastructure not seen as capable to cope with new development. When treatment works are full, public sewer overflows into gardens in Broad piece and toilets in properties do not work properly resulting in sewer becoming blocked. Residents think sewage system should be extended.
- Anglian Water investigating sewers blocking and this should be resolved before any further developments. Anglian Water have informed demand exceeds function and there is insufficient capacity resulting in flooding.
- Land not suitable for development due to poor drainage affecting neighbouring properties.
- The suggestion of a 'shallow depression for exceedance conditions' seen as inadequate.
- No Flood Risk Assessment has been provided to the Lead Local Flood Authority.
- When Kingfisher drive was built, pumping station could not cope.
- Waste water treatment plant needs improvement.
- Drainage drawing is inaccurate.

## AGENDA ITEM 5

- If access from Broad Piece is used, surface water cause runoff problems to the highway due to the land heights. Vital to get water under the highway to Soham Lode to stop flooding.
- Drainage ditches on common land to Soham Lode need digging as overgrown and not maintained.
- Topographical survey shows water run off towards Broad Piece. This should be intercepted before reaching Broad Piece and channelled into Soham Lode due to properties being below the level of new development.
- No assurance has been made by the developer in regard to drainage and no expert reports have been provided.
- Response to superseded drawings 971-00-1 drainage feasibility. The drainage ditch marked on the drawings as 'drainage ditch created by residents to remain' was created for the residents due to constant surface water overflow. A more permanent drainage ditch needs to be constructed and maintained.
- Due to drainage problems Attenuation area in SW would not be ideally located here.
- Developer not address issues in regard to resubmitted details in regard to flood risk and access.
- Resubmitted details show 'depression' being used for excessive rain and run off. Clay soil is not appropriate for this resulting in stagnant pond and drowning danger. Concerns in regard to proximity of neighbour's boundary and collapsing of land.
- Shallow depressions failed previously in construction of Kingfisher site which resulted in flooding to housing along Broad Piece.
- Insufficient resubmitted plans in regard to drainage. Property at Broad Piece experienced flooding in garden from proposed site on 21/12/2019.
- Current pumping station, sewers and storm drains at capacity. Sewage works in Soham already beyond capacity which has resulted in sewage flooding onto new build properties. Sewage improvements need to be made before any further developments allowed.
- How can development go ahead when no upgrading can take place at Broad Piece sewage works.
- Proposed shallow depression will compound problem. Drainage is needed across the back and then for this to be diverted.
- No drainage proposed to the south of the site resulting in flooding – flood prevention required here also.
- Flooding to properties occurred on 20/12/2019 after just 25mm of rainfall. Flooding has previously occurred – other dates supplied from Jan 2007 to Dec 2020
- Feels that this development is reckless and has no consideration to existing residents due to flooding impacts.
- Excessive climatic conditions in regard to rainfall are occurring, more frequently than the 1 in 100 years planning allowances.
- Residents letter sent to developer in regard to drainage and surface water at the SW of the site.
- 23 Residents' letters stating latest submission still not addressed drainage, sewer capacity and access issues.

- Objection to Persimmons Natural Environment Stated dated October 2020 – page 6, s3.1, step 6 – Proposed drainage basin to the north west of site will not alleviate risk of flooding to the south west due to land topography. This is not mentioned in the document. This needs to be considered as part of the planning application and not after permission granted.

Sustainability

- No expansion of services/employment in Soham.
- New estate does not address need for local affordable houses.
- Do the proposed properties ‘New High Quality Eco-housing’ – fit this description.
- The current infrastructure regarding schools and doctors is inadequate for additional 175 homes.
- No sustainable transport is available for this development.
- Entrance to the site from Broad Piece is unsuitable. Access via northern gateway is preferred due to safety, no disruptions in regards to road widening, less use of traffic and along the unsuitable Cotes road, no increases to traffic and congestion to the already busy Kingfisher Drive, construction traffic would not need to access via residential areas.
- Access via The Shade roundabout would be more environmentally friendly – could a shared entrance here be considered.
- Objection to Persimmons Natural Environment Stated dated October – site entrance would be more environmentally friendly towards main trunk road to limit car journeys, rather than proposed Broad Piece.

Education/Medical Services

- Staploe Medical centre cannot cope with more people from new development. Doctors at their capacity.
- Schools and medical centre are full.
- No formal crossing point to The Shade Primary School – increasing traffic will make it more difficult to cross road.
- Schools at their capacity, cannot cope with more children from new estate.

Ecology

- Impact on wild animals and birds.
- Broad Piece road – often run over animals. Pets have been killed too.
- Trees in SW corner need to be maintained.
- Concerns at diverse range of wildlife being pushed out. Better options available for entrance which would not impact on wildlife.
- Opposes hedgerows and trees to be removed for road widening resulting in loss of habitat for wildlife.
- Established hedges and fencing will be removed, home to a multitude of wildlife. They should be replaced.
- Strong objections to using Broad Piece as the entrance, a rural road with wildlife living in the area, would be a travesty to see the wildlife pushed out for concrete.
- Objection to Persimmons Natural Environment Stated dated October p8, s3.5 – Increased vehicular and foot traffic on Broad Piece Common needs to be investigated. Deer and grass snakes, among other wildlife, are present and the increase in traffic will have a detrimental impact to levels of wildlife.

Neighbour/Visual Amenity

- Houses overlooking into the adjacent farm.
- Restricted views, resulting in restricted sunlight to some neighbours.
- Impact on privacy.
- Noise levels and disturbance.
- Soham losing its identity/changing the character of Soham.
- Widening Broad Piece road – affect amenity of neighbours and properties on Clarks Drove, losing small buffer between road and Broad Piece will result in damage to house.
- Increased number of speeding cars along Broad Piece – could damage gardens/property, and a concern for residents with young children.
- Risk of subsidence to existing nearby properties.
- Concerns in regard to privacy and noise levels on amenity of residents at Broad Piece.
- Overlooking from proposed green space area due to land levels being higher and providing direct views into bedroom areas.
- Odour from the water treatment plant will be exacerbated and as such would need improvement.
- Developer has not demonstrated there will be no detrimental impacts to the residents to Broad Piece.
- Visual Impacts to streetscene from removal of hedges and boundaries.
- Heights and boundary treatments.
- The junction of Mereside and Kingfisher Drive is not maintained.
- The traffic calming gateway is insufficient to deal with the speeding issues.

Other Points

- Reservations about situating play area in cordon sanitaire.
- Concerns with regards to increased crime – more people and cut in policing.
- More traffic - air pollution/carbon emissions.
- Noise pollution, air pollution, vibration through properties and mess on road during development.
- Increased traffic – harder for people to walk/cycle.
- No detailed report from Permission in conjunction with the Flood Authority.
- Objection by highways authority.
- Soham has been inundated with new homes and is losing its identity.
- Industrial sites within Soham being developed resulting in more housing, no industry. Housing should be positioned closer to existing employment locations.
- Drawings submitted by developer not displaying clear numbering on revisions.
- Disagrees with legal opinion provided by Thea Osmund-Smith in regard to ‘appropriateness of the request for justification in light of the development plan and national planning policy’. Specifically, COM7 – Transport Impact.
- If the estate road is unadopted, where would refuse be collected.
- Not addressing the need for truly affordable homes for local people.
- The widening of the footpath outside my property will take some of my land.
- How will residents be compensated by Persimmon for the loss of their land.

- Persimmons response to residents' concerns regarding access is irrelevant and inappropriate by stating they do not have control of the land between the site and access points. Other more suitable accesses are available.

## **6.0 The Planning Policy Context**

### 6.1 East Cambridgeshire Local Plan 2015

GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision

### 6.2 Supplementary Planning Documents

Design Guide  
Developer Contributions and Planning Obligations  
Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated  
Cambridgeshire Flood and Water  
Natural Environment  
Custom and self build  
Climate change

### 6.3 National Planning Policy Framework 2019

- 2 Achieving sustainable development
- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment



6.4 Planning Practice Guidance  
National design Guide

**7.0 PLANNING COMMENTS**

7.1 The main issues to consider in determining this application are:

- The principle of development
- Visual impact
- Residential amenity
- Access and highway safety
- Flood risk and drainage
- Trees, Ecology and archaeology

**7.2 Principle of Development**

- 7.2.1 The starting point for consideration of this application is the development plan, the adopted East Cambridgeshire Local Plan 2015.
- 7.2.2 The National Planning Policy Framework promotes sustainable development. The Framework supports the delivery of a wide range of high quality homes. It specifically states at paragraph 12 that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up to date development plan, permission should not normally be granted.
- 7.2.3 The site is not located within an established development envelope and Local Plan policy GROWTH 2 restricts market housing (subject to certain exceptions) in such locations. Since April 2020 the Council has been able to demonstrate an adequate 5 Year Housing Land Supply, as demonstrated first in its *Five Year Land Supply Report - 1 April 2019 to 31 March 2024* (published April 2020) and later in its updated *Five Year Land Supply Report - 1 April 2020 to 31 March 2025* (published December 2020). The latter report confirmed that from 1 January 2021 the Council had a 6.14 year supply of deliverable housing land. That calculation included a 20% buffer as required by paragraph 73 of the NPPF based on a 2019 Housing Delivery Test (HDT) result of 66%.
- 7.2.4 The 2020 HDT result (published in January 2021) indicates that housing delivery in the district has improved to 87%. As a result of the HDT exceeding 85%, the appropriate paragraph 73 buffer falls to 5% which has the effect of increasing the Council's housing land supply to 7.01 years. This adequate housing land supply means that the Council considers its policies relating to housing delivery up-to-date.
- 7.2.5 Paragraph 12 of the Framework makes it clear that the Framework does not change the statutory status of the development plan as the starting point for decision making. The proposed development should therefore be determined in accordance with the development plan unless other material considerations indicate otherwise. The Framework is one such material consideration and should be considered.

- 7.2.6 Policy GROWTH2 of the Local Plan, seeks to manage new development so that it takes place in the most sustainable locations. It states that the majority of development will be focused on the market towns of Ely, Soham and Littleport, with more limited development taking place in villages which have a defined development envelope, thereby helping to support local services, shops and community needs. It then states that outside of these settlements new development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Development outside these settlements will not be permitted except where it complies with a limited range of specified categories detailed in that policy; none of which pertain to the current proposals.
- 7.2.7 The applicant states that the sites identification within the text of the Local Plan as a broad location for housing growth should mean the development is permitted. However, this is not a Policy within the Plan but relates to an expression of how development may be accommodated within a later Local Plan. These are not precise or accurate allocations, and further investigative work on site deliverability and suitability will be required in the future, prior to allocation in a development plan. The next review of the Local Plan will provide an opportunity to undertake further investigative work relating to delivery and site boundaries.
- 7.2.8 As the Council is able to demonstrate a 5 year housing land supply, Policy GROWTH 2 is given full weight, and this proposal is contrary to that policy, as it is on land which is outside the settlement boundary as identified within the Local Plan and does not fall within any of the exceptions stated within the policy.
- 7.2.9 As the principle of residential development on this site is contrary to the adopted development plan, it is necessary, to consider whether there are other material planning considerations in line with the Framework, that justify development outside of the settlement boundary. If there are other material planning considerations that weigh in the development's favour then those should be considered carefully in the planning balance to assess whether or not they should prevail. The remainder of this report considers those material factors before reaching a conclusion on the proposal.
- 7.3 Visual impact**
- 7.3.1 This development proposal must be assessed in terms of any significant and demonstrable harm to the character and appearance of the area, both in terms of the impact on the setting of Soham and on the wider countryside.
- 7.3.2 Although the application is in outline with all matters reserved apart from access, the visual impact of the development of potentially 175 dwellings, must be assessed in principle. The density for the developable area of the site would amount to some 37 dwellings per hectare (15 per acre). Although this appears on the high side for an edge of settlement location, the significant buffer zone along the western boundary will assist with assimilation into the surrounding landscape. In any event the density is not set, as the application is for up to 175 dwellings and it would need to be demonstrated at reserved matters stage that this number of dwellings can be satisfactorily accommodated on site whilst achieving good quality design and a well designed development.

- 7.3.3 The applicant has submitted an illustrative site plan which shows how the site could be developed, with the dwellings to the east and an attenuation pond, with open space provision to the west and south of the site and provision of a significant landscaped buffer.
- 7.3.4 Policy ENV1 specifies that development should be informed by, be sympathetic to and respect the capacity of the distinctive character areas defined in the Cambridgeshire Landscape Guidelines. Positive and complimentary relationships are sought so that it will protect, conserve and where possible enhance amongst other matters the settlement edge, space between settlements and their wider landscape setting, key views into and out of settlements, the unspoilt nature and tranquillity of the area and public amenity and access and the nocturnal character of rural areas free from light pollution. This development site sits on the edge of the settlement. Similarly, Policy ENV2 of the Local Plan seeks to ensure that new development relates well to the context of its surroundings and respects density, urban and village character and the landscape of the surrounding area, including important views into and out of settlements.
- 7.3.5 The NPPF also states that the planning system should contribute to protecting and enhancing the natural and built environment and recognise the intrinsic character and beauty of the countryside.
- 7.3.6 The applicant has submitted a Landscape and Visual Impact Assessment (LVIA). The analysis makes the following mitigation recommendations;

*“The scale of the development should be limited to 2.5 storey to retain the contiguous skyline from the west and south.*

*Minimal use of terraces and adequate spacing between buildings on the southern and eastern edges of the site, that allow some views to the wider countryside will help to retain a sense of openness and a semi-rural character.*

*Materials that form the external envelope and roof of the buildings should match the existing vernacular palette for example gault brick, flint garden walls, some cream render or paint with slate tiled roofs.*

*Planting to the periphery of the site to soften the built edge. This is particularly important on the southern and western edges of the site.*

*Planting within the site, particularly along transport routes, will help connect the development to the wider landscape and vegetation beyond the site.”*

- 7.3.7 In terms of the impact on the landscape character the report states that with the introduction of new residential development into this part of Soham, and at the same time, the introduction of landscape management objectives, including the introduction of further indigenous hedgerow and tree species and high quality structural landscaping, the overall magnitude of landscape character impact is assessed as small. The development would give rise to the introduction of elements that may be prominent but would not be uncharacteristic when set within the attributes of the

receiving landscape. Assessed against a landscape character that has been determined to have a low sensitivity, and a magnitude of change assessed as small, the significance of effect is classified as negligible.

- 7.3.8 Within a 15 year period new hedging and vegetation will be well established, will provide a denser barrier and will then be approximately 8 metres (26ft) in height. The main effects which will not be mitigated are from Kingfisher Drive and elements of Broad Piece as the site is at a higher level, when viewed from the latter.
- 7.3.9 It is considered that the most prominent visual impact in the landscape will be on approaching Soham from the north. The new houses will be highly visible but will be seen against a backdrop of the existing residential development of Kingfisher Drive so it is considered that the development will not be uncharacteristic and would not give rise to a significant visual intrusion into the character and appearance of the countryside in this location. The provision of a substantial open buffer will push development away from the countryside edge to the north and will allow good opportunities to provide a robust structural landscaping scheme which will assist in assimilation of the development over time. The visual impact of this development is considered acceptable and would not conflict with Policies ENV1 or ENV2 of the Local Plan.

#### **7.4 Residential amenity**

- 7.4.1 Policy ENV2 of the Local Plan seeks to protect the residential amenity which would be enjoyed by both future occupiers of the development and occupiers of existing properties close to the site. There are a number of residential properties within close proximity fronting Broad Piece.
- 7.4.2 The change from an undeveloped piece of agricultural land to a residential development will clearly have an impact on the outlook and setting of these properties, as the site is higher than the dwellings in Broad Piece, and they will be likely to experience an increase in noise and disturbance, including traffic movements, from the occupants of that development. However, the plan which was submitted with the application, albeit indicative, does show that the development can be achieved by setting properties away from the rear of Broad Piece and Longmere Lane. In any event, details of scale, appearance and siting would be dealt with at reserved matters stage. It is considered that any impact on residential amenity could be adequately mitigated, to protect residential amenity with the use of soft landscaping, separation distances with existing properties and the height of the proposed dwellings, in line with the requirements of the Design Guide.
- 7.4.3 It is considered that an acceptable development could be designed at reserved matters stage to ensure that there are no adverse impacts on the residential amenity of adjoining residents or future occupiers of the site by paying particular attention to the garden sizes, scale of properties, separation distances and plot ratios to ensure no adverse impacts in relation to overlooking, overshadowing, and buildings being overbearing. It is considered that there would be an increase in noise and disturbance due to increased traffic along Broad Piece and this is a concern raised by local residents. However, this is not considered to be significant such that planning permission should be refused on that basis. The applicant proposes to

widen Broad Piece along its southern edge, to a point just north of its junction with Kingfisher Drive. This impact will be discussed in more detail later in this report.

- 7.4.4 Policy ENV 9 seeks to ensure that new development does not impact the ability of existing businesses to carry on their operations unhindered. The impact of siting new dwellings alongside the existing farm/potato store and the future employment development to the north therefore needs to be assessed.
- 7.4.5 Due to the location not far away from the A142, and that the site adjoins a farm/potato storage facility, the applicant has submitted a Noise Impact Assessment. This concludes that acceptable external and internal noise levels can be achieved with the ability to have windows open, although it does recommend that in 11% of the properties, based on the current indicative layout, that additional passive vents are incorporated to allow for closed windows should the surrounding environment become noisier. This matter could be dealt with by condition, as it is considered that the developer should ensure that, at the detailed design stage, the layout provides for a scheme which ensures that habitable rooms are not located on the noise sensitive facades, or that properties are set further way from the noise source and that any further development to the north of the site within the employment allocation is taken into consideration.
- 7.4.6 In respect of odour from the adjoining Sewage treatment works, the applicant has submitted an Odour Assessment. This acknowledges that Anglian Water produced a policy position in 2012 regarding planning applications for developments within 400 metres of STW. This policy indicates that Anglian Water will use a risk assessment process to consider the Environment Agency's stringent odour criterion of 1.5 ouE/m<sup>3</sup>.
- 7.4.7 Although there are no conclusive odour impact criterion to use for assessing odours from wastewater treatment works for planning purposes, this assessment shows that an odour exposure criterion of C<sub>98, 1-hour</sub> 3 ouE/m<sup>3</sup> is the most appropriate for this type of assessment. This is based on precedent planning cases and national guidelines.
- 7.4.8 Site specific odour emissions were used in the Assessment. These emissions were provided by Anglian Water and they are based on a survey undertaken at Soham Sewage Treatment Works in 2015. Emissions data, source locations and dimensions along with suitable meteorological data were input into the dispersion model ADMS-5.2 and odour exposure levels were predicted at the area surrounding the Soham Sewage Treatment Works.
- 7.4.9 Results of odour emissions modelling show that the proposed development site lies outside the accepted C<sub>98, 1-hour</sub> 3 ouE/m<sup>3</sup> odour exposure line, including the open space. Also, with the indicative layout shown, half of the open space and all of the dwellings, lie entirely outside Anglian Water's more stringent exposure line of, C<sub>98, 1-hour</sub> 1.5 ouE/m<sup>3</sup>. Anglian Water have also confirmed, this indicative layout is considered acceptable to them.
- 7.4.10 Review of odour complaints history indicate that there are no records of odour complaints related to Soham Sewage Treatment Works. Anglian Water advised the applicant that one odour complaint has been reported but they have not provided any details related to this complaint. This history of odour complaints indicates that

existing properties, which lie within the C<sub>98, 1-hour</sub> 5 ouE/m<sup>3</sup>, are not exposed to odour levels which are compromising their amenity.

- 7.4.11 On the basis of the dispersion modelling results and the complaint history related to Soham Sewage Treatment Works, the assessment concludes that the residents of the future development will not be exposed to odour levels which will compromise their amenity or cause them nuisance.
- 7.4.12 Regarding the concerns raised by the siting of the open space and play area, the latter could be re-sited, as at outline stage it is only an indicative plan which has been submitted. In any event, only half of the open space area lies within the 1.5 - 3 ouE/m<sup>3</sup> exposure limit. This is considered to be an acceptable exposure limit, given that precedent planning cases have accepted that an odour exposure criterion of C<sub>98, 1-hour</sub> 3 ouE/m<sup>3</sup> is acceptable.
- 7.4.13 Given all of the above, the development accords with Policy ENV 2 and ENV 9, in respect of ensuring that future occupiers enjoy high standards of amenity and that the noise from the A142, farm/potato store, and future employment uses, is adequately mitigated, and with Policy ENV 9 in ensuring that the existing business in the vicinity will not have their operations curtailed as a result of this development.

## **7.5 Access, highway safety and transport impact**

- 7.5.1 The proposal is to provide for a single access onto Broad Piece, provided for through the demolition of the property at Number 12. A secondary emergency access of 3.75 metres (12 ft) is also provided close to it, which will be used as a pedestrian/cycle access.
- 7.5.2 This is acceptable to the County Highway Authority. In order to accommodate the additional traffic from this development the applicant proposes to widen the road and footpath to provide a 1.8m (6ft) wide footpath and 5.5m (18ft) carriageway, along the length of Broad Piece from the site entrance to the junction with Kingfisher Drive. This is acceptable to the County Highway Authority as it can be accommodated within the scope of the highway land and can be secured by condition.
- 7.5.3 This widening will impact residents on Broad Piece, along the southern edge of the existing carriageway, as it is proposed to widen the existing footpath, into the carriageway, along the northern edge of the road, to 1.8metres (6ft). The existing carriageway will then be widened to 5.5 metres (18 ft), in a southerly direction. This means that the existing carriageway will be widened in a southerly direction by up to 1 metre (3ft).
- 7.5.4 Discussions have taken place between the applicant and the County Highway Authority before the application was submitted. Detailed and scaled plans were requested to show how exactly the road widening would be achieved on the ground.
- 7.5.5 Originally the developer proposed to widen the road along its northern edge. However, objections were received and the highway Authority were not convinced that the required road widening could be achieved. Therefore, the County Highway Authority have undertaken further extensive research and site survey work, to ascertain the correct extent of the highway boundary along Broad Piece. This has

taken some time and now the Highway Authority are satisfied that the amended road alignment is all within highway land and can be achieved.

- 7.5.6 The area fronting Number 5 to 5d Broad Piece (5 properties), will be most impacted as this highway land appears as front garden at the present time. The area of land fronting these properties forms a mixture of gravel and tarmac driveways and grass garden/verge areas. There is one property (5c Broad Piece) that will require some vegetation to be cut back, to achieve the required works.
- 7.5.7 Given the level of objection from residents regarding the access to the site from Broad Piece, the applicant was asked to investigate the possibility of achieving access to the north of the site, onto The Shades roundabout or to the east of the site onto Kingfisher Drive. This work was undertaken and discussions took place with the landowner but was not, in the end, achievable. The applicant has provided an access appraisal setting out the reasoning as follows;
- 7.5.8 Access in both locations is prevented because of land ownership issues. Nevertheless, the applicant did approach landowners to the north in an effort to secure access to the roundabout but negotiations were unsuccessful. It is clear that the applicant has made reasonable endeavours in considering alternative vehicular access points.
- 7.5.9 Also paragraph 109 of the NPPF, establishes that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.5.10 On this basis, the principle of providing access to the site from Broad Piece must be accepted, as long as it can be satisfactorily achieved.
- 7.5.11 The application is accompanied by a Transport Statement which concludes that the development can be accommodated without significant impact upon the existing highway network. This is now accepted by the County Highway Authority providing the following mitigation is provided.
- 7.5.12 The widening of the existing carriageway and footway in Broad Piece and the upgrade of the crossing at the Mereside/Julius Martin lane junction in addition to localised footway widening. A financial contribution of £ 123,600 is also required towards improvements to the roundabout at the A142/Fordham Road/A123 roundabout.
- 7.5.13 In order to enhance connectivity to the north, the applicant is proposing by way of a separate planning permission, to deliver a pedestrian and cycle link to the school and beyond. This has been approved and would form part of any S106 agreement to ensure its delivery, ref(19/01729/FUL). This will involve upgrading the surface and providing for a new entrance directly into the school which is acceptable to County Highways and has been agreed with the school.
- 7.5.14 The proposed number of car and cycle parking spaces in accordance with Policy COM8 would be assessed as part of any reserved matters application and does not form part of the assessment of this application, as the detailed design elements are

not being considered. However, it is considered that the required parking could be accommodated on site, in accordance with Policy COM8.

- 7.5.15 All the highway requirements would need to be secured by S106 legal agreement and planning condition. Subject to this the proposal complies with the requirements of Policy ENV2 and COM 7 of the Local Plan.

**7.6 Flood risk and drainage**

- 7.6.1 Foul water drainage – A pumping station is proposed which will feed into the sewage treatment works. Many concerns have been raised by residents in relation to capacity, but Anglian Water have confirmed that there will be available capacity for these flows. The proposal therefore complies with Policy ENV8 of the Local Plan.
- 7.6.2 Surface water drainage – Many concerns have been raised by local residents and the Town Council and it is acknowledged that flooding occurs to the properties along Broad Piece because the application site sits higher than those properties. However, the Lead Local Flood Authority have visited the site to investigate in detail and are now satisfied that the surface water drainage scheme proposed will improve the situation for existing residents. The Flood Risk Assessment demonstrates that the development will not lead to greater risks of flooding either on or off site. The Lead Local Flood Authority are content that the scheme proposed is acceptable, comprising a swale and attenuation pond, with controlled outfall to the ditch to the north of the site. More details would be required as part of any planning permission, by way of condition.
- 7.6.3 The Lead Local Flood Authority have also advised that the Environment Agency data highlighted by residents, and raised within the FRA, is strategic modelling whereas the FRA is very site specific and has dealt with water levels in extreme events.
- 7.6.4 The proposal is considered to comply with Policy ENV 8 of the Local Plan 2015 and the Cambridgeshire Flood and Water SPD.

**7.7 Trees, Ecology and archaeology**

- 7.7.1 Policy ENV7 of the East Cambridgeshire Local Plan 2015 recognises the importance of environments such as trees, wetlands, hedgerows, woodlands and ponds which provide habitats, corridors and links for wildlife, and are part of an essential network for the survival and diversity of species. Paragraph 170(d) of the NPPF advises that development proposals should minimise impacts on biodiversity and secure net gain. Additionally, the paragraph discusses the importance of establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175(d) goes on to advise that development should be supported where the primary objective is to conserve or enhance biodiversity. It goes on to advise that opportunities to incorporate biodiversity improvements in and around developments should be encouraged.
- 7.7.2 The application is accompanied by an Ecology appraisal. The report includes results from further surveys for reptiles, great crested newts, water vole, otter and bat emergence surveys as well as a Phase 1 habitat survey. The Appraisal concludes that no statutory or non-statutory designated nature conservation sites will be affected by the proposed development. The Appraisal also concludes that the presence of GCN



has been discounted and that this species is not considered to represent a constraint. A small population of grass snake have been recorded at the northern boundary of the site and best practice methods are recommended to minimise the risk of harm to this species.

- 7.7.3 No. 12 Broad Piece has been confirmed to support a low status common pipistrelle roost and to allow demolition a licence from Natural England would be required. The Appraisal concludes that in this case a Low Impact Class Licence is considered most appropriate. As the presence of water vole within a drainage ditch at the north boundary was confirmed during the survey in 2015, and if works are to come within 5m of this habitat, further survey is recommended, and localised works may require under licence from Natural England. No effects to other protected species such as birds or badgers are considered likely to be significant and the proposals provide ample opportunities for biodiversity gain.
- 7.7.4 Natural England have advised that they consider the proposal will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 7.7.5 The County Wildlife Trust have advised that they are content with the conclusions of the Ecology Appraisal subject to conditions. They initially were not satisfied that potential recreational impacts on nearby Qua Fen Common could be ruled out on the basis of the size and location of the development. They advised that, there are a number of existing and proposed developments in Soham, and the cumulative impacts of all of these (regardless of size) on existing open spaces must be taken into account. If new alternative open spaces do not provide sufficiently attractive recreational opportunities for new residents, then they will travel to existing more attractive sites within easy driving distance such as Qua Fen Common and Wicken Fen. Therefore, the design of the on-site open spaces will need to provide an attractive destination, including significant areas of semi-natural habitat, and links with existing rights of way to allow for circular walks, which should be at least 2.5km and ideally up to 5km to encourage use for dog walking. Should permission be granted, the applicant should provide further detail on how this will be achieved.
- 7.7.6 In response to this the applicant has agreed to make appropriate financial contributions towards the delivery of measures identified in the 'Soham Commons Biodiversity and Access Enhancement Study', recently prepared by Footprint Ecology. The purpose is to ensure that increased visitor pressure from people and dogs will not have an adverse impact on the Commons and Soham Wet Horse Fen SSSI. A contribution would need to be secured by s106 legal agreement and landscaping, biodiversity improvements on the development would be secured by condition. This approach is supported by Natural England.
- 7.7.7 In response to the comments of the Wildlife Trust regarding net gains in biodiversity and the lack of an assessment of measurable net gains, the applicant submitted a Biodiversity Impact Assessment calculator. The Wildlife Trust were satisfied that this demonstrates that a small net gain in biodiversity should be achievable on this site based on the indicative layout shown. A Landscaping and Ecological Management Plan setting out details of mitigation, habitat creation, and long-term management measures to achieve the target conditions for created habitats, in line with the BIA calculator would be required.

- 7.7.8 The Natural Environment SPD contains various policies which will need to be satisfied. The applicant has responded to this document within the provision of a Natural Environment Statement, which demonstrates compliance with the SPD, to the satisfaction of the Wildlife Trust, including a financial contribution to mitigate any impact from increased recreational pressure on Broad Piece and Soham Commons, as set out above, in line with the Soham Commons Recreational and Biodiversity Enhancement Study.
- 7.7.9 As a result of the requirements of policy SPD.NE6, the applicant has increased the biodiversity net gain and the Wildlife Trust are now satisfied that biodiversity net gain of 10%, can be provided. Given all the above, it is considered that the proposal complies with policy ENV7.
- 7.7.10 The application is supported by a Tree Survey, Tree Report and Arboricultural Impact Assessment. The site contains a mix of tree categories and in the main these run around the boundary of the site and will be retained and improved. The only exception is the Category B tree situated within the garden of Number 12 which will be removed to provide the access. As required by Policy SPD. NE7 the loss of the tree will be compensated for with replacement planting in accordance with the six Tree Planting principles. The layout will also allow ample opportunity for new tree planting. The Tree Officer is content with the impact on any trees and hedges on the site.
- 7.7.11 The proposal therefore complies with policies ENV7, ENV14 and the Natural Environment SPD.

## **7.8 Other Material Matters**

- 7.8.1 Education – CCC have requested contributions for education and libraries and Life Long Learning. These were initially disputed by the applicant but it has since been agreed that contributions will be made for early years, primary and secondary in line with the 2019 LA Scorecard costs, with regional adjustment for Cambridgeshire. These will be secured by S106 together with a contribution for Libraries and Life Long learning.
- 7.8.2 Affordable housing and self build – The application does include provision for 30% affordable housing and 5% self build plots both of which comply with policy HOU3 and HOU1. The affordable housing provision is in excess of the level of provision recommended within the Councils Viability Assessment Report 2019, (20%).
- 7.8.3 In accordance with Policy ENV 4 of the Local Plan, and the Climate Change SPD, the developer has submitted an Energy and water conservation Statement which concludes that the development will provide for a 10% carbon reduction, materials will be chosen which have a lesser environmental impact, the environmental impact of the proposed build specification is BRE Green rated, the detailed design of the scheme will have energy efficiency measures to shrink the sites total energy demand and encourage solar gain through the layout. Finally, they seek to reduce the volumes of waste generated on site through reuse and recycling.

**8.0 Planning Balance**

- 8.1 Notwithstanding the fact that the Council can demonstrate a 5 year housing land supply, the provision of up to 175 additional dwellings weighs in favour of the development as does the provision of 30% affordable housing, which is in excess of the level of provision recommended within the Councils Viability Assessment Report 2019, (20%). 5% of the dwellings will be self build which is also a benefit but is nevertheless policy compliant.
- 8.2 Construction works would create employment and the provision of housing would increase spending to benefit the local economy. Again, these weigh in favour of the proposal.
- 8.3 Biodiversity net gain will be achieved which would have some limited benefit.
- 8.4 However the proposal conflicts with the locational strategy of the Local Plan, as set out within policy GROWTH2 and does not meet any of the defined exceptions within that policy. The development plan is the starting point for decision making. The NPPF states that where a planning application conflicts with an up to date development plan, permission should not usually be granted. The NPPF states that decisions may be taken which depart from an up to date development plan, but only if material considerations indicate that the plan should not be followed. Thus, the conflict with Policy outweighs any planning benefits of the scheme or any other material considerations.

**9.0 COSTS**

- 9.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.
- 9.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.
- 9.3 Members do not have to follow an officer recommendation indeed they can decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.
- 9.4 In this case members' attention is particularly drawn to the following points:
- 9.5 The unacceptable development in the countryside. Conflict with Local plan policy and no materials considerations indicate that the Plan should not be followed.

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<b><u>Background Documents</u></b>	<b><u>Location</u></b>	<b><u>Contact Officer(s)</u></b>
19/00717/OUM 19/01729/FUL	Barbara Greengrass Room No. 011 The Grange Ely	Barbara Greengrass Planning Team Leader 01353 665555 barbara.greengrass @eastcambs.gov.uk

National Planning Policy Framework -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>