

21/01048/HYBM

Land To Rear Of 81 – 111 Brook Street

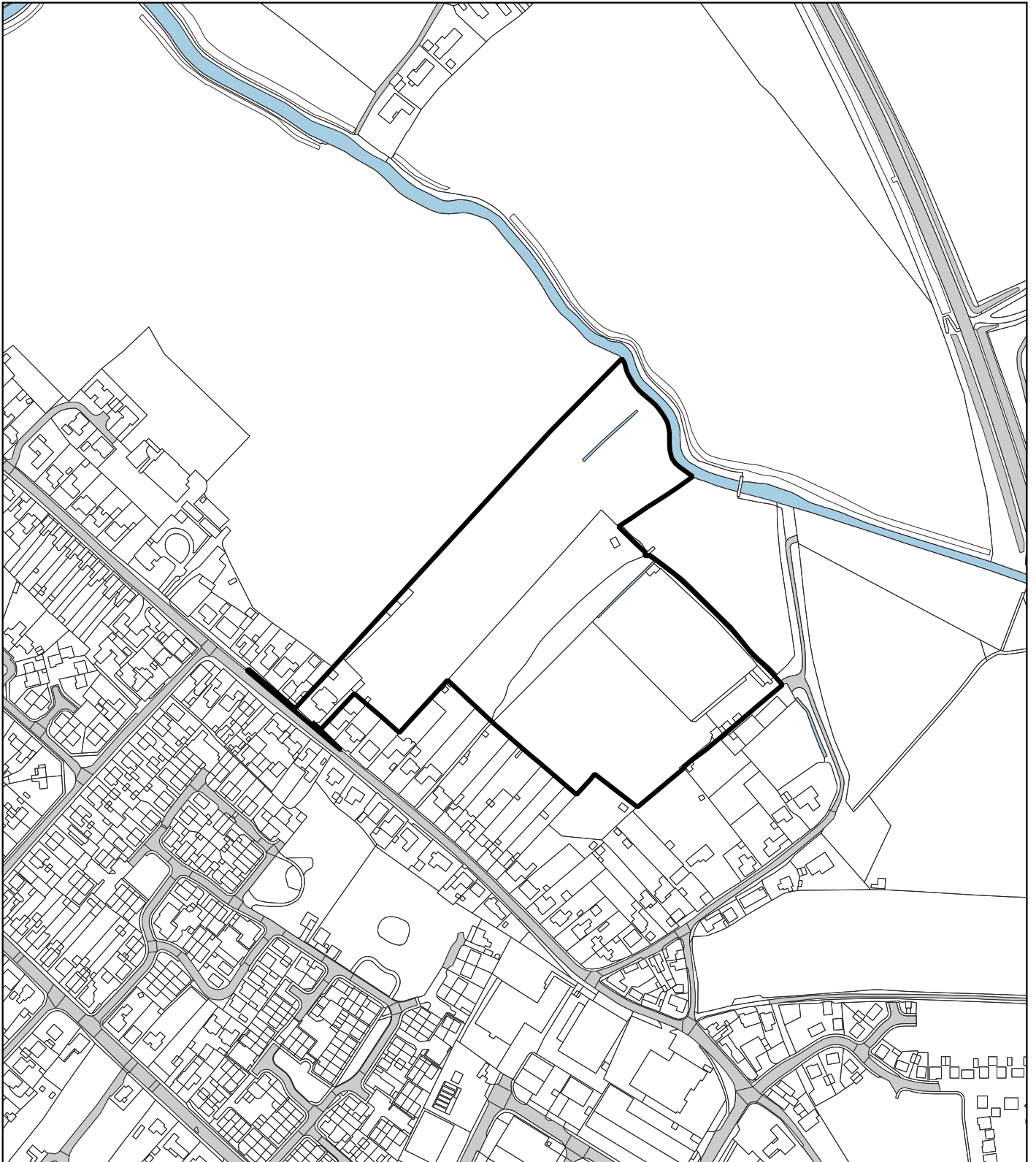
Soham

Hybrid planning application consisting of full planning permission for the demolition of 81 Brook Street and the provision of a new site and replacement bungalow along with outline planning permission (all matters reserved except for access) for the construction of up to 80 new homes (including affordable housing), public open space and associated infrastructure

To view all of the public access documents relating to this application please use the following web address or scan the QR code:

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QXKJ9IGG0CT00>





21/01048/HYBM

Land To Rear Of 81 - 111
Brook Street
Soham



East Cambridgeshire
District Council

Date: 14/08/2023
Scale: 1:4,000



© Crown copyright.
All rights reserved 100023279 (2023)

TITLE: 21/01048/HYBM

Committee: Planning Committee

Date: 6th September 2023

Author: Planning Team Leader

Report No: Y35

Contact Officer: Catherine Looper, Planning Team Leader
catherine.looper@eastcamb.gov.uk
01353 616205
Room No 011 The Grange Ely

Site Address: Land To Rear Of 81 - 111 Brook Street Soham Cambridgeshire

Proposal: Hybrid planning application consisting of full planning permission for the demolition of 81 Brook Street and the provision of a new site and replacement bungalow along with outline planning permission (all matters reserved except for access) for the construction of up to 80 new homes (including affordable housing), public open space and associated infrastructure

Applicant: Pigeon Capital Management 3 LTD and Andrew John Mackenzie, Kim Elisabeth Mackenzie, Bridget Lesley Audus, Jeanette Susan Audus and Patricia Carol Audus

Parish: Soham

Ward: Soham South

Ward Councillor/s: Ian Bovingdon
Lucius Vellacott

Date Received: 2 August 2021

Expiry Date: 27 September 2023

1.0 RECOMMENDATION

1.1 Members are recommended to approve the application subject to the signing of the S106 Legal Agreement and conditions covering the following matters with authority delegated to the Planning Manager and Director Legal to complete the S106 and to issue the planning permission (with any minor revisions to the conditions delegated to the Planning Manager). The conditions can be read in full on the attached appendix 1.

- 1.2 That the applicant agrees any necessary extensions to the statutory determination period to enable the completion of the associated S106 Obligation before planning permission is granted. In the event that the applicant does not agree any necessary extensions to the statutory determination that the Planning Manager is given delegated powers to refuse planning permission on the basis of the absence of an agreed S106 Obligation.

Conditions:

- 1 Approved Plans

Conditions relating to full planning permission for the demolition of 81 brook street and provision of new site, replacement bungalow and access:

- 2 Time Limit
- 3 Surface Water Drainage
- 4 Construction Environmental Management Plan
- 5 Ground Piling
- 6 Archaeology – Written Scheme of Investigation
- 7 Contamination – Investigation
- 8 Contamination – Remediation
- 9 Contamination – Implementation
- 10 Unexpected Contamination
- 11 Highways – Management and Maintenance of Streets
- 12 Highways – Turning
- 13 Highways – Permitted Development Restriction
- 14 Highways – Adoptable Standards
- 15 Highways – Binder Course
- 16 Flood Risk Assessment
- 17 External Materials
- 18 Hard Landscaping
- 19 Soft Landscaping
- 20 Construction Times

Conditions relating to outline planning permission (all matters reserved except for access) for the construction of up to 80 new homes (including affordable housing), public open space and associated infrastructure:

- 21 Time Limit – Submission of Reserved Matters
- 22 Time Limit – Commencement
- 23 Surface Water Drainage
- 24 Construction Environmental Management Plan
- 25 Ground Piling
- 26 Archaeology – Written Scheme of Investigation
- 27 Archaeology - Maintenance and Management
- 28 Contamination – Investigation
- 29 Contamination – Remediation
- 30 Contamination – Implementation
- 31 Unexpected Contamination
- 32 Highways – Management and Maintenance of Streets
- 33 Highways – Turning
- 34 Highways – Permitted Development Restriction
- 35 Highways – Adoptable Standards
- 36 Highways – Binder Course

- 37 Highways – Widening Footway
- 38 Highways – Welcome Travel Packs
- 39 Ecology and Biodiversity Net Gain
- 40 Biodiversity Net Gain Management and Maintenance
- 41 Flood Risk Assessment
- 42 Flood Risk – Management and Maintenance
- 43 Construction Times
- 44 Energy and Sustainability Strategy
- 45 Foul Water Drainage
- 46 Rights of Way Access Scheme
- 47 Rights of Way
- 48 Hedgerow and Woodland Tree Management and Creation Scheme
- 49 Tree Protection
- 50 Arboricultural Method Statement
- 51 Maintenance for Hard and Soft Landscaping
- 52 Fire Hydrants

The S106 Legal Agreement will secure the following:

- Affordable Housing
- Open Space
- SUDS
- Wheeled Bins
- Soham Common Land Contribution
- Self-Build and Custom Housing Plots
- Education and Library Contributions
- Highway Improvement Contributions

2.0 SUMMARY OF APPLICATION

2.1 The application is a hybrid application seeking full planning permission for the demolition of 81 Brook Street and its replacement in a new position, as well as the creation of access into the wider site. The application also seeks outline planning permission for the construction of up to 80 new homes. This element of the application has all matters reserved apart from access. The application proposes 20% affordable housing.

2.2 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.eastcamb.gov.uk/online-applications/>.

3.0 PLANNING HISTORY

3.1 No relevant planning history.

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The application site comprises farmland and is part of a wider site allocated for residential development in the East Cambridgeshire Local Plan 2015 (SOH1). Brook Street runs from north-west to south-east of the site and Greenhills lies to the south-

east of the site. The rear garden boundaries of properties fronting Brook Street adjoin the application site boundary. The remaining boundaries of the application site are bordered by agricultural land, with Commons land to the north.

- 4.2 The application site itself is approximately 5.01ha (12.3 acres) in area. Public footpath No.82 runs through the application site and links Brook Street to the Commons land. The site is well connected to the center of Soham.

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.

Parish - 27 September 2021

Base modelling indicates the site will not flood because of marginal levels and the low level of the Lode. Concerns were raised regarding Environment Agency as they have disappointed us in the past.

Drainage had been discussed with Anglian Water. The Town Council raised concerns particularly with any change in hydrology as this will adversely affect the rear plants that the SSI was designed to protect.

Maintenance of green spaces and basin may ultimately fall on East Cambs. Concerns were raised and better assurances requested. It was suggested if the small green spaces by the properties company.

The traffic survey was far from accurate due to the Covid emergency and agrees that using the 2012 census figures as a base for traffic projections was far from ideal but was the best data currently available. Requested an updated traffic report.

SSI and NHS are among the usual Consultees used with a wide range of others by developers. The aforementioned have not been consulted.

'it was suggested that affordable houses are built with larger room sizes and more storage. All houses to have larger garages to accommodate the larger vehicles on the road like SUVs.

It was suggested that the species of trees to be planted should be named on the plans gaining 10% Biodiversity. Who ultimately is going to look after the trees? The first 25 years they need to be watered regularly or they will perish, there needs to be a management plan.

Electric vehicle charging points should also be indicated on the plans.

Parish - 30 March 2022

The Parish has concerns about the application.

STC is in principle not happy with this site being developed due to flood risk and loss of vista but are aware it is an allocated site in the 2015 Local Plan and therefore would be happy to work alongside the developers to achieve the best they can for residents.

Parish - 28 February 2023

Concerns raised regarding traffic that will be coming out onto Fordham Road due to proposed development; the figures provided appear to be inaccurate.

Parish - 29 March 2023

Does the Parish Council have any concerns about the application - Yes

Can these concerns be addressed by;

- a. amendments to the scheme
- b. conditions to be applied to any permission
- c. outright refusal of permission
 - Unustainable as sewage is already at capacity for the town and will therefore struggle to take further sewage and surface water
 - Brook Street will struggle to accommodate further vehicles, this extra traffic will heavily impact access out onto Fordham Road.
 - Before any works commence the developer needs to be in discussion with the owner(s) regarding the rest of SOH.H1 as there are issues with drainage, flooding and extra traffic on the whole development
 - Building on flood zone 3

CCC Growth & Development - 26 November 2021

1.0 Background

1.1 Soham is defined as a market town in the 2015 East Cambridgeshire Local Plan.

1.2 This application is seeking permission to develop 80 residential dwellings (tenure mix unknown) on Land to Rear Of 81 - 111 Brook Street, Soham.

1.3 Section 14 of the Education Act 1996 places local authorities (LAs) under a general duty to provide a school place for every child living in the area who is of school age and whose parents want their child educated in the state funded sector. The Education and Inspections Act 2006 placed additional duties on LAs to ensure fair access to educational opportunity, to promote choice for parents and secure diversity in the provision of schools. This reaffirmed the rights of parents to express a preference of school for their children to attend. Where possible this preference should be accommodated, there is not a statutory duty to meet these preferences however.

1.4 In line with its statutory duties the Council aims, where possible, to secure sufficient places for children to attend their local catchment school. In areas where there are several schools in proximity, mostly in urban areas, greater emphasis is placed on local rather than catchment schools. There are several reasons for this approach:

- Ensuring children attend their local catchment school aligns with the corporate priorities of 'helping people live healthy and independent lives' and 'supporting and protecting vulnerable people'.
- If pupils have access to their local school, they are more likely to attend by cycling, scootering or walking. They will also be able to access out of school activities more readily and can develop friendship groups within their own community.
- Providing a local school will ensure that services can be easily accessed by families in the greatest need (Cambridge City Secondary Review, 2017).
- It recognises the wider role schools play within their local communities, as providers of sport and leisure, adult and community learning and as venues for cultural events (New School Competition Policy, 2007).

1.5 A further consideration for the Council is that by mitigating the impact of new housing developments within the local school families within the existing community are not disadvantaged in accessing school places.

1.6 It may be necessary for planning officers to consider how the impact of additional vehicular journeys which may arise because of alternative approaches to mitigating housing developments impact on the sustainability of development proposals.

1.7 With consideration to the above, this paper sets out, in its role as the Local Children's Services Authority, the County Council's position in relation to the emerging development proposals.

2.0 Proposal

2.1 The proposals for the site suggest that the development will consist of 80 dwellings and a need to ensure provision for additional children. This development will generate around 24 Early Years children (of whom 14 are eligible for free places, comprising of 10 x 15-hour places and 4 x 30- hour places, equivalent to **9 full time (30-hour places)**); **32 primary children and 20 secondary children. Contributions will be based on the approved development mix to ensure they comply with the planning tests.**

3.0 Other Developments

3.1 There are several other developments proposed in the area and the cumulative impact of these also needs to be considered. These are listed in Table 1a and 1b. For clarity, Table 1b shows the local plan allocations for context only and they are not included in the education forecast calculations as no planning application has been submitted or approved.

Table 1a: Developments in the surrounding area

Table 1b: Local Plan allocations (for context only)

4.0 Identified Requirements

4.1 Early Years provision

4.1.1 There are several childcare providers in Soham, as outlined in Table 2 with a total capacity of 513 x 15-hour places.

Table 2: Early Years Provision in Soham (including St Andrew's C of E Primary School, The Weatheralls Primary School & The Shade Primary School)

4.1.2 In October 2020 there were 662 children aged 0-3 living in the local catchment (Cambs. CHIS Data, 2020). This indicates that there are approximately 371 children eligible for free places. In Spring 2020, there were 314 children eligible for funded places living in Soham. In Spring 2020, there were 268 funded children claiming a place at a setting. This shows that there is a reasonable take up of funded places.

4.1.3 In September 2017, 30-hour funding for 3 and 4 year olds was introduced, which has increased the demand for early year's provision in the area. Table 3 shows that when including all the new developments a total of 678 x 15-hour places will be required.

Table 3: 15-hour places required in Soham from September 2017

4.1.4 The total demand of 678 x 15-hour places is above the current capacity of 513 places. Therefore, it is necessary to seek developer contributions to mitigate this impact arising from new development, which will be in the form of new early years provision at either of the stated projects. See sections 5 and 6 below for details of contributions and triggers.

4.2 Primary Provision

4.2.1 **Catchment based forecast:** In 2020/21 Soham primary catchment has a PAN of 180 and this means the school currently has an overall capacity of 1,260 pupils, although there is physical capacity for 1,470. In January 2021, there were forecast to be 1,190 children aged 4-10 year living in the catchment compared to 1,135 children on roll. The catchment population is forecast to decrease to 1,173 by 2024/25 (Catchment Forecasts, October 2021).

Table 5: Catchment forecast for The Shade, Weatheralls, St Andrew's combined catchment

4.2.2 There are forecast to be 32 children generated by this development. There are also several other developments coming forward in and around the town. The approved developments will generate an additional 336 primary school children (see Table 1a). This means that by 2024/25 the total primary school population will be 1,541 (1,173 + 32 + 336) and there will not be sufficient capacity within Soham primary schools to accommodate this. Contributions are sought to mitigate this impact in the form of a school expansion. See section 5 and 6 below for details of contributions and triggers.

4.3 Secondary Provision

4.3.1 **Catchment based forecast:** Soham Village College is the catchment secondary school for the town. It has a PAN of 270 and this means the school currently has an overall capacity of 1,350 pupils. In January 2021, there were forecast to be 1,075 children aged 11-15 living in the catchment compared to the 1,382 on roll. The catchment population is forecast to increase to 1,266 by 2024/25. (see Table 5).

Table 7: Catchment forecast for Soham Village College

4.3.2 There are forecast to be 20 secondary school children generated by this development. There are also several other developments proceeding in and around the town. These developments will generate an additional 428 secondary school children (see Table 1a). This means that by 2024/25 the total population will be 1,714 (1,266 + 20 + 428) and there will not be capacity at Soham Village College. Contributions are sought to mitigate this in the form of a school expansion. Further details on the contributions and triggers are set out in sections 5 and 6 below.

5.0 Specified Projects

5.1 As outlined in the New School Competition Policy (approved by Members in 2007) "it is not possible, ahead of detailed planning consent and acquisition of a school site, to produce a fully costed design proposal". Therefore, S106 project cost estimates will be based on the following:

Table 6: Basis of Project Costs

Note: *GIFAs are generic to BB103 recommendations and will need to be adjusted for site specific requirements. Other elements of the capital scheme are then calculated as a percentage of this build cost and include (for example) external works, furniture and equipment (including ICT), contingencies, professional fees and dual-use and community facilities. CCC endeavours to use average build rates from the latest National Schools Delivery Cost Benchmarking report for its cost estimates where possible, updated for time and location factors. Where this is not possible, or applicable, CCC will use its own average project cost data.

^ The scorecard costs have been adjusted using the BCIS Cambridgeshire uplift of 5% which is consistent with that already used by the Council for budgeting capital projects.

Table 7: Specified Projects

S106 Contributions Table

6.0 Triggers

6.1 The Council incurs significant pre-development costs when building education infrastructure, therefore they require contributions to be paid at an early stage in the housing development. These payment triggers will need to be agreed by all parties.

Table 8: Triggers for payment of contributions

7 Libraries and Lifelong Learning

7.1 Cambridgeshire County Council has a mandatory statutory duty under the Public Libraries and Museums Act to provide a comprehensive and efficient library service to everyone living, working, or studying in Cambridgeshire.

7.2 This development will generate 152 new residents (80 new dwellings x 1.9 average household size), with local library provision being provided from Soham library.

7.3 Applying the number of new residents arising from this site, the County Council's assessment is that the number of new residents will put considerable pressure on the library and lifelong learning service in the town. The County Council therefore considers that it is reasonable to seek a contribution towards library and lifelong learning provision and mitigate the impact of the development.

7.4 The County Council is seeking a contribution based on a rate of £91 per head of population increase. This figure represents the proportionate cost of mitigating the increased demand through enhanced static library provision (resources and fit out) with the money being used to remodel Soham Library to improve infrastructure and meet the demand of new residents, increasing the floor space available to the community.

7.5 Ensuring that the contribution is proportionate to the number of new residents arising demonstrates that it is **fairly and reasonably related in scale and kind**.

7.6 The figure of £91 per head of population increase has been calculated based on information contained within the document Public Libraries, Archives and New Development: A Standard Charge Approach, May 2010. See Appendix 2 for further information on the justification.

7.7 Therefore, the development would need to contribute the following library and lifelong learning contribution:

- **£13,832** (£91 per head of population x 152 new residents OR £172.90 per dwelling).

7.8 The trigger for the library and lifelong learning payment is: • 100% prior to occupation of 50% of the dwellings

7.9 The S106 agreement will need to contain provision for increases in indexation from 1Q2019, this being the date of the above cost to the date the contribution is paid. 8

Monitoring Fee.

8.1 The Council currently charges a flat fee of £150 per standard s106 agreement for monitoring – higher fees might apply for more complex agreements.

Appendix 1

Links to the housing trajectories published by each district council can be found below.

East Cambridgeshire:

https://www.eastcamb.gov.uk/sites/default/files/EB032%20Five%20Year%20Housing%20Land%20Supply%20Statement%202017_0.pdf

Appendix 2

Soham Library Project Justification:

Enhanced static library provision (resources and fit out) also requiring internal modifications to existing building: £91 per head of population increase.

Building modifications

In order to mitigate the impact of the new residents, Soham Library will require a redesign of the porch and entrance area to add to the available space in order to offer additional resources such as the business and IP offer and increased provision of community information.

Internally, the shelving, shelving end panels and counter would need to be replaced with more flexible solutions to accommodate the increase in demand and allow for multi-purpose community use.

To be able to mitigate the impact of the new residents within the existing library the current meeting room could be enhanced to make it a more flexible space and that it could be used as a social/community space. This would comprise additional mobile units such as kinder boxes for junior stock and flexible shelving solutions for other stock as well as flexible furniture solutions that would be suitable for a wide range of community uses.

Enhanced resources

New library stock would be required to be changed more frequently to ensure that the reduced capacity of the library would be able to meet the demand of the new residents on book stock.

In addition, book stock for the Business & IP offer and for Health programmes such as Reading Well would be required to meet the needs of the new residents.

An enhanced IT offer would also be required to mitigate the impact of new residents on existing IT resources. This would take the form of additional power points available within the modified meeting room and porch area by replacing existing seating with integrated seating and power solutions.

Environmental Health - 25 August 2021

Due to the proposed number of dwellings and the close proximity of existing properties I would advise that construction times and deliveries during the construction and demolition phases are restricted to the following:

07:30 - 18:00 each day Monday - Friday

07:30 - 13:00 on Saturdays and

None on Sundays or Bank Holidays

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. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

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.

I have read the NIA dated the 29th July 2021 which finds that all plots will achieve the relaxed target levels with a partially open window. I have no issues to raise with the methodology or findings of the report.

No other comments to make at this time but please send out the environmental notes.

Environmental Health - 13 September 2021

I have read the Phase I Desk Study and Preliminary Risk Assessment report dated 22nd June 2021 prepared by Geosphere Environmental and accept the findings. Although most of the site is generally at low risk from contamination the report recommends that a Phase II investigation is carried out. I recommend that standard contaminated land conditions 1, 2, 3, and 4 are attached to any grant of permission.

Lead Local Flood Authority - 20 September 2021

We have reviewed the following documents:

- Flood risk Assessment and Drainage Strategy - July 2021
- Existing Site Plan - July 2021

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the hybrid planning application for full planning permission for the demolition of 81 Brook Street and the provision of a new site and replacement bungalow along with outline planning permission (all matters reserved except for access) for the construction of up to 80 new homes (including affordable housing), public open space and associated infrastructure.

From the flood risk assessment and drainage strategy provided the LLFA is satisfied that there is sufficient space available within the development plan to allow for a suitable surface water drainage system to be implemented. There are many positive elements from the existing surface water drainage strategy which has benefitted from pre-application engagement with the LLFA including limiting surface water discharge from the site to greenfield rates.

Based on the report provided to date we would make the following observations:

- The proposed development is set on a raised platform set a 5.17 mAOD which will be built above the existing ground levels. Review of existing spot levels on site identified areas of between 4.7 and 4.9mAOD that would be raised by between 0.47 - 0.27m respectively.
- Infiltration SuDS have been ruled-out in the drainage strategy due to high groundwater levels recorded on site based on the existing ground level.
- Consideration should be made to how the incorporation of raised development platform presents an opportunity to review the potential for infiltration SuDS.
- The drainage strategy currently relies on a fully pumped surface water drainage strategy. Pumping of surface water is an unsustainable drainage method. Pumps present a significant residual risk if they are not maintained or fail during a storm event. Our preference is for gravity discharge to the surface water drainage system, mimicking the natural drainage of the site and reducing energy consumption as stated in paragraph 6.3.5 and 6.3.28 of the Flood and Water Supplementary Planning Document (SPD). We require that the applicant attempts to discharge as much surface water runoff via gravity or infiltration as possible. This can be achieved through the use of larger areas of shallow attenuation or alternative SuDS approaches. If it can be demonstrated that a partial or completely pumped drainage system is the only viable option we would require that the residual risk of flooding due to the failure of the pumps be investigated. We would require that the flood level be determined under the following conditions:
 - The pumps were to fail; and
 - The attenuation storage was 50% full; and
 - A design storm occurredThe floor levels of the affected properties must be raised above this level and all flooding must be safely stored onsite
- The sizing of the proposed attenuation pond is based on a hydro brake flow control and a pumped system may have different storage requirements. However there appears to be sufficient land available for an enlarged attenuation pond if required.
- Detailed design should show how the attenuation basin is half empty within 24 hours.
- The existing maintenance schedule makes no reference to the proposed pump.
- Water quality assessment assumes that all flow passes through both the swale and the attenuation basin, however outline design suggest that some flow is directed direct to the pond. This should be reviewed, and calculations updated for final detailed design.

We request the following condition is imposed:

Condition

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

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Sustainable Drainage Strategy prepared by Waterco (ref: 12737-FRA & Drainage Strategy-03 dated July 2021) noting the above observations. and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) Temporary storage facilities if the development is to be phased;
- g) A timetable for implementation if the development is to be phased;
- h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- i) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- j) Full details of the maintenance/adoption of the surface water drainage system;
- k) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

Reason

To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

Informatives

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Anglian Water Services Ltd - 2 September 2021

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Soham Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Anglian Water Services Ltd - 28 February 2022

ASSETS Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES Section

2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Soham Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

We are aware there is a lot of growth currently underway/forecast in the Soham Water Recycling Centre (WRC) catchment. At the current profiling we don't expect to require investment at the WRC until AMP 9. In the Water Recycling Long Term Plan we have highlighted that we may need some investment in the catchment in AMP7, this will be monitored and pushed forward where needed.

Section 3 - Used Water Network

We have engaged with the applicant for this site and can confirm that a connection to the local network is acceptable without the need for mitigation. The foul network currently has capacity to accommodate this development for up to 80 dwellings, however, if further development is proposed and the site expanded we would wish to reassess. This site does not form part of the wider foul network strategy for Soham.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information. <https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/>

The Ely Group of Internal Drainage Board - 12 August 2021

This application for development is outside of the Middle Fen and Mere Internal Drainage Board.

The Board has no comments to make from a drainage point of view.

Environment Agency - 14 September 2021

Environment Agency position in the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused. Reasons The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to clearly demonstrate that there will be no impact offsite as a result of the proposed ground raising.

The baseline modelling and choice of breach locations have been agreed at the pre-application stage. We have not however reviewed the breach model runs. Given the potential sensitivity of the floodplain to alterations and the potential offsite impact of reducing the floodplain in this area, we need to review the model files and outputs. It is counter intuitive that the raising of the ground levels will have no impact on the water velocity and depth during a breach of the defences. We need to review the model scenarios to reassure ourselves that there will be no impact on third parties.

Overcoming our objection –

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection. Please consult us on any revised FRA submitted and we will respond within 21 days of receiving it.

Environment Agency - 1 December 2021

We withdraw our objection regarding the modelling included within the Flood Risk Assessment (FRA) but wish to raise the following matter.

Sequential Test –

This site forms part of a wider allocated site, SOH1 (land off Brook Street 22 hectares allocated for residential development for up to 400 dwellings), within the East Cambridgeshire Local Plan (2015) and has therefore been deemed to have passed the Sequential Test.

SO1 is located within Flood Zones 1, 2 and 3 of our flood map for planning.

Point 11 of Policy SO1 sets out that development proposals will be expected to 'demonstrate that the flood risk on the site can be adequately mitigated' the

explanatory note to the policy goes on to say (page 259) 'Part of the site is an area of high flood risk. A Flood Risk Assessment of the site has been carried

out (to inform the Core Strategy in 2009), demonstrating that this risk can

potentially be mitigated. This will need to be reviewed, and careful regard had to the mitigation of flood risk in the detailed design and layout of the final scheme'.

We are concerned whether the sequential test, originally carried out as part of the Local Plan, is still relevant given that this application site forms only part of the allocated area.

The relatively small size of this application site poses a barrier to the most effective way to manage the flood risk to the wider site i.e. to avoid locating development within those parts of the site at highest risk of flooding by using the sequential approach.

We are unsure whether policy SOH1 was deemed to have passed the Sequential Test because the sequential approach could be used to manage the risk of flooding to the site.

We are also unclear whether this application forms part of a wider scheme to develop the entire SOH1 site or whether the proposals have been reduced and the wider SOH1 site is not planned to be developed. If this is part of the wider development of the entire area of SOH1, then we recommend that the sequential approach is taken by strategically master planning the entire area rather than doing it piecemeal through individual applications.

We recommend that your Authority reviews the sequential test carried out as part of the Local Plan to determine its relevance for this application.

Exception test –

The proposed method of mitigating the residual risk is, in theory, compliant with the National Planning Policy Framework (NPPF) as the Flood Risk Assessment and modelling show that there is no impact off site.

Modelling always has a level of uncertainty however, so we promote passive methods for managing flood risk. In this case, this could involve raising only the buildings to be above the breach flood level rather than raising ground levels.

This will maintain the flood pathways onto site but keep the properties from flooding internally. However, we acknowledge that this will impact the overall height of the buildings and level access into them.

Environment Agency - 17 March 2022

Thank you for your email, received 8th February 2022, we hope that the following response answers your surface water drainage, permitting and ground raising questions.

Within this letter we have included further guidance on the National Planning Policy Framework (NPPF) flood risk sequential and exception tests. We have also provided some information for the applicant regarding dewatering during construction.

Flood Risk

Environment Agency Position

In our previous response (ref AC/2021/130510/02 dated 01.12.21) we set out that:

'We are concerned whether the sequential test, originally carried out as part of the Local Plan, is still relevant given that this application site forms only part of the allocated area.

The relatively small size of this application site poses a barrier to the most effective way to manage the flood risk to the wider site i.e. to avoid locating development within those parts of the site at highest risk of flooding by using the sequential approach.

We are unsure whether policy SOH1 was deemed to have passed the Sequential Test because the sequential approach could be used to manage the risk of flooding to the site.

We are also unclear whether this application forms part of a wider scheme to develop the entire SOH1 site or whether the proposals have been reduced and the wider SOH1 site is not planned to be developed. If this is part of the wider development of the entire area of SOH1, then we recommend that the sequential approach is taken by strategically master planning the entire area rather than doing it piecemeal through individual applications.

We recommend that your Authority reviews the sequential test carried out as part of the Local Plan to determine its relevance for this application.'

This above remains our position. We are not objecting to this application because it forms part of allocated site SOH1. However, we are concerned that residential development is proposed in flood zone 3a. We therefore recommend that the sequential test is applied to this application to explore whether this development could be located in an area at lower risk of flooding.

Sequential Test

For an allocated site we would not normally comment on the requirement for the Sequential test. However, this application is significantly different from the allocation area (smaller) and new information has been submitted within the application to better define the flood risk to the site (breach modelling). This information shows that:

- The site is partially located within flood zone 3a (defended); and
- The site is partially located in an area of residual risk if the defences were to fail.

Prior to the Flood Risk Assessment submitted with this application, the residual risk of failure was uncertain. This application has demonstrated that a portion of the site is at risk of flooding if the defences were to fail. This

information was not available at the time of allocation and could not have been considered within the original Sequential Test.

The safety of this site is therefore dependent upon existing Environment Agency flood defenses and our continued maintenance, repair and eventual replacement of those defences throughout the lifetime of the development. There is no certainty that this will be achievable given the funding challenges the country faces and the impacts of climate change on flow conditions.

The current funding rules that govern Government Grant in Aid funding (the predominant source of funding) does not allow us to take into account new developments such as this. We therefore consider locating new development (residential or commercial) in areas dependent on flood defenses to be unsustainable in the medium to long term.

This application site is only a small part of the SOH1 allocation. Splitting the allocation into smaller development parcels that are treated independently from each other, will result in more residential dwellings built in areas of flood risk because the sequential approach to site layout cannot be applied. We note that policy SOH1 requires that a 'masterplan for the whole area will need to be prepared and submitted as part of an outline planning application' and that this should be done prior to approval of a scheme. Provision of a masterplan for the SOH1 allocation would allow the sequential approach to site layout to be applied and therefore help to avoid development within flood zone 3a.

In the absence of a masterplan for SOH1 and for the reasons detailed above, we recommend that the Sequential Test should be applied to this application.

Roles in the determination of the Sequential Test

The LLFA (Lead Local Flood Authority) have a similar role to the Environment Agency only covering surface water flooding. Their remit does not cover fluvial flood risk and therefore our position may contradict theirs if the risks associated with each source of flooding is different.

The Environment Agency's role is to ensure your Authority has the correct information to assess the risks posed to the site so you can consider whether the benefits brought to the community outweigh them. We also provide technical advice on part b) of the NPPF exception test.

Reconsideration of the Exception Test for allocated sites

If the sequential test is deemed to have been met by your Authority, then (and only then) should the exception test be carried out. The Exception Test (Paragraphs 164 - 165 of the NPPF):

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the exception test should be satisfied for development to be allocated or permitted. Paragraph 166 of the NPPF sets out that '*.... the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making*

stage, or if more recent information about existing or potential flood risk should be taken into account.'

Because this site forms only a small part of the area allocated, and the new FRA information regarding residual flood risk, we consider that both aspects of the exception test should be re-evaluated by your Authority.

Proposed mitigation measures.

It is proposed to raise the ground levels onsite so that the area allocated for housing remains dry in the modelled scenario. Given the ground levels at the edge of the platform are ~4.9mAOD, raising the land to 5.17mAOD would mean a maximum increase in ground level of ~ 0.27m (the FRA consultant will be able to provide a more definitive answer). If this is deemed feasible then this will ensure that the occupiers are at low risk of flooding.

We have not assessed the feasibility of undertaking this ground raising and whether it's acceptable in relation to other planning policies; the applicant will need to do this. If it is not deemed acceptable then the applicant will have to consider alternative options to ensure that the risk of internal flooding is lowered.

The modelling carried out within the Flood Risk Assessment provides an indication on the scale of impact raising the development site would have on the adjacent land. It indicates that there is no impact on flood levels. This should not be taken as absolute evidence of no impact. Modelling inherently contains uncertainties associated with the assumptions within the modelling software. Modelled flood levels should be considered with a buffer of at least plus or minus 250mm either side of the model output. Therefore, there may be local impacts that the modelling cannot predict but they are likely to be small.

These modelling uncertainties are one reason why we consider avoiding locating development in flood risk areas, and other passive measures, to be more sustainable/certain than physical interventions like the construction of flood defences or raising ground levels.

We highlighted in our previous response that an alternative mitigation measure would be to raise building heights only. The floor levels would need to be raised to the same height as they are under the current proposal – 5.459mAOD or a ~ maximum of 0.56m (rather than 0.29m FFL 0.27m ground raising). During a flood event this would result in some properties being surrounded by flood water. However, it would reduce the impact of flooding on third parties.

Whilst we have not raised an objection to the mitigation measures proposed within the FRA, we do not support their use, unless your Authority considers the sequential test and part a) of the exception test to have been met.

Pumped Surface Water Drainage

The Lead Local Flood Authority (LLFA) are responsible for the assessment of surface water drainage. Please be aware that the residual risk of pump failure is another consideration for the Sequential Test and the Exception test.

Discharge Consent

A Flood Risk Activity Permit will be required for any discharge structure unless an existing structure is to be used. We won't unfairly withhold a permit, but it will need to be demonstrated that the structure (and its installation) will not compromise the flood defences, their operation, maintenance and access to them.

Concerning the query relating to a permit for discharge; we assume this refers to a surface water discharge. Generally, no permit is required to discharge nominally uncontaminated surface water to a watercourse. However, dewatering during construction may be required and this will likely require a licence; further guidance is detailed below.

Dewatering – Guidance for Applicant

We cannot see any mention of dewatering in the plans submitted, but we note the site is on the Principal Chalk Aquifer, with a shallow groundwater table. As such, it is possible dewatering will be required on site (laying foundations, utilities etc.).

Historically, taking water from the environment for certain uses and from certain sources could be done without an abstraction licence. We called these 'exempt activities'. From the 1st January 2018, new regulations came into effect which mean most of these previously exempt activities cannot continue without an abstraction licence in place. This is the case for dewatering mines, quarries and engineering works (including construction).

If construction of the development requires the abstraction of more than 20 cubic metres on any one day, an abstraction licence will be required. The developer should ensure this is in place prior to any dewatering taking place.

More information on how to apply can be found here:

<https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence>

We would recommend the developer submit a pre-application enquiry, alongside a Hydrogeological Impact Assessment. This should be done in good time; depending on the complexity of a site, a licence application can take several months to assess prior to a recommendation to formally apply (this will be another several months for the licence to be written up, consultation with external partners taking place etc.)

We would never guarantee an abstraction licence will be issued; it is subject to considerable assessment to ensure no/minimal impact on surface water features, designated sites and other water users. Should we approve a licence, we are able to apply conditions, request monitoring, or suggest mitigation measures are implemented to ensure unforeseen impacts can be identified and prevented.

There are exemptions for small scale construction dewatering (The Water Abstraction and Impounding (Exemptions) Regulations 2017 (legislation.gov.uk)), however if this is used it must apply to the whole project – it cannot be used as a starting point prior to obtaining a licence.

Environment Agency - 1 September 2022

Thank you for your re-consultation email dated 1st April 2022. At your Authorities request we have delayed our response to enable us to meet. Unfortunately, your Authority has been unable to attend those meetings. To avoid further delay please find our response to the letter from Pidgeon development (dated 25 March 2022) and the former case officers' email (email from Barbara Greengrass dated 06/04/2022 - copy attached) below. We hope this response clarifies our position. Should you require further explanation we would be happy to meet with you.

Environment Agency Position In our previous responses we have provided flood risk and sequential test guidance to your Authority. The former case officer

questioned why, given the flood risk issues we have raised, we are not objecting to this application.

In the planning process, with respect to flood risk, the Environment Agency have a limited remit to directly object to planning applications. This is usually restricted to:

- Where the Flood Risk Assessment is technically incorrect or incomplete
- The development is increasing the risk to others directly
- Where the proposed development is located within a flood zone that its vulnerability classification is incompatible with
- Proposals that will directly impact flood defence assets

We may also object where the hazard to people travelling to a safe refuge is high.

In all other aspects we are limited to providing technical opinions. This is particularly true for:

- Determining whether the development is sustainable
- The NPPF flood risk Sequential Test
- Part a) of the NPPF Exception Test
- The determination of safety in terms of travelling to an area of safe refuge during a flood

This is because the determination of these issues doesn't just relate to flood risk but requires oversight of the wider context of the area; this is why the decision makers are the Local Planning Authority.

It is often perceived that the lack of an objection from the Environment Agency means that there are no flood risk concerns that should be dealt with before approval. However, it can just mean that the flood risk issues affecting a site fall outside of our direct remit to object over, as is the case with this application. We consider that placing developments within areas that are reliant upon defences for their safety, is an example of unsustainable development. In this case, we are of the opinion that considering the wider allocated area will enable your Authority to determine whether there are more sustainable options to the layout of this development.

Requirement for a Masterplan We have previously raised concerns regarding the lack of understanding of how this site will sit in the context of the wider SOH1 allocation area. The allocation policy requires that a 'masterplan for the whole area will need to be prepared and submitted as part of an outline planning application' and that this should be done prior to approval of a scheme; we are not aware that this has been undertaken. We remain of the opinion that provision of a masterplan for the SOH1 allocation would allow the sequential approach to site layout to be applied and therefore help to avoid development within flood zone 3a.

We do not agree with the applicant's assertion, that an allocation wide masterplan would not benefit flood risk management of this application. Understanding the risks across the whole site allows for a more flexible approach to be taken i.e. there may be areas that have lower depth of flooding that can be mitigated with less ground raising. The ability to develop around areas of flood risk might also be achieved. Another benefit might be that

mitigation options in other land parcels may offer more sustainable mitigation measures for the whole site.

Sequential Test Our position isn't that we don't believe that the sequential test has not been carried out for allocation SOH1, it is that this proposal differs so significantly from the allocation area that the test undertaken is not fully relevant.

The letter states that flood risk hasn't changed since the allocation, which is true, but our understanding of the flood risk has improved through this application. The undertaking of breach modelling has identified the potential risk associated with the failure of flood defences.

Developing in areas behind defences is unsustainable as there is no certainty over the long-term funding of the maintenance of those defences. We are no longer in a position that we can assume that existing defences will be maintained to the same standard in the long term. Risks such as increasing impacts of climate change and increases in maintenance costs will continue to add uncertainty over the long-term future of the current Flood Risk Management (FRM) measures. Planning has a key role in dealing with this uncertainty by steering new developments away from areas at risk of flooding, including areas reliant on defences for their safety.

The Single Issue Review (SIR) currently being undertaken by East Cambridgeshire District Council (ECDC) has identified that ECDC will have a significant excess of housing supply over the plan period. The SIR does not propose to either add or remove allocations due to this excess but it should be a consideration in the decision over this specific application.

Residual risk Residual risks i.e. the risk of defences being overtopped by an event larger than designed, or through the failure of the defences during a design flood, is a different form of risk but shouldn't be treated automatically as a lesser risk. The level of risk is defined by both the probability of the event and the scale of the impact. Residual risks have a reduced probability of occurring, although the chance of failure/ overtopping may increase overtime dependent upon funding availability and the impacts of climate change. Impacts from overtopping and defence failures can be larger than those of a 'normal' flood, at a local level due to the decreased warning periods, higher water velocities and lack of awareness of the risk. Therefore, the balance of probability and impact may still result in a significant level of risk. We trust that the above information is of assistance to you. If you have any further queries please contact us.

Environment Agency - 13 June 2023

It remains our view that the most sustainable option for the realisation of SOH1 allocation is through the consideration of the whole site rather than dealing with piecemeal applications such as this.

We reiterate that the masterplan, submitted to support this outline application, does not reflect how the wider development could come forward because:

- There is no demonstration that a sequential approach has been used in its design to avoid areas at risk of flooding.
- The building layouts restrict access to the flood defences and the watercourse.

- The building layout places the riparian responsibilities for maintaining the watercourse under multiple landowners.

If you are minded to approve the outline application as submitted, we consider that the proposed outline planning permission will only be acceptable if the following planning condition is included.

Condition: No development approved by this planning permission shall commence until such time as a scheme to ensure the following has been submitted to, and approved in writing by, the local planning authority:

- Ensure ongoing access to the flood defences and watercourse.
- Manage the residual risk of flooding from Soham Lode so that no properties would flood onsite and there will be no increase in risk of flooding now and in the future.
- Implement a long-term maintenance strategy for the Soham lode and the associated flood defences that are on site or adjacent to the site. This will also include provision for contributing towards the offsite infrastructure that the development is reliant upon.
- Demonstrate that all viable options have been implemented to reduce the risk of flooding to the local area.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason(s)

- To reduce the risk of flooding to the proposed development and future users
- To ensure the structural integrity of the existing flood defences thereby reducing the risk of flooding

Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to itself and Soham.

Local Highways Authority - 2 September 2021

The below comments should be read in conjunction with those of the County's Transport Assessment team.

There are no parking or waiting restrictions along Brook Street meaning that there are high levels of on-street parking which result in vehicles giving way to opposing flows at multiple locations, including at the location of the proposed site access. Such an arrangement is not suitable for significant additional traffic flows. As outlined in the Transport Assessment, the scheme is forecast to generate approximately 40 additional vehicular trips along Brook Street during peak times or one extra vehicle every 90 seconds. This level of increased traffic along Brook Street is likely to be noticeable to existing residents but is not likely to be of a volume to jeopardise highway safety. However, a localised traffic calming scheme should be provided along Brook Street to mitigate any negative impacts of the development.

Should the TA team challenge the proposed trip generation, then the above conclusion will need to be reviewed.

The design of the site access appears to be broadly appropriate for a development of the proposed scale. However, vehicle tracking should be provided showing a refuse vehicle (to ECDC waste team specifications) entering and exiting the site access from both directions along Brook Street with the body fully contained within the carriageway. The plan included within the transport assessment shows the refuse vehicle body overhanging the adjacent footway which is a danger to passing pedestrians.

Vehicle tracking should demonstrate that a refuse vehicle can enter and exit the site when 1) there are cars parked opposite the access and 2) when there are cars parked adjacent to the access either side of the proposed bellmouth. As there is only a single proposed vehicular access to the development, the applicant will need to demonstrate that it will be accessible at all times. Vehicle tracking should also be provided showing a refuse vehicle and large car passing for the length of the internal access road between the site access and the internal turning head / priority junction. Can the applicant confirm the corner radii for the internal turning head are 6m?

The access would benefit from the inclusion of waiting and parking restrictions within the immediate vicinity of the access. However, the provision and acceptability of such measures sits outside of the planning system.

A pedestrian crossing of the access should be provided but this can be addressed during a Section 278 application.

The proposed access as shown on the drawing 211078 C-601 P07 is longer than would normally be required for access and may be interpreted as part of the layout which is not being submitted for approval. I do however accept that the extension of the access to a turning head (to be a priority junction in time) is beneficial for highway safety. However, a 2.4m x 25m inter-vehicle visibility splay should be shown from the minor arm of the turning head. This splay should not be obstructed by the proposed parking bay.

Please note that the LHA does not adopt parking bays. Our preference is that parking bays are not provided on adoptable roads, but I recognise that this is not always possible to avoid. Therefore, should a parking bay be included on adoptable roads, the bay itself will remain in private ownership and they should be marked separate to the surrounding highway e.g. a change in surface material or the inclusion of a flush kerb.

A 2m x 2m pedestrian visibility splay should be provided each side of the private driveway to the nearside of the footway for the replacement dwelling included in the full application. The splay will need to be maintained clear from a height of 0.6m.

Surface water from the private driveway will also need to be prevented from entering the access road.

It is unclear how the access road included within the full application is to be drained. The system should not be designed so that surface water from the site is discharged onto Brook Street as the condition of existing highway drainage along Brook Street is unknown.

An illustrative layout for the entire site has been provided. I accept it is indicative and not for approval, but some initial comments are provided in the interest of aiding future reserved matters applications.

- A public right of way runs through the site, so I advise that you consult the Definitive Map Officer.

- The layout should be developed as per the County's General Principles for Development and Housing Estate Road Construction Specification. Both documents are available from <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roadsand-pathways/highways-development>
 - Adoption of highways cannot take place until surface water sewers have first been adopted by Anglian Water.
 - The LHA will not adopt SuDS, verge (unless it forms part of a visibility splay) or parking bays.
 - The internal layout should be design for a 20mph design speed and as such should have a feature which changes the horizontal or vertical alignment of a carriageway centreline at least every 80m.
- I would like to invite the applicant to prepare a submission which addresses the above comments.

Local Highways Authority - 21 January 2022

The revised access onto Brook Street is acceptable and it address my previous comments. I have no further comments relating to access.

The footways throughout the site should be 2m in width. A footway width of 1.5m is not considered suitable for new developments as it is insufficient to allow two wheelchairs or pushchairs to pass without one entering the carriageway. The LHA would not adopt the internal roads unless the footway widths were to increase.

I presume that the applicant will in time, seek that the LHA adopt internal highway. This will be determined by means of a Section 38 application and comments within this response are written on a without prejudice basis to such an agreement. Adoption can only be considered where the requirements outlined in CCC's Housing Estate Road Construction Specification have been adhered to. I recommend that the applicant familiarise themselves with the requirements prior to preparing a reserved matters application for the remainder of the site.

The LHA will not adopt the visitor parking bay located parallel to the main internal road. Nor will the LHA adopt any road until the surface water and foul sewers have first been adopted by Anglian Water. I note that the FRA states private drives will be drained by permeable surfacing. The LHA does not accept permeable paving as a suitable means of surface water drainage and additional measures will be required for the drainage of private drives prior to any S38 Agreement being agreed. This can take the form of a positive drainage solution or surface water interception.

In any subsequent application for the remainder of the site, the road leading to the adjacent development parcel should extent fully to the red line boundary so as not to preclude any connection to the remainder of the allocation site.

Should the applicant increase the footway widths appropriately and the LPA wish to grant permission, I recommend that the following conditions and informatives be appended.

Conditions

HW2A: Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in

accordance with the details approved on 211078-C-601 Revision P09 in writing by the Local Planning Authority.

HW3A: The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.

HW8A: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on 211078-C-601 Revision P09.

HW14A: Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

HW23A: No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Informatives

Works in the Public Highway

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Local Highways Authority - 21 April 2022

Based on the latest submission I have no objection to this application as all previous comments have been addressed.

The accesses to the remainder of the LP allocation (north-west and south of the site) do not fully extend to the application boundary on the site plan. While I acknowledge that this layout is illustrative, in subsequent reserved matters applications, access roads will need to extend to the boundary. These access points are shown on the parameter plan although it is unclear if they will extent to the redline.

Should the applicant increase the footway widths appropriately and the LPA wish to grant permission, I recommend that the following conditions and informatives be appended.

Conditions

HW2A: Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least

binder course surfacing level from the dwelling to the adjoining County road in accordance Chief Executive Stephen Moir www.cambridgeshire.gov.uk with the details approved on 211078-C-601 Revision P12 in writing by the Local Planning Authority.

HW3A: The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.

HW8A: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on 211078-C-601 Revision P12.

HW14A: Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

HW23A: No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Informatives

Works in the Public Highway

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

County Highways Transport Team - 8 September 2021

Transport Assessment Review

Introduction –

The site forms part of allocation SOH 1 (Housing allocation, land off Brook Street) in the East Cambridgeshire Local Plan (2015) for up to 400 dwellings. It is noted land for the remainder of the allocation is not within the landowner's/applicant's control.

Proposed Site Access –

Vehicular access into the site is proposed to comprise a new priority T-junction off Brook Street consisting of a 5.5m wide carriageway with 2m wide footways situated on both sides of the carriageway leading into the site. The proposed access requires the demolition of an existing dwelling which will be replaced

within the site. Pedestrian and cycle access into the site will be taken from the site access junction.

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

It is noted a Construction Traffic Management Plan (CTMP) will be prepared to minimise the impact of construction traffic during the construction period. The CTMP will be secured through a planning condition should approval be given.

Parking Provision –

It is noted both car and cycle parking provision will be agreed at the reserved matters stage. Both car and cycle parking provision are anticipated to accord to the parking standards outlined within the East Cambridgeshire Local Plan (2015). It is ultimately for the Local Planning Authority to agree the car and cycle parking provision for the proposals

Existing Sustainable Travel Infrastructure –

A number of key facilities and amenities within Soham are located within acceptable walking and cycling distance from the development site.

Footways are present on both sides of Fordham Road which provide access to Soham Town Centre. The footway on the eastern side of Fordham Road is circa 1.4m in width. This routes towards Soham Town Centre to the north and the A142/A1123/Fordham Road roundabout to the south where it widens to 1.6m in width within the vicinity of the Fordham Road/Orchard Row mini roundabout. A 2m wide shared footway/cycleway is present on the western side of Fordham Road. This also routes towards Soham Town Centre to the north and the A142/A1123/Fordham Road roundabout to the south. Pedestrian crossing facilities are available to enable pedestrians to cross and utilise the facilities on the western side of Fordham Road. The TA should outline existing footway widths on Brook Street, Staples Lane, and Tanners Lane along the desire line to the local schools.

It is noted the National Cycle Network Route 11, which provides a cycle route between Cambridge and Ely, passes circa 4km west of the site through Wicken village.

Public footpath No.82 passes through the development site. It should be detailed whether this footpath will be upgraded or maintained as part of the proposals. Furthermore, the TA should outline how residents of the site can access the public footpaths north of Soham Lode (Drain). PROW details should be agreed with our PROW Team who will provide separate comments.

The two bus stops closest to the site are located c400m from the site on Fordham Road within the vicinity of Staples Lane. Both stops serve the No.12 bus service which operates Monday to Saturday between Cambridge and Ely at an hourly frequency between 08:00 and 20:30, in addition to the No.117 bus service which operates on a less frequent basis. Existing infrastructure at the northbound bus stop comprises a flag and pole with bus timetable information, whilst the

southbound bus stop comprises a brick shelter with timetable information, a bus lay-by, and a flag and pole.

Ely Railway Station is the nearest train station to the site situated circa 9.5km north of the site. The station provides frequent services to destinations including Kings Lynn, Norwich, Peterborough, Cambridge, and London Kings Cross. The TA also notes the Combined Authority project in motion to deliver a new

passenger railway station in Soham. Such station is anticipated to open in 2022 and will be situated circa 2km northwest of the site within acceptable walking and cycling distance. The station will comprise parking provision for 50 cars (inclusive of 5 disabled bays) along with cycle parking, and will provide regular rail services to Ely, Bury St Edmunds and Ipswich.

Local Highway Network –

The Highway Authority are aware of existing concerns regarding Brook Street relating to on-street parking. This results in vehicles having to give way to opposing flows at multiple locations along Brook Street. The TA should determine the impact of development traffic on conflict between vehicles on Brook Street.

Accident Analysis –

The latest 60 months available accident data obtained from CCC has been provided for the agreed study area. The accident data is acceptable for use within this assessment. It is noted 10 accidents were recorded at the A142/A1123/Fordham Road roundabout within the last 60 months. Given almost half of the accidents recorded (4 accidents) at this junction over the last 60 months occurred at the A142 (N) entry arm and considering the proposed development would not generate a significant number of vehicle movements on the A142 (N) arm in the peak periods, it is considered the development will not have an 'unacceptable' impact on highway safety at this junction.

Development Trip Generation –

Trip generation for the proposed development has been obtained using TRICS vehicle trip rates. The development is anticipated to generate 43 two-way vehicle trips in the AM peak and 39 two-way vehicle trips in the PM peak. The proposed trip generation is low and is not agreed. Vehicle trip generation for the development should be calculated using TRICS total person trip rates in conjunction with mode share data for the East Cambs 006E Super Output Area to determine vehicle trip generation that is representative for the area. Multi-modal trip generation for the development should be detailed within the TA. This should be calculated by using the TRICS total person trip rates in conjunction with the mode share data taken from 2011 Census 'Method of Travel to Work' data for the East Cambs 006E Super Output Area.

Development Trip Distribution –

It is noted 46% of development trips are anticipated to travel to/from Brook Street to the north whilst 54% of development trips are anticipated to travel to/from Brook Street to the south. Whilst the methodology used to distribute development trips onto the local network is agreed, it is not agreed that traffic heading to/from Huntingdon will route to/from Brook Street to the north. Trip distribution should be revised accordingly. Traffic flow diagrams should also be submitted illustrating the assignment of development trips onto the local network.

Highway Capacity Assessment –

The impact of development traffic on the surrounding highway network cannot be agreed until such a time as the development trip generation and distribution are agreed. As per DfT guidance, junction capacity assessments should be

undertaken for all junctions where development traffic will exceed a 30+ trip threshold in the peak periods. This will form the study area and should include the site access junction. Junction capacity assessments should be undertaken using Junctions 9 software for a Base Year, 2026 Future Year (base + TEMPRO + committed development) + With/Without Development, and 2031 Design Year (base + TEMPRO + committed development) + With/Without Development assessment scenarios for the AM and PM peak periods. Traffic flow diagrams should be submitted for the above assessment scenarios in addition to individual and cumulative committed development traffic so the flows included within the models can be checked. As agreed within the scoping discussions, it is noted the assessment assumes the worse-case scenario that all development traffic routing to/from the south will travel via the A142/Fordham Road/A1123.

October 2018 turning count data obtained from the Cherrytree Lane planning application (ref: 21/00291/OUM) used to determine baseline traffic counts for the A142/A1123/Fordham Road roundabout is agreed. Turning count data should also be obtained for the remaining junctions included within the study area to be identified following the requested revisions to the development trip generation and distribution. Such turning count data should in the first instance be obtained from existing counts available within the public domain and be no older than 2018. Should secondary data not be available, new turning count surveys should be undertaken. These should be undertaken during a neutral period within school term time and the raw data appended to the TA. It should be noted that new surveys may require uplifting to consider the impact of Covid should it be demonstrated to be required.

Whilst the ATC survey undertaken on Brook Street is appropriate to determine vehicle speeds, it should be demonstrated that the counts obtained on Brook Street are representative of pre-Covid 'normal' traffic counts. Again, such counts may require uplifting to consider the impact of Covid should it be demonstrated to be required.

Mitigation –

Mitigation should be determined in consideration of Policy SOH 1 of the East Cambridgeshire Local Plan (2015). At this stage, with no agreement on what impact the development will have on the surrounding highway network, it is not possible to determine what mitigation if required, is needed to make the development acceptable. Once the full impact of the development is known, mitigation measures can be assessed.

Welcome Travel Packs –

The developer should produce and deliver Welcome Travel Packs to the first occupants of each residential dwelling. The Travel Packs should include incentives inclusive of the provision of bus taster and/or cycle discount vouchers to encourage sustainable travel by residents of the site. An outline of the information that must be included within the Travel Packs can be found within our Transport Assessment Guidelines (2019). The Welcome Travel Packs will 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.

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

County Highways Transport Team - 7 January 2022

Proposed Site Access –

Site access and servicing details are to be agreed with Highways Development Management who will provide separate comments.

Existing Pedestrian and Cycle Infrastructure –

A number of key facilities and amenities within Soham are located within acceptable walking and cycling distance from the development site.

Footways are present on both sides of Fordham Road which provide access to Soham Town Centre. Staples Lane is situated on the pedestrian desire line from the development site to key locations within Soham such as Soham Town Centre, St Andrew's CE Primary School, and Soham Village College. The footway on the western side of Staples Lane between Brook Street and Fordham Road is narrow and should be widened to a minimum 2m in width where possible to improve pedestrian access along the desire line to key locations within Soham. This should include a dropped kerb crossing with tactile paving across The Crescent.

Public footpath No.82 passes through the development site. It is noted this public footpath will be retained in-situ as part of the proposals. PROW details are to be agreed with our PROW Team who will provide separate comments.

Local Highway Network –

The Highway Authority are aware of existing concerns regarding on-street parking on Brook Street. It is noted a site visit was undertaken on Brook Street to demonstrate whether there is ample passing provision on Brook Street to facilitate additional development traffic. The results of the car parking survey undertaken on Brook Street in October 2021 should be appended to the TA for review. This is required for the Highway Authority to determine whether there is ample passing provision on Brook Street to accommodate the additional development trips.

Development Trip Generation –

Multi-modal trip generation for the development has been calculated using TRICS total person trip rates in conjunction with 2011 Census 'Method of Travel to Work' data for the East Cambs 006E Super Output Area. The development is anticipated to generate 56 two-way vehicle trips in the AM peak and 51 two-way vehicle trips in the PM peak. This is agreed. The development is also anticipated to generate 5 walking trips, 5 cycling trips and 1 public transport trip in the peak periods.

Development Trip Distribution –

The methodology used to determine the distribution of development trips is acceptable for use. It is noted 45% of development trips are anticipated to travel to/from Brook Street to the north whilst 55% of development trips are

anticipated to travel to/from Brook Street to the south. This is agreed. The development traffic flow diagrams appended to the TA are acceptable for use.

Highway Capacity Assessment –

As per DfT guidance, junction capacity assessments should be undertaken for all junctions where development traffic will exceed a 30+ trip threshold in the peak periods. For this development, capacity assessments should be undertaken for the Site Access junction, the Regal Lane/Fordham Road junction, and the A142/A1123/Fordham Road roundabout.

The Highway Authority are satisfied with the assessment of development traffic at the A142/A1123/Fordham Road roundabout. Such assessment uses baseline turning count and modelling data obtained from planning application ref: 21/00291/OUM. It is noted the developer is willing to contribute £58,800 towards the A142/A1123/Fordham Road roundabout improvement scheme. Such contribution sum has been calculated by applying the methodology used to determine a contribution sum towards the roundabout improvement scheme submitted as part of planning application ref: 21/00291/OUM.

Junction capacity assessments should be undertaken using Junctions 9 software for a Base Year and 2026 Future Year (base + TEMPRO + committed development) + With/Without Development assessment scenarios for the AM and PM peak periods for the Site Access junction and Regal Lane junction. Traffic flow diagrams should be submitted for the above assessment scenarios in addition to individual and cumulative committed development traffic so the flows included within the models can be checked.

Whilst it is noted in the TA that the Regal Lane/Fordham Road junction is 'busy but not operating over capacity', an assessment of the Regal Lane junction is required to determine and evidence the existing capacity of the junction and the impact of development traffic to the operation of the junction. Turning count data for the Regal Lane/Fordham Road junction should in the first instance be obtained from existing counts available within the public domain and be no older than 3 years old. Should secondary data not be available, new turning count surveys should be undertaken. These should be undertaken during a neutral period within school term time and the raw data appended to the TA. It should be noted that new surveys may require uplifting to consider the impact of Covid should it be demonstrated to be required.

Whilst the October 2021 ATC survey undertaken on Brook Street is appropriate to determine vehicle speeds, it should be demonstrated that the counts obtained on Brook Street are representative of pre-Covid 'normal' traffic counts for use within the Site Access capacity assessments. Such counts may require uplifting to consider the impact of Covid should it be demonstrated to be required.

Mitigation –

Mitigation should be determined in consideration of Policy SOH 1 of the East Cambridgeshire Local Plan (2015). At this stage, with no agreement on what impact the development will have on the surrounding highway network, it is not possible to determine the level of mitigation required to make the development

acceptable. Once the full impact of the development is known, mitigation measures can be assessed.

Welcome Travel Packs –

It is noted the developer will produce and deliver Welcome Travel Packs to the first occupants of each residential dwelling. This is agreed. The Welcome Travel Packs will 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.

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

County Highways Transport Team - 4 April 2022

Transport Assessment Review

Existing Pedestrian and Cycle Infrastructure –

Footways are present on both sides of Fordham Road which provide access to Soham Town Centre. Staples Lane is situated on the pedestrian desire line from the development site to key locations within Soham such as Soham Town Centre, St Andrew's CE Primary School, and Soham Village College. The developer will widen the footway on the western side of Staples Lane between Brook Street and Fordham Road to a minimum 2m in width where possible to improve pedestrian access along the desire line to key locations within Soham. The proposed works include a dropped kerb crossing with tactile paving across The Crescent. The footway widening works can be accommodated within the existing highway boundary. This will require some of the existing street lighting and utilities to be relocated on Staples Lane. The works will be secured via a S278 planning condition for the developer to deliver.

Public footpath No.82 passes through the development site. It is noted this public footpath will be retained in-situ as part of the proposals. PROW details are to be agreed with our PROW Team who will provide separate comments.

Development Trip Generation –

The development is anticipated to generate 56 two-way vehicle trips in the AM peak and 51 two-way vehicle trips in the PM peak. This is agreed.

Local Highway Network –

It has been successfully demonstrated that there is ample passing provision on Brook Street to accommodate the additional development trips.

Highway Capacity Assessment –

The junction capacity assessments included within this assessment are acceptable for use.

The Site Access junction is anticipated to operate well within capacity during the future assessment year scenario.

The Regal Lane/Fordham Road junction is anticipated to operate within capacity during the future assessment year scenarios.

The Highway Authority are satisfied with the assessment of development traffic at the A142/A1123/Fordham Road roundabout. Such assessment uses baseline turning count and modelling data obtained from planning application ref: 21/00291/OUM. It is noted the developer is willing to contribute £58,800 towards the A142/A1123/Fordham Road roundabout improvement scheme. Such contribution sum has been calculated by applying the methodology used to determine a contribution sum towards the roundabout improvement scheme submitted as part of planning application ref: 21/00291/OUM. This is agreed.

Mitigation –

The following mitigation proposed to be delivered by the developer is acceptable:

- Widen the footway on Staples Lane between Brook Street and Fordham Road to a minimum 2m in width
- Welcome Travel Packs
- S106 monetary contribution of £58,800 towards the A142/Fordham Road/A1123 roundabout improvement scheme

Conclusion –

The Highway Authority do not object to the proposals subject to the following:

Condition

1. Prior to first occupation, the developer shall widen the existing footway on the western side of Staples Lane between Brook Street and Fordham Road to a minimum 2m in width as shown indicatively in drawing nos.C-602 Rev P02 and C-603 Rev P02. Details to be submitted to and approved by the Local Planning Authority and works to be carried out by the developer.

2. Prior to first occupation, the developer shall be responsible for the provision and implementation of Welcome Travel Packs to be agreed in writing with the Local Planning Authority. The Welcome Travel Packs shall be provided to the first occupants of each residential dwelling.

S106

3. Prior to first occupation, the developer shall pay a S106 monetary sum of £58,800 (fifty eight thousand eight hundred pounds) to the County Council towards funding the delivery of the A142/Fordham Road/A1123 roundabout improvement scheme.

Waste Strategy (ECDC) - 23 August 2021

- 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; 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).

- Units 39 to 43, 45 to 49, 50 to 52 and 56 to 59 would all be required to bring bins to the adopted highway unless the roadways are built to an adopted standard and a waiver is provided by the developer indemnifying ECDC for damage caused by collections.
- Given the scale of the open space on this site East Cambs would require a contribution from the developers to purchase 2 dog waste bins and 2 litter bins, alternatively the developers can provide bins on-site if preferred, please contact the waste team to confirm type required on-site.
- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.
- Each new property requires two bins; this contribution is currently set at £52 per property.
- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number

Cambridgeshire Fire And Rescue Service - 19 August 2021

With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:
 Water & Planning Manager
 Community Fire Safety Group
 Hinchingsbrooke Cottage
 Brampton Road
 Huntingdon
 Cambs
 PE29 2NA

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access.

Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

Asset Information Definitive Map Team - 25 August 2021

The legal alignment of the public footpath is generally straight from the pathway between 93b and 95 Brook Street. The legal alignment of the public footpath appears to pass through a tree line/hedge line to the east of the walked line. The walked line crosses through a field approximately 10-15 metres to the west of the legal line to meet a footbridge approximately 6-7 metres to the west of the legal line of the public footpath. The 'existing PROW retained' on the illustrative Site Plan appears to show the walked route on the ground rather than the legal alignment which passes through trees. If the alignment shown on the illustrative Site plan (the walked line) is to be retained the legal alignment of Public Footpath No. 82, Soham will require diverting by an order under S.257 of the Town and Country Planning Act 1990.

The Design and Access statement and the illustrative Site Plan show that new footpath links will be provided as part of the development. It is not clear what the legal status of the proposed footpaths will be at this stage.

As the application will affect public rights of way, in the interests of the amenity and safety of the public I would request the following condition:

Prior to commencement of development, a rights of way access scheme shall be submitted to and approved by the local planning authority in consultation with the highway authority. Such scheme shall include provision for:

- the design of access and public rights of way routes and their surfacing, widths, gradients, landscaping and structures
- any proposals for diversion and closure of public rights of way and alternative route provision.

Asset Information Definitive Map Team - 6 February 2023

Thank you for consulting with the Definitive Map team at the County Council on the above planning application.

The proposed site is crossed by Public Footpath No.82, Soham. To view the location of the ROW please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>

The Definitive Map team refers to our previous response of the 25th of August, 2022, which remains pertinent.

The legal alignment of the public footpath is generally straight from the pathway between 93b and 95 Brook Street. The legal alignment of the public footpath appears to pass through a tree line/hedge line to the east of the walked line. The walked line crosses through a field approximately 10-15 metres to the west of the legal line to meet a footbridge approximately 6-7 metres to the west of the legal line of the public footpath. The 'existing PROW retained' on the Illustrative

Site Plan appears to show the walked route on the ground rather than the legal alignment which passes through trees.

If the alignment shown on the Illustrative Site plan (the walked line) is to be retained the legal alignment of Public Footpath No. 82, Soham will require diverting by an order under S.257 of the Town and Country Planning Act 1990. The Design and Access statement and the Illustrative Site Plan show that new footpath links will be provided as part of the development. It is not clear what the legal status of the proposed footpaths will be at this stage

In our previous response we set out our reasons for requesting the following condition:

- Prior to commencement of development, a rights of way access scheme shall be submitted to and approved by the local planning authority in consultation with the highway authority. Such scheme shall include provision for:
 - The design of access and public rights of way routes and their surfacing, widths, gradients, landscaping and structures
 - Any proposals for diversion and closure of public rights of way and alternative route provision

We still require the above rights of way access scheme, once this has been submitted we will be in touch with a further response.

Cambridgeshire Archaeology - 16 August 2021

Thank you for consulting us with regard to this planning application. Archaeological remains are present here as the results of a recent evaluation show. These are presented in interim format only just yet, but they are sufficient to indicate the scale of archaeological evidence found at the site. The trial trenching phase of investigation followed a geophysical survey that revealed only the latest phase of land use relating to the creation and expansion of paddocks at the north end of the site, closest to Soham Lode transport channel. The ditches, some deep to manage water in the locality, date to the 15th/16th century at the very earliest but are mainly contemporary with the development of trade and activity associated with the lode transport channel between the 17th and 19th centuries. More of these small enclosures can be seen extending northwest and west along Soham Lode as soil or parch marks on Figures 2, 3 & 5 of the Design and Access Statement.

The lack of resolution of any earlier archaeological evidence on the geophysical survey plot can be explained by the presence of deep buried soil horizons sealing, or through which the ditches and pits of Medieval domestic occupation and an earlier, Bronze Age, field system and associated features were dug. Their fills were so similar to the soil horizons that they remain undetectable by the magnetometry survey technique, yet they extended across the long western field, and the north parts of the other fields. A Bronze Age cremation burial in a round barrow was newly found in the northern field 'Area 2' on Figure 28 of the evaluation report. It is likely to have been part of the occupation phase in which the field system ditches were dug.

At the north end of the site, alluvial deposits from the overbank flooding of stream courses in the vicinity, and of the later Soham Lode, masked earlier

features and infilled 18th/19th century boundary ditches of the paddock system adjacent to the lode. In the south-east field, springs were found as evinced by large bowl shaped features of deep deposits with wet bases and organic lenses. Much older features, these did not show signs of localised overbank flooding, though may well have affected groundwater levels in different periods.

Recommendation

We do not object to development from proceeding in the area, as the archaeological evidence does not constitute remains of national importance and impacts of construction and change to the historic environment can be mitigated through a suitable programme of archaeological investigation, combining excavation, analysis and publication of the evidence, thus preserve the evidence by record.

It is evident that either by effort or coincidence the burial monument (barrow) may well be preserved in situ within the application site. We welcome and advise this. The landscape and parameter plans demonstrate that there will be little change, save some planting in the 'Area 2' field as this is due to become a linear park adjacent to Soham Lode. A figure contained in the Flood Risk Assessment ('EA HISTORICAL FLOOD MAP') indicates 'No Historical Flooding', though the archaeological evaluation has shown that this is not the case as alluvial deposits of past flooding events were present in Trenches 1-4 - roughly consistent with the <4m AOD ground elevation LIDAR map in Appendix B (35/43) of the FRA.

The DAS indicates that swales and SuDs solutions are planned, but it is not apparent where these might be placed. If I have overlooked this in the documents, I would be grateful for your help with locating this information. In the meantime, I advise that any such features should not be in the area of the Bronze Age barrow. This should be managed under grass, devoid of trees/shrubs, and the footpath shown should flow to the south of the location of the barrow.

A large deep former ditch perpendicular to the Lode shows on Figure 28 of the evaluation report and is shown on early edition OS maps. It is a visible presence in the ground, where its backfill has sunk. Evaluation trenches showed it was partly used as a 20thC rubbish dump and is filled with random hard core, demolition debris and general rubbish. This would be a useful feature to clean out and re-use in the SuDS strategy. I would welcome discussion with the applicant on this, as it would preserved something from the use of the site as a transport lode with associated lode-side paddocks.

We will recommend wording for a suitable standalone condition for the archaeological management of archaeological features to be preserved in the locality once more is known of the development plans.

A second archaeological condition should cover the archaeological programme recommended for the developable areas of the site. Again, once further contact has been made with the applicant and more of the design understood, this wording can be sent to you.

Cambridgeshire Archaeology - 10 December 2021

Thank you for reconsulting us with regard to the revised layout and additional documents supplied for this proposed residential development.

The northern extent of the built line will allow the preservation of the Bronze Age burial monument, and the Medieval boundaries and the lode-side Post-Medieval paddocks of 16th – 18th century date to remain relatively undisturbed. What is unknown is how any SuDS features might impact on the areas shown as landscaped on the north-eastern side of the development, fringing Soham Lode. Percolation tests or any such ground investigation tests should wholly avoid the area of the burial monument in Area 2 of the attached plan (Figure 28 of the archaeological evaluation report shown in the document list).

An archaeological investigation brief has been sent to the applicant. This includes an area greater than that which might be developed and this is because the SuDS design is not known (to me).

Further to the review and advice I supplied in August, I am supplying a further recommendation:

In designing the surface water drainage features and the final layout of the development, the applicant should be mindful of the presence of two relict spring heads, shown on the attached excerpt – also shown in Figure 28 of the archaeological evaluation report. The location of the two springs is shown in the south field – by Trenches 30 and 24. Although these prehistoric springs are infilled, it is likely that new foundations might be affected in these large soft filled features. The Applicant has a choice to alter the foundations following discussion with a structural engineer, or to avoid construction in those areas altogether. It is possible that they could be used as locations for the SuDS features – again, technical advice should be sought as to whether that is appropriate or not.

Cambridgeshire Archaeology - 3 August 2023

Further to our comments provided to your colleague 10/12/2021 (already uploaded to the planning portal, but re-attached here, for your convenience), we advise that the following condition wording be included on any consent that East Cambridgeshire District Council be minded to grant for this scheme, in order to secure the required programme of archaeological mitigation:

Archaeology Condition

No development shall commence until the applicant has implemented a programme of archaeological work that has been secured in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of archaeological significance and research objectives;
- b) The programme, methodology and timetable of fieldwork and public engagement, and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) Implementation of fieldwork;
- d) A Post-excavation Assessment report and Updated Project Design to be submitted within six months of the completion of fieldwork;

- e) An analytical archive report to be completed within two years of the completion of fieldwork and submission of a draft publication report (as necessary);
- f) Preparation of the physical and digital archaeological archives for deposition at accredited stores approved by the Local Planning Authority.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

Informatives:

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development and the continuation of the post-fieldwork components of the WSI.

Part e) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

Archaeological programmes of work are led by archaeological briefs issued by Cambridgeshire County Council's Historic Environment Team.

This condition is recommended for the both the Full and Outline elements of the hybrid scheme as the area identified for archaeological mitigation also overlaps the location of the replacement dwelling and access at no 81 Brook Street.

Please note, the Bronze Age ring-ditch/burial mound and cremation burial identified in the eastern part of the site (within the Outline area of the scheme) should be avoided by any development. As per previous comments issued 16/08/2021 this should be managed under grass in perpetuity, devoid of trees/shrubs, and the footpath shown on the most recent draft of the Illustrative Site Plan (018-034-001 P15) should be adjusted at submission of Full details for this element of the hybrid scheme to flow to the south of the location of the barrow. We can recommend wording for a suitable separate standalone condition for the archaeological management of this feature to be preserved at that stage.

C P R E - 9 December 2021

CPRE Cambridgeshire & Peterborough objects strongly to this application for the reasons given below.

1. Greenspace

East Fen Common is clearly a much-loved local green space which has the additional attraction of being bisected by Soham Lode. It is well used by local residents and is somewhere safe where adults and children can appreciate nature and, in particular, the mature hedgerows on the site. Because of the presence of Soham Lode, it also unusually rich in all kinds of wildlife.

The importance of greenspace on human physical and mental health is well recognised, and a landmark study by the World Health Organisation in 2016

confirmed this (WHO “Urban green spaces and health – A review of evidence”, 2016).

CPRE Cambridgeshire & Peterborough has produced local evidence on the topic (CPRE Cambridgeshire “Green Spaces Matter, Really, Really Matter”, Nov 2018), copy attached. Consequently, we consider that a multi-functional green space strategy integrating wellbeing, nature and climate should be in place and should carry substantial weight in decision-making about proposed developments.

Due to the ongoing pandemic many people remain working from home. For some this is temporary. However, it is becoming clear that for a significant proportion of working people this situation will either become permanent or part of flexible working arrangements. For many this has made, and will continue to make, access to greenspace during work breaks and at weekends even more important to their physical and mental health than it has been previously.

Publicly accessible greenspace is already under pressure in Soham because there has been significant development in the town over recent years and more has already been given planning approval.

The addition of further housing, much of it likely to be inhabited by people employed outside of Soham, will further increase the requirement for access to greenspace. This additional demand cannot be satisfied and will just add to the pressure on the reduced area that will remain.

CPRE would also draw the Council’s attention to their relationship with Natural Cambridgeshire. It is the “ambition” of Natural Cambridgeshire, supported by the Combined Authority, to “double nature” in Cambridgeshire. Natural Cambridgeshire have previously been successful in obtaining funding to secure the future of Cambridgeshire’s parks and green spaces and we suggest that such funding may be forthcoming to help secure the Soham Commons and their uniquely high level of bio-diversity so close to the town.

2. Landscape

The proposed site is set immediately between the existing Brook Street and the other areas of the Commons with the Soham Lode as part of the site boundary. The A142 main link road is well distanced from the site.

Looking at the landscape guidance of the 2015 Local Plan provides the following information. Policy

GROWTH 3: Infrastructure requirements, states

“Green infrastructure, leisure and open space

Strategic green infrastructure improvements as outlined in the Cambridgeshire Green Infrastructure Strategy, including the provision of Ely Country Park and Block Fen nature reserve, improvements to Soham Town Commons and the Ouse Corridor, and the Wicken Fen Vision.”

This development can hardly be described as such an improvement.

On page 101 of the Local Plan, **Soham Town Commons** is listed as one of several key strategic area projects of the District’s Strategic Green Infrastructure.

Paragraph 7.6.3 states: *“Development proposals which harm these and other strategic sites and networks will be resisted. Permission will only be granted in exceptional circumstances, where it can be demonstrated that the need for and benefits of development outweigh adverse impacts.”*

On the same page, Policy COM 5: Strategic green infrastructure, states:

“Proposals which would cause loss of or harm to existing strategic green infrastructure will not be permitted, unless the need for and benefits of the development demonstrably and substantially outweigh any adverse impacts on the green infrastructure.”

Furthermore item 8 of the Soham Vision in the Local Plan states:

“8. Protect and enhance the unique green setting of Soham, including the Commons, and green network/links.”

Soham, as one of the market towns of the District, is under pressure of development but this rural landscape so close to the old town and accessible to other developments is of high value because it is so important to local people for their health, well-being and sense of place. It is also a safe place because there is no need to cross the busy A142 by-pass in order to access it.

Developers always try and denigrate Fen landscapes as ‘flat’ or ‘boring’ but those who live here know better. It is not the Fen landscape that should be denigrated but densely packed developments without properly-sized gardens or living space, built for profit, that damage their very delicate and profoundly beautiful and environmentally rich surroundings.

The Council will be aware that Soham lies within the “Fens biosphere”, a wide area for which UNESCO designation is being sought by Cambridgeshire ACRE. It is CPRE’s opinion that retention of an area of varied landscape which is also an important wildlife site like the Soham Commons may help the case for the biosphere designation. Another modern housing estate certainly will not.

The applicant’s consultant in the document Landscape and Visual Impact Assessment (LVIA), paragraph 7.1.2, states:

“The Site itself contains some attributes that are representative of the local landscape character; however, the enclosure afforded by localised vegetation patterns, contrasts with openness of the wider landscape character in the fens to the east of the A142. As such, the more typically open rural characteristic features of the Fenlands lie to the east of the town, whereas in this location the town has a harsh urban edge, which is somewhat unsympathetic and influences the local character between the town edge and the A142. The Site is considered to have a Moderate to Low Susceptibility to the proposed scheme for residential development.”

This statement clearly demonstrates the author’s complete lack of understanding of the Fen landscape and its history.

Prior to drainage, Fen settlements such as Soham developed on ridges and islets amongst the wetlands. These were and are known locally as ‘highlands’. They were places of safety along the Fen transit routes where homes were built and livestock over-wintered, to be grazed on the wetlands in the summer.

The local vegetation pattern of small fields, close to the town where farms competed for space, is actually typical of such settlements and is not a “harsh urban edge” at all. The author clearly has a mindset that the flat, drained, former wetlands, with their much greater area are, alone, the “typical” landscapes of the Fens. This is not the case. Many of the most historically significant and ecologically diverse landscapes, because of their boundary hedgerows, are those close to Fen settlements. They are relatively small areas and therefore they should be valued most. Clearly, the author of the LVIA does not understand this.

3. Ecology

The applicant has undertaken a biodiversity assessment. This uses the Defra Biodiversity Metric 3.0. and seeks to claim a biodiversity net gain (BNG). It is becoming increasingly understood that such metrics are a flawed means of facilitating unsustainable development on greenspaces.

The global experience of Biodiversity Net Gain, reviewed by zu Ermgassen of DICE, University of Kent, is that it fails twice as often as it succeeds, even though it had the lower bar of No Net Loss, NNL, rather than BNG.

On site offsetting will not encourage many forms of wildlife and will be prone to the dog-fouling and trampling that harms many wildlife areas, even those remote from housing.

The BCN Wildlife Trust in its report recognises these effects, particularly on the East Fens Common County Wildlife Site. The Wildlife Trust then goes on to say that these effects could be mitigated by “*a proportionate financial contribution to the Soham Common access & biodiversity mitigation proposals*”.

CPRE completely disagrees with this statement. In CPRE’s view, no financial contribution can mitigate for the loss of an ecologically rich green space. The only thing it can mitigate is the income of those carrying out the ineffective mitigation measures.

The natural environment is our vital life support system and it is a dangerous delusion to imagine that it can be rendered easily into any economic framework (let alone the pre Dasgupta framework that gives GDP/GVA primacy over all other forms of stocks and yields).

Dasgupta defines wealth as the sum of natural, human and economic capitals and yields, and sustainability as the condition where this sum is either stable or increasing. Economic growth at the expense of natural capital and yields is therefore unsustainable.

4. Effect upon Surface Water & Flood Risk

The additional housing and infrastructure will increase water run-off, especially at times of intense rainfall and prolonged winter rainfall, both of which are becoming more frequent as a consequence of climate change. Globally, what were considered 1:100 years and 1:1000 years probability events are becoming more frequent, as we have seen in 2021 in Germany and several other countries. With local but equally devastating events around Huntingdon, St Neots, St Ives and in Peterborough.

Significant areas of the site are in Flood Zones 2 and 3. Local residents living near the site report regular local flooding with raw sewage rising in their streets. Some report that they can no longer obtain flood insurance, e.g. Greenhills, Staples Lane, East Fen Common and Brook Street. Local experience is not consistent with the bland statement that “*it can therefore be concluded that risk of surface water flooding is very low.*”

The applicant states he will deal with surface water run-off by means of Sustainable Drainage Systems. CPRE doubts very much that these systems in this flood plain, no matter how well modelled and designed, will be capable of coping with the steadily increasing intensity of rainfall or the rising ground water levels due to hydraulic pressure from sea level rise that are occurring.

The applicant states that there is low risk of tidal flooding because of distance from the coast and the height of the site at 5.0mtr AOD (Above Ordnance Datum / height relative to the average sea level at Newlyn, Cornwall). That may be the case currently. However, sea levels are rising and the rate of sea level rise is fast increasing.

Sea level in the Wash was rising at a rate of 3mm per year. In 2019 it was measured by the Environment Agency in the Wash and confirmed by the International Panel on Climate Change (IPCC) figures globally, that the annual rate was now 3.3mm per year.

In 2014, the IPCC report estimated a sea level rise of 1 metre by 2100.
In 2019, the IPCC increased this estimate to 1.1 metres by 2100.
In 2021, the IPCC has increased its estimate again, to 2.4 metres by 2100.

Meanwhile, the meteorological partnership Climate Central estimates a 4.7 metre sea level rise by 2100 if global temperatures rise by 2°C. Both the IPCC 2021 and the COP26 leadership have confirmed that the world is currently on track for a 2.4°C global temperature rise. CPRE considers that building on the Fens flood plain is extremely unwise given the current and growing pace of climate change and the tidal nature of the local rivers.

5. Wastewater Treatment

Anglian Water have stated in their response that:

*“The foul drainage from this development is in the catchment of Soham Water Recycling Centre which **currently does not have capacity to treat the flows [from] the development site.** Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.”*

What this actually means is that Anglian Water will be forced to use tankers to remove waste to other sites for treatment until such time as they are able to upgrade the Soham treatment plant. It also means that any excess surface water flooding into the treatment plant at times of heavy rainfall are likely to cause foul water overflows into local watercourses. Given the national underperformance of water companies to invest and tackle this issue it seems unwise to subject the citizens of Soham and the surrounding area to the increased risks of raw sewage pollution that this will cause.

CPRE would remind the Council that they have already been warned by the Environment Agency that they should not consider the effects of planning applications on wastewater treatment capacity singly but should consider the cumulative effects of multiple developments. This was in the letter to the council dated 16th April 2020, in respect of Planning Application Ref: 20/00424/OUM relating to a similar size of development in Wilburton.

6. Potable Water Supply

East Cambridgeshire is a seriously water stressed area. Ely and surrounding villages such as Little Thetford and Haddenham are already supplied by pipeline from Rutland Water.

In July 2021, DEFRA published the Environment Agency document titled “Water stressed areas – final classification 2021” which included the fact that the supply area of Anglian Water is one of serious water stress.

One of Anglian Water’s solutions to this problem is to build another pipeline to pump water from North Lincolnshire, which is also classified by the Environment Agency in the above report as a seriously water stressed area.

This is hardly a sustainable solution and so additional development should seriously consider the effect it will have on water demand.

7. Brownfield Land

Soham Commons are not a brownfield site. This site is very much a greenfield location nestling in a flood plain. Building on this site is therefore contrary to current Government policy as stated by the Prime Minister in his speech to the Conservative Party Conference on 6th Oct 2021:

“Though the beavers may sometimes build without local authority permission, you can also see how much room there is to build the homes that young families need in this country, not on green fields, not just jammed in the South East, but beautiful homes on brownfield sites in places where homes make sense.”

In its report “Recycling our land: state of brownfield 2021”, November 2021, CPRE has reviewed the brownfield registers of local authorities across the country. These show that there is space for 1.3 million homes on registered brownfield sites. We therefore welcome the Prime Minister’s change of policy direction, that brownfield development should come first.

Furthermore, in its report “Brownfield comes first - why brownfield development works”, March 2016, based upon research for CPRE by Glenigan, analysis of 1,040 development projects showed that brownfield sites are on average much quicker to deliver new homes. The report stated:

“Of the 580 completed projects by December 2015, it was found that both brownfield and greenfield sites took an average of 29 weeks to start after receiving planning permission. However, brownfield sites were then much quicker to develop once work had started: brownfield sites took an average of 63 weeks to be completed in comparison with 92 weeks for greenfield sites. Looking at the overall average timescales for both types of site from the granting of permission to completion, brownfield sites were developed more than half a year quicker (92 weeks against 121 weeks for greenfield). The finding that brownfield sites were faster from permission to completion was consistent for all site sizes.”

Not only is this application not consistent with government policy, it will also be slower and more environmentally costly because of its greenfield nature and location on a flood plain.

8. National Planning Policy Framework

It is CPRE’s belief that this proposal is contrary to national planning policy.

Paragraph 99, and paragraph 100 of the National Planning Policy Framework (NPPF) state:

“99. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.”

“100. The Local Green Space designation should only be used where the green space is:

- a) *in reasonably close proximity to the community it serves;*
- b) *demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) *local in character and is not an extensive tract of land.”*

Soham Commons appear to meet all the criteria for Local Green Space designation and CPRE urges the council to work with Soham Town Council and local residents to obtain such designation.

Paragraph 174 of the NPPF states:

“174. To protect and enhance biodiversity and geodiversity, plans should:

- a) *Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁵⁶; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁵⁷; and*
- b) *promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

It appears to CPRE that neither this proposal nor the Local Plan 2015 are consistent with this policy with respect to Soham Commons.

Conclusions

CPRE considers that this proposal represents an unacceptable loss of accessible green space within Soham which will have a seriously negative effect upon the well-being of the community.

CPRE is concerned that the full effects of changed working practices following the pandemic have not been considered in this proposal and questions whether the health and climate change implications of the additional commuting that this proposal may engender have been considered by the applicant.

CPRE considers there are serious landscape concerns arising from this proposal and is particularly worried by the effect upon residents wishing to enjoy the countryside and wildlife.

CPRE is concerned by the effect of this proposal on a site of historical landscape significance bordering the town of Soham.

CPRE is concerned that evaluation of the effect of this proposal on local ecology and protected species has been so dependent upon artificial, numerical methods that the true effect on local ecology has been completely missed.

CPRE is concerned that surface water management proposals may be inadequate due to the rapidly increasing effects of climate change.

CPRE considers that this proposal is not consistent with national planning policy as expressed in the National Planning Policy Framework.

CPRE requests refusal of this application.

Please note that our submission is in respect of the proposed development.

While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot

accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision.

Natural England - 24 August 2021

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Cambs Wildlife Trust - 30 September 2021

This professional ecological advice has been provided in accordance with the Service Level Agreement held with East Cambridgeshire District Council. I have reviewed the submitted documents including biodiversity report and landscape plans and have the following comments.

The biodiversity report appears to have undertaken appropriate surveys and properly covered on-site habitat and protected species issues. It has made appropriate recommendations for on-site mitigation and enhancement, which should be secured through the use of appropriate planning conditions, should the application be approved.

The applicants have also undertaken a biodiversity assessment, using the Defra Biodiversity Metric 3.0. This is an acceptable approach and the quality of the assessment is generally good, taking a reasonable and precautionary approach in most instances. I concur with the baseline habitats and hedgerow assessments, and also with the predicted hedgerows biodiversity units post development. However, the post development habitat creation assessment includes an error in assigning all the new habitats a strategic significance score. This is appropriate for the new habitats within the open spaces adjacent to the Soham Lode and opposite East Fen Common, including the grassland, orchard and scrub habitats, however, it is not appropriate for the urban habitats, which are replacing open countryside and should therefore not be considered strategically important. This necessary change reduces the predicted on-site biodiversity net gain from 11.5% to 9.35%. I have transposed the applicants biodiversity assessment for the habitats into the attached version of the Defra Metric to show these changes in a transparent way. Please share this with the applicants so that they can update and re-submit their own assessment.

Although this revised assessment shows a net gain slightly lower than 10%, it is close enough to 10% that I am confident that there is the potential to achieve a minimum 10% within the current layout, and therefore that the proposals accord with East Cambs DC planning policies, including Natural Environment SPD policy SPD.NE6.

The current layout provides for 28% of the site to be set out as open space, much of which is natural greenspace. Although this development is only 80 dwellings, it is part of a much larger potential allocation west of the Soham Lode and therefore it is appropriate that the proposals are considered in line with policy SPD.NE7 of the East Cambs Natural Environment SPD. This encourages all applications over 150 dwellings to provide a minimum of 20% of the development area as wildlife-rich habitat to support the Cambridgeshire Doubling Nature commitments. The current proposals meet this policy.

The one significant area of concern that I have with the submitted biodiversity report relates to the assessment of recreational impacts on designated nature conservation sites, and the alignment of the proposals with the Soham Commons policy SPD.NE4 in the Natural Environment SPD. The Appropriate Assessment uses the on-site provision of open space and connections to the surrounding footpath network as sufficient mitigation to address additional visits to the nearby designated European nature conservation sites including Wicken Fen and Devil's Dyke. However, the open spaces on-site are only about 1.4 Ha in size and do not in themselves provide the quantity or quality of open space to mitigate additional recreational pressures on the European sites. The inclusion of the footpath network and the adjacent common land of East Fen Common into the assessment does have the potential to provide the scope for additional recreational visits such as walking, running and dog walking, including for circular routes of between 2.5 Km and 5 Km. This then justifies the conclusion of no significant impacts on the European nature conservation sites. However, the ecological assessment then goes on to state that impacts on East Fen Common will be negligible (7.12- 7.13 and 10.8-10.12). I do not accept this conclusion, in looking at the local footpath network and the size of the on-site open spaces, it is clear that East Fen Common will become the main destination for recreational visits, including daily dog walking for the new residents on this development, in meeting the favoured daily exercise routes of 2.5 Km to 5 Km. **The development will therefore have an impact on East Fen Common CWS, through indirect recreational pressures and without additional mitigation, the proposals will be contrary to planning policies relating to protection of County Wildlife Sites and the Soham Commons.**

The Soham Commons Recreational and Biodiversity Enhancement Study identified a series of mitigation measures applicable to all major developments proposed in Soham. A suitable approach to mitigation, already adopted for other approved developments in Soham, would be for this development to make a proportionate contribution to the funding of the Soham Commons mitigation plan. Following the 2017 Soham Commons report, the Wildlife Trust prepared a draft charging schedule (already shared with ECDC) demonstrating how each potential development location could make a proportionate contribution to the funding of the identified mitigation measures. This was prepared in 2017, and so should be updated to take account of inflation. **With a proportionate financial contribution to the Soham Common access & biodiversity mitigation proposals, the impacts arising from this development could be adequately mitigated.**

Cambs Wildlife Trust - 10 December 2021

This professional ecological advice has been provided in accordance with the Service Level Agreement held with East Cambridgeshire District Council. I have reviewed the revised biodiversity report and updated biodiversity impact assessment (Defra Metric calculation) and have the following comments, which update our previous advice on 30th September 2021 only in relation to the biodiversity impact assessment and mitigation proposals in relation to the adjacent East Fen Common.

The applicants discussed their revised biodiversity impact assessment with me following my previous comments. I can confirm that the revised biodiversity impact assessment reflects my previous comments and our subsequent

discussions. I am therefore happy that the proposed biodiversity net gain is realistic and achievable and meets East Cambs biodiversity policy requirements.

I am also pleased that the applicant are now proposing to contribute towards the Soham Commons access and biodiversity enhancement project by way of mitigation for the recreational impacts on East Fen Common arising from this proposed development. I still disagree with their assessment that the on-site open spaces and connections to walking routes mean the impacts on East Fen Common would be negligible without mitigation, for the reasons set out in my original response. However, with the additional mitigation proposed, by way of making a financial contribution towards implementation of the recommendations in the Soham Commons access and biodiversity enhancement report, the impacts can be reduced to negligible. The proposals therefore now accord with the East Cambs Natural Environment SPD policy SPD.NE4.

I hope these comments are of help to you. If you have any queries regarding this advice, please don't hesitate to contact me.

ECDC Trees Team - 20 December 2021

The ecology report states that none of the hedges as Important Hedgerow under the Hedgerow Regulations, on the basis of too few woody species in relation to the numbers of associated features. Yet hedge H8 is located adjacent to a public footpath (paragraph 8 (a) of the Hedgerows Regulations 1997) includes at least 4 wood species (paragraph 8 (b) of the Hedgerows Regulations 1997) is does not include gaps that exceed 10% of the length of the hedge (paragraph 7 (4) (b) of the Hedgerows Regulations 1997) and the associated dry ditch is a feature of an important hedge (paragraph 7 (4) (g) of the Hedgerows Regulations 1997). The above would indicate that hedge H8 would be regarded as an Important Hedgerow under the Hedgerow Regulations 1997. As such this hedge should be given extra consideration within the layout of the site.

The submitted Arboricultural Impact Assessment (AIA) states that the proposed ingress into the rooting areas of trees T3, T5 and G10. In each case the level of excavation incursion is low and judged to be sustainable (with sufficient unaltered ground conditions to the RPA available to enable future root growth). Unfortunately no information is provided in support of this statement such as the percentage area of the root protection area to be lost or why a no dig solution could not be used instead of severing roots which should be a last option.

Tree T10 is indicated for removal as it is unsuitable for retention in the developed site yet its neighbouring tree T11 is to be retained despite it being recorded as being in a similar condition as both are said to have tight unions T10 stem unions and T11 basal union both trees have the same preliminary recommendation of no action monitor the only difference appears to be that T10 is larger and as such would require a larger root protection area.

Group G5 a linier group of Willow trees in poor condition but with the survey comment to coppice and pollard as required to make safe this group is identified for removal as unsuitable for retention in the developed site if it is possible to make these trees safe it would be possible to retain some if not all of these

typical fenland features, these trees can provide a significant biodiversity option and valuable habitat.

Group G7 which comprises of Norway Maple, Lime, Cherry (sp), Rowan and Birch (sp) is stated as requiring 'Reduce crown as required to provide 2.5m clearance to plot 76 and enable erection of scaffolding if trees of these species and age require pruning to provide room to undertake the development then there is not sufficient space to allow for their future growth potential especially with these species having potential mature heights of 12 to 20m with crown spread diameters of 8 to 18m with Rowan providing the smallest size and Norway Maple and Lime the largest. This is also a category B group so should be given greater consideration. This group is also likely to create significant shade on plot 76.

Plots 68 to 72 are likely to have shading issues as a result of trees T24-27 as they are large scale trees with plenty of future growth potential combined with the orientation of the properties, the shade will be on the rear gardens of the properties and over time will extend as far as the property itself the trees are 3x Common Limes and 1 Ash, common limes are also well known for their association with aphids who drop the sticky substance Honey Dew which can significantly restrict the use of the garden space. Ash despite an uncertain future are also known for their prevalence to self-seed and drop small dead twigs which are not desirable characteristics for a domestic garden.

Trees T15 and T16 both Sycamores are within 3rd party ownership these are large species of trees (up to 20m in height) that create dense shade as well as their association with aphids who drop the sticky substance Honey Dew, so there is likely to be future conflicts over light and mess in the gardens of plots 32 to 36 which are likely to lead to undue pressures on the tree owners to allow unsuitable pruning to the trees or requests for their total removal.

Will the 'dry ditch' adjacent to H8 be filled in or dug out to be incorporated into the SUDS scheme? A increase in soil levels can be detrimental to the health of woody plants excessive/unsympathetic clearance of a ditch will sever roots potentially effecting the stability and health of the woody plants.

The landscaping strategy plan indicates a density of street planting that could be unsustainable due to the proximity to buildings and parking areas but as the plan is indicative with no details provided it is not possible to assess its suitability at this stage.

The use of trees that are native to the locality should be included for planting in the open spaces areas such as Willows. Guidance for the design of SUDS states that SUDS including attenuation ponds should look to create new habitats enhancing nature conservation and amenity space. The use of native willow trees should be considered as part of the design as they have an important ecological role that relates to their affiliation with wetlands such as found in fenland areas. Willows have a high wildlife value, providing rich habitat and food for a diverse range of organisms. There is evidence of up to 450 species of insect associated with Willows. Willows aid fast stabilization of chemically degraded land surfaces and the re-establishment of a biologically active soil can be achieved using Willow species, which possess the major

requirements for plant survival in environmentally disrupted areas such as development sites.

Tolerance of soil chemical contamination is an important requirement for survival in many situations and Willow trees potential can be emphasized by the fact that, of the seven most important metal contaminants in soil, Willow has been reported to have tolerance to at least four (cadmium, copper, zinc, lead). Willows' ability to sequester heavy metals and other contaminants in their root systems, halting their circulation within the environment, can be of great practical use when dealing with water runoff. Willows dense root system and high transpiration rates provide efficient control of soil water and high filtering capacity for pollutants, along with continuous growth of some species during the whole growing season, create an efficient dehydration plant that locks up the pollutants. The fast growth of willow can sequester more carbon than softwoods within a single growing season which could prove invaluable in the pursuit of being carbon neutral. The size of the tree can be easily managed by pollarding or coppicing. The cutting rotation cycle depends on species and growing conditions, and ranges from 3-5 years. Pollarding/Coppicing, minimizes wind damage, enhances branching appearance of willows and supports a higher density of breeding birds.

As part of the soft landscaping scheme a Hedgerow and Woodland/tree Management and Creation Scheme should be produced and submitted for approval. The Woodland Management and Creation Scheme (hereafter referred to as HWMCS) is required to contain details on the following:

- 1) The areas of woodland and hedgerows to be retained and/or enhanced;
- 2) Areas where new woodland planting including public open spaces planting and hedgerows will be established;
- 3) The methodology for the establishment of new areas of native woodland, public open spaces planting and hedgerows;
- 4) Management of existing and proposed woodland, public open spaces planting and hedgerows to enhance their amenity and ecological value;
- 5) Details of responsibility for the future management of the woodland areas, public open spaces and hedgerows.
- 6) Details to cover a period of no less than 20 years or until decommission of the development"

ECDC Trees Team - 12 July 2022

The additional information and design alterations have sufficiently dealt with most of my concerns and comments made previously. The only area of concern remaining relates to tree T15 and T16 as although these trees have been assessed as being category C trees they are owned by a 3rd party not associated with the development and failure to consider/mitigate for the impact on these trees could be viewed as negligent on the councils part. These are large species of trees (up to 20m potential height) that create dense shade, so there is still likely to be future conflicts over light and mess in the gardens of plots 32 to 36 which are likely to lead to pressure on the tree owners to allow/undertake unsuitable pruning to the trees combined with requests for their total removal. The undertaking by the owners of the new properties of their common law rights and reducing the trees overhanging parts back to the boundary could significantly effect the trees stability and health increasing their

risk of failure could be a consequence of the tree not being suitably considered at the design stage.

Housing Section - 23 August 2021

The Strategic Housing Team supports this Hybrid application in principle as it will deliver up to 80 dwellings (including 16 affordable dwellings) in order to meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 (as amended) to deliver 20% affordable housing on site.

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.

I note within the Design and Access Statement that the developer intends to deliver the affordable dwellings as 4 x 1 bed flat, 6 x 2 bed house and 6 x 3 bed house, however the council has an increased need for larger affordable family accommodation and therefore we would like to see the provision of some 4 bed affordable dwellings on site to help meet this growing need. Further discussions with the developer regarding this would be appreciated, in order to make sure that the affordable housing mix delivered meets the housing needs for Soham and the East Cambridgeshire area.

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. Please see link: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf

Should consent be granted, I would request the s106 Agreement contains the following Affordable Housing provisions:

1. That 20% Affordable Housing is secure with the tenure requirement of 77% rented and 23% intermediate housing.
2. That the dwellings will be Affordable Housing in accordance with the definition contained in NPPF.
3. That the dwellings will transfer to a provider of social housing approved by the Council, either a Private Registered Provider or an alternative affordable housing provider (including but not limited to a housing trust or company, a community land trust or an almshouses society).
4. That the tenure of each dwelling will be Affordable Rent, Social Rent or Shared Ownership, and no subsequent alteration will be permitted without the Council's prior approval.
5. That the rent charged for the Affordable Rented properties will not exceed Local Housing Allowance rate for the equivalent property size.
6. That the Affordable Dwellings are constructed to DCLG, National Described Space Standards or as a minimum all new dwellings should meet Building Regulation Part M (Volume 1), Category 2, unless there are exceptional design reasons why this is not possible.
7. That no more than 15 affordable dwellings are clustered in one parcel as this will help to create a balanced and sustainable community.

8. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
9. That occupation will be in accordance with a nomination agreement.
10. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants.

Housing Section - 20 December 2021

The Strategic Housing Team has no further comments to make with regards to the amended plans submitted.

Technical Officer Access - 20 August 2021

1. A very small area of shared surface in the centre of the site. Shared surfaces for pedestrians and cars are not suitable for pedestrians, especially children, those in wheelchairs, people with learning difficulties, the visually impaired and guide dogs.
2. Positively 13 visitor car parking spaces counted, which are in small clusters and spread throughout the site. They all could be used as accessible parking spaces as they all are sideways to the road. The jeopardy is the person would be exiting the vehicle into the road. Preferably dedicated accessible parking spaces to be provided. They do not work for wheelchair access if the person enters the vehicle from the rear.
3. Consider traffic calming measures and tactile paving to indicate safe crossing points on estate roads.

Design Out Crime Officers - 20 August 2021

Thank you for the opportunity to comment on this application. I have viewed the documents in relation to crime, disorder and the fear of crime and have searched the Constabulary crime and incident systems covering Soham South Ward for the last 2 years. While we have seen some reduction in most crime types during the lockdown periods through 2020, I would consider this to be an area of low risk to the vulnerability to crime at present. Relevant crimes recorded during the above period:

- 14 x dwelling burglary (plus 1 attempt)
- 15 x vehicle crime (11 theft from and 4 theft of)
- 2 x cycle thefts
- 52 x criminal damage offences
- 68 x public order offences
- 7 x drug offences

This generally appears to be an acceptable layout in relation to crime prevention and the fear of crime providing reasonable levels of natural surveillance from neighbour's properties with many of the homes facing each other and some overlooking open space areas. Pedestrian and vehicle routes are aligned together and overlooked suggesting that pedestrian safety has been considered, which should encourage some level of territoriality amongst residents within small blocks. Most of the vehicle parking is in-curtilage between and to the sides of properties and garages, with one small parking court for the flats. Most of the homes have back to back protected rear gardens which

reduces the risk and vulnerability to crime and have been provided with the potential for some defensible space to their front.

There is no mention in the design and access statement of security or crime prevention measures, it is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for residents and visitors.

It would appear that some measures have been considered. I do however have the following comments: -

- Footpaths to the side/rear of terraced homes - While it would be preferable to see storage for bins and cycles to the front, if this cannot be achieved and footpaths are necessary for access to the rear gardens they should be gated as close as possible to the front building line, shared gates should be fitted with self-closers, private gates fitted with self-closers and be lockable from both sides.
- It would be good to see an external lighting plan (adoptable and private) including calculations and lux levels when available. For the safety of people and their property our recommendation is that all adopted and un-adopted roads, private and shared drives and parking areas should be lit by columns to BS5489:1 2020. Bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads or parking areas, where they are also prone to damage. Care should be taken in relation to the location of lighting columns with the entry method for the majority of dwelling burglary being via rear gardens. Lighting columns located next to rear/side garden walls and fences with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens. Home security lights both front and rear should be dusk to dawn bulkhead LED lights.
- Footpath to the front of plots 36 - 43, this should be as straight as possible, lit within the lighting plan and landscape maintained to ensure that planting and hedges are kept to a height of 1m - 1.2m and tree crowns raised to 2m to ensure good visibility and surveillance and reduce any hiding places. This will help to reduce the fear of crime, which is likely to encourage footfall. This in turn can increase natural and community surveillance, a feeling of safety and further deter criminal activity.
- It would be good to see the boundary treatments and what provision there will be for cycle security.
- The LEAP is to the North of the development with hardly any surveillance from homes, if it is to remain at this location my previous recommendation regarding landscape maintenance will also apply here.

Building Control - East Cambridgeshire District Council - 28 February 2022

Although this appears to be in the early stages and details may not be finalised it appears the energy statement confirms 20% reduction in CO2.

NHS England - 23 August 2021

Construction of 80 new homes public open space and associated infrastructure at Land to Rear Of 81 - 111 Brook Street Soham Cambridgeshire

1. I refer to your consultation letter on the above planning application and advise that, following a review of the applicants' submission the following comments are with regard to the primary healthcare provision on behalf of Cambridgeshire and Peterborough Clinical Commissioning Group (CCG).

Background

2. The proposal comprises a development of up to 80 residential dwellings, which is likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The CCG would therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL).

Review of Planning Application

3. There is 1 x GP practices within a 2km radius of the proposed development, Staploe Medical Centre. This practice does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

Healthcare Needs Arising From the Proposed Development

Health & Wellbeing Statement

As an Integrated Care System it is our ambition that every one of the one million people living in Cambridgeshire and Peterborough is able to live as healthy a life as possible and has access to the help and treatment that they need in the right place, with good outcomes and experience of the care they receive.

Cambridgeshire and Peterborough Integrated Care System, recognises and supports the role of planning to create healthy, inclusive communities and reduce health inequalities whilst supporting local strategies to improve health, social and cultural wellbeing for all aligned to the guidance in the NPPF section 91.

The way health and care is being delivered is evolving, partly due to advances in digital technology and workforce challenges. Infrastructure changes.

Therefore, CIL funds received as a result of this development may incorporate not only extensions, refurbishments, reconfigurations or new buildings but will also look to address workforce issues, allow for future digital innovations and support initiatives that prevent poor health or improve health and wellbeing.

The NHS Long term plan requires a move to increase investment in the wider health and care system and support reducing health inequalities in the population. This includes investment in primary medical, community health services, the voluntary and community sector and services provided by local authorities so to boost out of hospital care and dissolve the historic divide between primary and community health services. As such, a move to health hubs incorporating health and wellbeing teams delivering a number of primary and secondary care services including mental health professionals, are being developed. The Acute hospitals will be focussing on providing specialist treatments and will need to expand these services to cope with additional

growth. Any services which do not need to be delivered in an acute setting will look to be delivered in the community, closer to people's homes. The health impact assessment (HIA) submitted with the planning application will be used to assess the application. This HIA will be cross-referenced with local health evidence/needs assessments and commissioners/providers own strategies so to ensure that the proposal impacts positively on health and wellbeing whilst any unintended consequences arising are suitably mitigated against.

The primary healthcare services directly impacted by the proposed development and the current capacity position is shown in Table 1.

4. This development is not of a size and nature that would attract a specific Section 106 planning obligation. However, the level of planned population growth in this area means that the relocation of Staploe Medical Centre into a new build medical centre is proposed in order to increase the capacity and service provisions for the local community and meet the demand from the population growth.

Therefore, a proportion of the required funding for the provision of increased capacity by way of the new build medical centre for Staploe Medical Centre, servicing the residents of this development, would be sought from the CIL contributions collected by the District Council.

5. Although, due to the unknown quantities associated with CIL, it is difficult to identify an exact allocation of funding, it is anticipated that any CIL funds received as a result of this development will be utilised toward the new build medical centre for the above mentioned surgery.

6. In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the CIL Regulations, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution is sought.

7. Assuming the above is considered in conjunction with the current application process, Cambridgeshire and Peterborough would not wish to raise an objection to the proposed development.

Cambridgeshire and Peterborough look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

Conservation Officer – 16 August 2023

The site is remote from any designated heritage assets and a setting impact assessment under Historic England's GPA3 would not be proportionate. However the conclusions of Liz Lake Associates' LVIA can be extrapolated to heritage and I would concur with their general view the scheme will not have any adverse impact on the setting of any designated heritage assets (principally the parish church of St Andrew).

Ward Councillors -

No Comments Received.

Consultee for Other Wards in Parish -

No Comments Received.

Cambridge Ramblers Association -

No Comments Received.

Minerals and Waste Development Control Team -

No Comments Received.

5.2 A site notice was displayed near the site on 1 September 2021 and a press advert was published in the Cambridge Evening News on 19 August 2021.

5.3 Neighbours – 73 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

Principle of Development

- The proposal does not meet the requirements of Local Policy regarding the development on land off Brook Street
- No masterplan has been submitted for the development
- The location is unsuitable for the proposed development
- Recognise the need for housing, however there are more suitable locations
- There are large amounts of development in Soham and further housing is not needed
- Infrastructure is required to support any additional housing
- The site is located on land allocated for housing but this does not constitute permission. The proposal should therefore be assessed on its merits

Visual Amenity

- Impacts of the proposal on the character of the landscape
- Cumulative impacts of development in the area on the street scene and landscape
- Loss of undisturbed green space and erosion of the open countryside
- Concern regarding the type/design of housing and loss of identity for Soham
- Encouraged to see the amount of green space, cycle routes and public footpaths
- One of the few remaining wild areas near Soham. Green space is part of the towns character and history
- Impact on the Conservation Area
- Impact on the rural character of the town
- Loss of views onto and from the Common
- Impact of the proposal on the Common
- Existing dwelling is an eyesore however the proposed development is too much
- Overdevelopment of the area
- There are a number of footpaths that need to be protected

- Concern to some of the findings within the Landscape and Visual Impact Assessment

Residential Amenity

- Loss of light to existing properties
- Overlooking into existing properties
- Overbearing impacts
- Single storey dwellings would be more appropriate to prevent loss of privacy

Highway Safety

- Increased traffic from the proposal and other recent development in Soham
- Impact on local and wider road network
- Roads leading to the site are unsuitable for increased traffic
- Concern regarding suitability of access roads for construction traffic
- Increased risk to children and pedestrians
- Disruption to existing parking and access to properties during construction. Already affected by other developments being built in Soham.
- If the application is permitted, parking should be provided for construction vehicles
- Highway and infrastructure upgrades required before more development can be accommodated
- Concern regarding insufficient parking for the development
- Access into the town is limited and difficult for vehicles larger than cars
- Development would need to have a residents parking scheme, cycling storage and a 20mph speed limit to reduce car dependence, eliminate on street parking, improve road safety and encourage walking and cycling into the town
- Concerns over the location of the site access
- Insufficient cycle infrastructure between the site and the centre of Soham

Flood risk and drainage

- The site is located within a flood zone
- Raising land levels would increase flooding in other areas
- The site is located on a flood plain
- High water table causes regular flood issues
- Insurance costs for existing and future residents
- Existing flood and drainage issues on and around the site would be worsened
- Concern over future flood risk
- Impacts on water supply
- The Sequential Test should be reapplied and the Exception Test re-evaluated
- The amended information does not address concerns raised by the Environment Agency
- Flood issues during the construction of the Felix Court Estate
- The Lode is dredged by the Environment Agency every year to prevent flooding. New houses will prevent this and introduce additional surface run off
- Insufficient waste water and sewage treatment infrastructure as existing. Additional housing should not be built until this has been addressed
- Waste and polluted water should be banned from entering the waterways

- Additional hardstanding will increase flood risk on the site and other localities
- Potential for subsidence for the new houses
- The creation of a new access would result in flooding in the locality

Biodiversity

- An array of wildlife uses the land and river currently
- Loss of green land and impact on wildlife and planting
- Existing development has impacted on trees and wildlife
- Nesting swans on the site. It is illegal to disrupt nesting birds
- Concern regarding sustainability of tree planting and provision of Biodiversity Net Gain
- Encouraged that mature trees on the development boundary would be retained but concerned as to who would be responsible for maintenance
- Existing trees have been left to grow and currently overhang neighbours. Would like to see these reduced in height and pruned and would like to know who will be responsible for the future upkeep
- Concerned that the submitted Ecological Assessment does not address the full extent of wildlife in this area. Findings contradict some wildlife which has been seen in this area

Services

- Strain on existing services and facilities
- Not enough services for the amount of housing. More services are required to accommodate the growth in the area
- Additional parking required in Soham Town Centre to accommodate growth
- The provision of the required services for the development could result in the loss of further green space

Other matters

- Increased fly tipping and incorrect waste disposal
- Increased noise from additional dwellings
- Noise and disruption during construction
- Increase in light pollution
- Demolishing the existing dwelling is unsustainable
- Loss of existing open space and impact on the community
- Importance of access to green space recognised for wellbeing and leisure
- The site layout suggests it will not prevent people walking along the river
- If this is private land, additional walking routes would be gained
- If the application is permitted it will lead to further development on the wider site
- Preservation of green space is important with the increasing population
- Too much development in the area
- Should be protecting the environment in response to climate change and global pandemic

6.0 THE PLANNING POLICY CONTEXT

East Cambridgeshire Local Plan 2015

SOH1	Housing Allocation, land off Brook Street
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
ENV 11	Conservation areas
ENV12	Listed Buildings
ENV 14	Sites of archaeological interest
COM 4	New Community Facilities
COM 7	Transport impact
COM 8	Parking provision

Supplementary Planning Documents

- Developer Contributions and Planning Obligations
- Design Guide
- Contaminated Land
- Flood and Water
- Natural Environment
- Climate Change

National Planning Policy Framework 2021

- 2 Achieving sustainable development
- 9 Promoting sustainable transport
- 5 Delivering a sufficient supply of homes
- 12 Achieving well designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment

Other Relevant Policies

Cambridgeshire and Peterborough Minerals and Waste Local Plan

7.0 PLANNING COMMENTS

- 7.1 The application is assessed in accordance with the development plan which comprises the East Cambridgeshire Local Plan 2015. Also relevant are the associated Supplementary Planning Documents, the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance.

7.2 The main considerations of this application are the principle of development, visual amenity, residential amenity, traffic and transportation, parking provision, biodiversity and ecology and water management.

7.3 The application seeks full planning permission for the demolition and replacement of 81 Brook Street and access to the wider site, and outline planning permission for up to 80 dwellings including affordable housing, public open space and associated infrastructure. As the application is hybrid, the following committee report will be laid out to address both elements of the proposal separately for clarity.

8.0 FULL PLANNING PERMISSION – REPLACEMENT DWELLING AND ACCESS

8.1 Principle of Development

8.2 Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 provides the locational strategy for development within the district and provides a hierarchy for the location of housing development. That hierarchy seeks to focus the majority of development on the market towns of Ely, Soham and Littleport. It provides for more limited development within villages within a defined development envelope. The policy states that outside defined development envelopes, development will be strictly controlled to protect the countryside and the setting of settlements and will be restricted to the exceptions listed within the policy.

8.3 The application site is located wholly within the defined development envelope of Soham and the principle of development is therefore considered compliant with the locational strategy and acceptable, providing that the proposal complies with all other relevant policies within the Local Plan.

8.4 Residential Amenity

8.5 Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of nearby occupiers. Paragraph 130(f) of the NPPF specifically requires development to create places that promote health and wellbeing with a high standard of amenity for future users.

8.6 The proposed replacement bungalow would be positioned to the rear of the existing dwellings fronting Brook Street, and given its single storey nature, would not be considered to create any overlooking to any nearby neighbouring dwellings. The proposed dwelling is positioned a sufficient distance from nearby dwellings so as to prevent any overbearing or overshadowing impacts.

8.7 It is considered that future occupiers of the proposed dwelling would have a good standard of amenity, benefiting from a private garden of appropriate size and well-proportioned rooms.

8.8 The site access would be positioned in place of 81 Brook Street and would run between residential dwellings. It is acknowledged that there may be some increase in vehicle noise in the vicinity of the access which may affect the amenity of residents. However, given the distance to the adjacent properties it is considered unlikely that the noise impacts would be significantly greater than already

experienced, in a heavily residential area where the movement of vehicles is frequent. It should also be noted that Environmental Health have not raised any concerns in regard to noise or light pollution from the operation of the development.

- 8.9 Environmental Health have requested construction hours are restricted and that a Construction Environmental Management Plan (CEMP) is submitted regarding mitigation measures for the control of pollution (including, but not limited to noise, dust and lighting etc) during the construction phase. These matters can be secured by way of condition.
- 8.10 On balance it is considered that the proposal would be acceptable in terms of residential amenity, and that there would be no significantly detrimental impacts such that would warrant refusal of the application.
- 8.11 Visual Impacts
- 8.12 Paragraphs 130 and 134 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history. The NPPF makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 8.13 Policy ENV 1 requires applications to ensure that they provide a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. The policy sets out that development proposals should respect the pattern of distinctive historic and traditional landscape features such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls, and their function as ecological corridors for wildlife dispersal. The policy requires proposals to take account of settlement edges, the space between settlements, and the wider landscape setting, as well as the visually sensitive natural skylines of the area. The policy also requires proposals to take account of the unspoilt nature and tranquillity of the area and the nocturnal character.
- 8.14 Policy ENV 2 requires applications to ensure that their location, layout, form, scale, massing and materials are sympathetic to the surrounding area by making efficient use of land and respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area. This policy seeks to retain existing important landscaping and natural and historic features, and expects proposals to include landscape enhancement schemes.
- 8.15 The proposed replacement dwelling is of a modest design and appearance, with a single storey scale and simple features. The proposal would be visible within the streetscene, but would be set back from Brook Street meaning that its street presence would be limited. The proposed replacement dwelling is not considered to be detrimental to the character of the area, which features a variety of dwelling styles. The final palette of materials can be secured by way of condition to ensure that this compliments the character of the area. The introduction of the proposed access would not appear at odds with the character of Brook Street.

- 8.16 The details of boundary treatments for the dwelling can be secured by way of condition to ensure that these are complimentary to the character of the area. A scheme of soft landscaping may also be conditioned which provides the details for planting for the access and the dwelling.
- 8.17 It is considered that with the appropriate conditions appended to secure detail, the proposal complies with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015, and the provisions of the NPPF.
- 8.18 Highway Safety
- 8.19 Policy ENV2 of the East Cambridgeshire Local Plan 2015 sets out that development proposals will be required to incorporate the highway and access principles contained in Policy COM7 of the Local Plan 2015 to ensure minimisation of conflict between vehicles, pedestrians and cyclists; safe and convenient access for people with disabilities, good access to public transport, permeability to pedestrian and cycle routes; and protection of rights of way. Policy COM8 of the Local Plan 2015 seeks to ensure that proposals provide adequate levels of parking, and policy COM7 of the Local Plan 2015 require proposals to provide safe and convenient access to the highway network. Paragraph 110b of the NPPF seeks to ensure “safe and suitable access to the site can be achieved for all users”. Paragraph 104c of the NPPF sets out that “opportunities to promote walking, cycling and public transport use are identified and pursued” and that “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.”
- 8.20 The replacement dwelling would benefit from a double garage and driveway with sufficient space available for the parking of two vehicles. The proposal also includes a turning head to allow vehicles turn and exit the site in a forward gear. The proposal is considered to comply with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8.21 The site access would comprise a priority T-junction at 5.5m wide, with 2m wide footpaths either side. The Local Highways Authority has reviewed the access proposals and following amendments throughout the application process, has no objections to the proposed access. The proposals have also been reviewed by the Cambridgeshire County Council Transport Assessment Team. The Transport Assessment Team have confirmed that following amendments, they have no objection to the proposals. They have requested conditions which secure the widening of the existing footway on the western side of Staples Lane between Brook Street and Fordham Road to a minimum 2m in width. They have also requested a condition regarding Welcome Travel Packs. They have set out that the developer shall pay a monetary sum of £58,800 to the County Council towards the A142/Fordham Road/A1123 roundabout improvement scheme, and this can be secured within the S106 Legal Agreement.
- 8.22 The proposal is considered to be compliant with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and the provisions of the NPPF.

8.23 Flood Risk & Drainage

8.24 Paragraph 6.9.1 of the East Cambridgeshire Local Plan 2015 is clear that “flood risk is an important issue for the district, particularly given the topography of the area and the context of climate change with related sea-level rises and increased incidents of heavy rainfall”. The Cambridgeshire Flood and Water SPD sets out that the general approach to flood risk and planning is that development should be directed to the areas at the lowest risk of flooding. Policy ENV8 of the Local Plan 2015 sets out that all developments should contribute to an overall flood risk reduction and that the sequential and exception test will be strictly applied across the district. It sets out that development should normally be located in Flood Zone 1. The policy states that development will not be permitted where it would:

- Intensify the risk of flooding during the lifetime of the development taking into account climate change allowances, unless suitable flood management and mitigations measures can be agreed and implemented.
- Increase the risk of flooding of properties elsewhere during the lifetime of the development, taking into account climate change allowances, by additional surface water run-off or impeding the flow or storage of flood water.
- It would have a detrimental effect on existing flood defences or inhibit flood control and maintenance work.
- Where the risk of flooding would cause an unacceptable risk to safety.
- Safe access is not achievable from/to the development during times of flooding, taking into account climate change allowances.

8.25 The application site is located within flood zones 1, 2 and 3, and varies across the site. The site is allocated as part of a wider residential allocation within the East Cambridgeshire Local Plan 2015 (SOH1). The application site itself is a smaller parcel of this allocation. As the site is allocated it has passed the sequential test in so far as development has been accepted on this site. The indicative layouts provided by the developer indicate that the site can be sensitively laid out to ensure that development is directed towards areas of the site at lower risk of flooding, with areas of open space directed toward flood zones 2 and 3.

8.26 The full element of the application seeks permission for the site access and the replacement dwelling. This is located within flood zone 1 and is therefore considered to be acceptable.

8.27 Conditions may be appended to any grant of permission to secure the submission of appropriate drainage strategies for the wider site. This element of the application is therefore considered to comply with policy ENV8 of the East Cambridgeshire Local Plan 2015 and the provisions of the NPPF.

8.28 Ecology

8.29 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 174 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 180 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.

8.30 Policy NE6 of the Natural Environment SPD sets out that all development proposals must provide clear and robust evidence setting out:

- information about the steps taken, or to be taken, to avoid and minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat
- the pre-development biodiversity value of the onsite habitat based on an up to date survey and ideally using the Defra metric,
- the post-development biodiversity value of the onsite habitat ideally using the Defra metric; and
- the ongoing management strategy for any proposals.

8.31 The applicant has submitted an ecological assessment alongside the application. the assessment notes that the site comprises four fields of improved sward. There are nine lengths of hedgerow which qualify as priority Hedgerow Habitat of Principal Importance but are not Important Hedgerows under the Hedgerow Regulations. The assessment notes that there is potential for foraging bats on site and that the reptile survey recorded a singleton grass snakes which are likely to be from a core population off-site, but that there are no suitable hibernation areas present. The assessment highlights that nesting birds and swallows are likely.

8.32 The assessment makes a number of recommendations for mitigation and enhancement, and concludes that the scheme will impact habitats of lower ecological value, and species impacts will not be at the population level. Biodiversity Net Gain will be achieved via the provision of high quality habitats within open space, with a calculated gain of +12.6% for habitats and +11.5% for hedges. The Wildlife Trust have been consulted as part of the application and have advised that they are satisfied that the proposed biodiversity net gain is realistic and achievable and meets East Cambridgeshire biodiversity policy requirements. They note that the applicant proposes to contribute towards the Soham Commons access and biodiversity enhancement project by way of mitigation for the recreational impacts on East Fen Common arising from the development. They advise that with the additional mitigation proposed, by way of making a financial contribution towards implementation of the recommendations in the Soham Commons access and biodiversity enhancement report, the impacts on East Fen Common can be reduced to negligible.

8.33 It is therefore considered that with the appropriate conditions appended to secure that the development is carried out in strict accordance with the ecology assessment submitted, and that a scheme of biodiversity enhancement is submitted, that the proposal complies with policy ENV7 of the East Cambridgeshire Local Plan 2015, the Natural Environment SPD, and the provisions of the NPPF.

8.34 Sustainability

8.35 East Cambridgeshire District Council (ECDC) declared a Climate Emergency at its Full Council meeting on 17 October 2019. ECDC has joined over 200 Councils around the UK in declaring such an emergency. In declaring a Climate Emergency, the Council committed to producing an Environment Plan, which it subsequently did so (adopted June 2020). One action within that Plan was to prepare a Climate Change Supplementary Planning Document (SPD). The SPD has become a material consideration for the purpose of determining planning applications, though the starting point for determining planning applications remains the East Cambridgeshire Local Plan (2015). Policy ENV4 of the Local Plan 2015 states that “all proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable” and that “applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction.” In addition, the NPPF places high importance on addressing climate change in plan making and decision taking. Policy CC1 of the Climate Change SPD sets out that applicants could demonstrate their approach to:

- a. Minimising demand for energy through design;
- b. Maximising energy efficiency through design;
- c. Carbon dioxide reduction achieved through items a and b above, and through incorporation of renewable and low carbon energy sources;
- d. Water efficiency (including whether, for residential development, the design intends to voluntarily incorporate the Part G Building Regulations option of estimated water consumption set at no more than 110 litres per person per day, rather than the standard 125l/p/d);
- e. Site waste management;
- f. Use of materials (such as low carbon-embodied materials); and
- g. Adaptability of the building, as the climate continues to change.

8.36 No information has been supplied by the applicant in relation to the replacement dwelling, however for this particular element of the scheme it is not considered that such a failure would warrant refusal on this criterion.

8.37 Other Matters

8.38 Archaeological investigation has already been carried out at the site and the applicant has been in discussions with the Historic Environment Team regarding the findings. The Historic Environment Team raise no objection to development of the site, but recommend further conditions, which can be appended to any grant of permission.

8.39 With regard to contamination, a Phase 1 Desk Study and Preliminary Risk Assessment report has been submitted which has been reviewed by the Council's Scientific Officer. They note that although most of the site is generally at low risk from contamination the report recommends that a Phase II investigation is carried out. Conditions are recommended which can be appended to any grant of permission.

8.40 Summary

8.41 On balance, the proposal for full planning permission for the site access and replacement dwelling is considered to be acceptable. The principle of development is accepted, and the proposal would cause no significantly detrimental impacts in terms of residential amenity or visual impacts on the character and appearance of the area. The proposed development could be appropriately conditioned to ensure that no significant impacts arise from construction, and that appropriate ecological enhancements are provided.

9.0 **OUTLINE PLANNING PERMISSION – UP TO 80 DWELLINGS (INCLUDING AFFORDABLE HOUSING) PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE- ALL MATTERS RESERVED EXCEPT ACCESS**

9.1 Principle of Development

9.2 Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 provides the locational strategy for development within the district and provides a hierarchy for the location of housing development. That hierarchy seeks to focus the majority of development on the market towns of Ely, Soham and Littleport. It provides for more limited development within villages within a defined development envelope. The policy states that outside defined development envelopes, development will be strictly controlled to protect the countryside and the setting of settlements and will be restricted to the exceptions listed within the policy.

9.3 The application site is located wholly within the defined development envelope of Soham and is therefore considered compliant with the locational strategy set out within Policy GROWTH2 of the East Cambridgeshire Local Plan 2015. In addition, the site is part of a wider site allocated for residential development in the East Cambridgeshire Local Plan 2015.

9.4 Policy SOH1 allocates approximately 22ha (54 acres) for residential development of up to 400 dwellings. The policy sets out that development proposals will be expected to:

- Provide an element of affordable housing (currently 30%) as required under Policy HOU 3.
- Provide a mix of dwelling types and sizes to reflect current evidence of need within Soham, including provision for a minimum of 5% of self-build properties.
- Provide approximately 8 hectares of public open space on-site, including land for provision of at least 2 play areas.
- Maximise opportunities to provide an attractive riverside frontage alongside the Lode and brook, which incorporates public open space, landscaping and appropriate orientation of buildings.
- Have particular regard to the layout and the scale, height, design and massing of buildings, and landscaping, in order to minimise visual harm to the adjacent Commons area and County Wildlife Site, and to provide views of St. Andrews Church.
- Provide a new and enhanced pedestrian and cycle link to the town centre, via a new bridge link over the drain close to Brook Dam Lane.

- Provide a new pedestrian and cycle link to the adjacent Commons to the north, via a new bridge link over the Lode at a suitable point to the rear of 10-22 East Fen Common. Will also require upgrades to the existing footpath between this point and Paddock Street.
- Provide a pedestrian and cycle link across the site along the length of the Lode frontage, which links at the southern end across County Wildlife Site 55 to the existing footbridge to the Commons.
- Provide a pedestrian and cycle link across the site to Greenhills.
- Protect and enhance County Wildlife Site 55 – particularly the section west of the Lode.
- Demonstrate that the flood risk on the site can be adequately mitigated.
- Demonstrate, through a Transport Assessment, that the site can be safely accessed by vehicles and that impacts on nearby roads can be adequately mitigated through traffic calming or other highways improvements.
- Provide safe vehicular access from at least one point off Brook Street, with an additional access point provided for emergency vehicles if only one main access point is provided.
- Provide high speed broadband, and a proportion of homes that are suitable for homeworking.
- Demonstrate there is adequate capacity in the sewage treatment works and the foul sewerage network.
- Provide appropriate evidence of the archaeological potential and significance of the site prior to the submission of a planning application; and
- Comply with the other policies of the Local Plan

9.5 The application site comprises part of the wider allocation site. The land falling within the allocation has several different land owners. As only part of the site is brought forward under the current application, it is not possible to fully masterplan the whole allocation. As such, the applicant has provided a number of illustrative drawings and plans to demonstrate that the current application would not prejudice the wider allocation. It is considered that the applicant has adequately demonstrated that additional access points to the site could be considered, and that the aims of the allocation policy could still be achieved. Therefore, it is not considered that the lack of a formal masterplan for the whole allocation would warrant refusal of the application.

9.6 Returning to the points within the allocation policy, the proposal provides an element of affordable housing as well as 5% self-build plots. Open space and a play area is also proposed on the site. The illustrative plans indicate that the areas toward the Lode would be landscaped, green areas with footpaths to provide an attractive riverside frontage in accordance with the SOH1 policy.

9.7 The elements of the SOH1 policy which relate to new pedestrian and cycle links to Brook Dam Lane, East Fen Common and Greenhills would not relate to this particular application, as the application site does not include the parts of the allocation where these links would be required.

9.8 Extensive information has been submitted in relation to ecology and biodiversity, which is discussed in section 9.43 – 9.48 of this report. The S106 also secures contributions toward the Soham Commons.

- 9.9 The applicant has satisfactorily demonstrated that flood risk on the site can be adequately mitigated, and this is discussed fully in section 9.49 – 9.58 of this report. Additionally, there are no objections from statutory consultees in relation to foul sewerage.
- 9.10 The application is supported by a Transport Assessment which has been considered by the Local Highways Authority and the Cambridgeshire County Council Transport Assessment Team. There are no objections from these consultees. The proposal would also secure via S106 the widening of the footway on Staples Lane between Brook Street and Fordham Road to a minimum of 2m in width, as well as a financial contribution of £58,000 towards the A142/ Fordham Road / A1123 roundabout improvement scheme.
- 9.11 Archaeological investigation has already been carried out at the site and the applicant has been in discussions with the Historic Environment Team regarding the findings. The Historic Environment Team raise no objection to development of the site, but recommend further conditions, which can be appended to any grant of permission.
- 9.12 The principle of development has been carefully considered and is concluded to be acceptable, subject to compliance with other relevant policies within the East Cambridgeshire Local Plan 2015.
- 9.13 Affordable Housing & Self-Build
- 9.14 Policy HOU3 of the Local Plan 2015 sets out that all new open market housing developments which incorporate more than 10 dwellings will be required to make appropriate provision for an element of affordable housing; A minimum of 30% of the total number of dwellings to be provided will be sought in the north of the district, and the policy explains that Soham, for the purpose of the policy, is within the north. The policy also sets out that the proportion and type of affordable housing will be the subject of negotiation with applicants. The precise mix in terms of tenure and house sizes of affordable housing within a scheme will be determined by local circumstances at the time of planning permission, including latest national policy requirements, housing need, development costs and the availability of subsidy.
- 9.15 The applicant proposes 20% affordable housing which would be secured via the S106 legal agreement. The proposal would not be strictly policy compliant, which would weigh against the proposal, but not significantly so given that the Council recognises through its Viability Assessment Information report prepared by Dixon-Searle Partnership in April 2019 which sets out (para 3.3.25) that in respect of Soham, it is considered “appropriate that the targets should be challenging but for the towns of Littleport and Soham a 20% headline (potentially subject to potential revision upwards with starter homes or similar included) would represent an appropriate amended scenario.” Given the viability evidence, the proposed affordable housing is considered to be acceptable.
- 9.16 Policy HOU 1 sets out that developments of 100 or more dwellings will be expected to provide a minimum of 5% self build properties. The inclusion of self build properties on smaller sites will also be encouraged. The S106 will ensure that that 5% of the total number of dwellings will be marketed/offered as self build plots in

line with the Custom and Self-Build Housing SPD. While the proposal is for up to 80 dwellings, policy SOH1 of the East Cambridgeshire Local Plan 2015 sets out that proposals will provide a minimum of 5% self-build plots. The proposal therefore includes 5% of self-build plots which would be secured via the S106 legal agreement.

9.17 Education & Library Contributions

9.18 Cambridgeshire County Council have reviewed the application and requested that education contributions are secured by way of the S106 legal agreement. As the application is in outline stage, contributions are based on dwelling size and tenure, and are to be calculated once the detailed design of the site is known. The S106 will also include the payment triggers.

9.19 The S106 legal agreement will also include contributions of £172.90 per dwelling toward the library and lifelong learning service.

9.20 Residential Amenity

9.21 Policy 130(f) of the NPPF specifically requires development to create places that promote health and wellbeing with a high standard of amenity for future users. Policy ENV2 of the East Cambridgeshire Local Plan 2015 requires proposals to ensure that there are no significantly detrimental effects on the residential amenity of occupiers of new buildings, especially dwellings, and that future occupiers enjoy high standards of amenity.

9.22 The application site is bounded to the south by the rear boundaries of the properties fronting Brook Street. The change of use of the site to residential development will cause changes to the area in terms of outlook and there may also be some impact from increased noise and traffic movement from the site. However, this is not considered to be significant such that planning permission should be refused on that basis. Indicative site plans have been submitted alongside the application to show how the site could be laid out. The indicative plans show that appropriate separation distances and orientations could be achieved in order to prevent impacts such as overbearing, overshadowing and overlooking.

9.23 It is considered that any impact on residential amenity could be adequately mitigated at the detailed design stage, with consideration given to adequate separation distances to existing properties and appropriate heights of the proposed dwellings, in line with the requirements of the Design Guide. Particular attention to the garden sizes, scale of properties, separation distances and plot orientations will be required to ensure no adverse impacts in relation to overlooking, overshadowing, and buildings being overbearing.

9.24 Impacts such as noise and disturbance from construction works could be controlled through the inclusion of conditions which restrict the construction hours, and the requirement for a Construction Environmental Management Plan (CEMP) to be submitted prior to any development commencing on site.

9.25 The applicant has submitted a Noise Impact Assessment which has been read by Environmental Health. The assessment concludes that the site will achieve the

relaxed target levels for noise with a partially open window. Environmental Health have no concerns to raise with regard the noise impact assessment. Environmental Health have requested conditions are appended to any grant of permission that require the details of any ground piling to be submitted prior to commencement in order to ensure that any impacts on amenity are fully considered. They have requested a commitment to the following restricted hours specifically for piling - 09:00 – 17:00 each day Monday – Friday and None on Saturdays, Sundays or Bank Holidays.

- 9.26 The details of this application (appearance, layout, scale and landscaping) would be considered at a reserved matters stage, however, it is considered that an appropriately designed scheme could be brought forward which prevents detrimental impacts to the amenity of neighbouring occupiers and ensures high standards of amenity for future occupiers, in accordance with policy ENV2 of the Local Plan 2015 and the NPPF.
- 9.27 Visual Amenity
- 9.28 Paragraph 130 and 134 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history. The NPPF makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 9.29 Policy HOU2 of the East Cambridgeshire Local Plan 2015 requires new development to have respect for and be informed by the character and density of the surrounding area, and take account of on-site constraints, including landscape features, neighbouring properties, availability of car parking and any heritage assets that may influence how or if a site should be developed.
- 9.30 Policy ENV 1 requires applications to ensure that they provide a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. The policy sets out that development proposals should respect the pattern of distinctive historic and traditional landscape features such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls, and their function as ecological corridors for wildlife dispersal. The policy requires proposals to take account of settlement edges, the space between settlements, and the wider landscape setting, as well as the visually sensitive natural skylines of the area. The policy also requires proposals to take account of the unspoilt nature and tranquillity of the area and the nocturnal character.
- 9.31 Policy ENV 2 requires applications to ensure that their location, layout, form, scale, massing and materials are sympathetic to the surrounding area by making efficient use of land and respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area. This policy seeks to retain existing important landscaping and natural and historic features, and expects proposals to include landscape enhancement schemes.

- 9.32 This element of the application is in outline form, with all matters reserved apart from access. While the detailed design of the proposal is unknown at this stage, the applicant has submitted a number of illustrative plans and drawings which indicate how the site may possibly be laid out at a design stage.
- 9.33 The application site comprises farmland and is part of a wider site allocated for residential development in the East Cambridgeshire Local Plan 2015 (SOH1). Brook Street runs from north-west to south-east of the site and Greenhills lies to the south-east of the site. The rear garden boundaries of properties fronting Brook Street adjoin the application site boundary. The remaining boundaries of the application site are bordered by agricultural land, with Commons land to the north. application site itself is approximately 5.01ha (12.3 acres) in area. Public footpath No.82 runs through the application site and links Brook Street to the Commons land. The site is well connected to the center of Soham.
- 9.34 There are a number of trees and hedges on the site at present, and the applicant has advised that it is intended to retain as much of the existing vegetation as possible, incorporating this into the landscaping for the site. While the detailed design is not under consideration at this stage, the illustrative plans submitted with the application show existing landscaping being incorporated within the site to create green corridors, and large areas of open space with walkways. The illustrative plans show development directed toward the existing built form of Soham, with green areas being located toward the Lode and the Commons. The applicant confirms that the site area is 5.01ha (12.3 acres), with approximately 1.91ha (4.71 acres) required for open space and 0.1ha (0.24 acres) set aside for the replacement dwelling. They confirm that the net residential area for up to 80 dwellings would result in a density of approximately 27 dwellings per hectare. The illustrative plans indicate that the existing PROW that crosses the site and links Brook Street to the Commons would be retained and enhanced. The illustrative plans show that site boundaries would be vegetated.
- 9.35 The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) prepared by Liz Lake Associates. The LVIA acknowledges that changes are inevitable in the context of delivering an allocation that accords with Local Plan policy. The LVIA notes that there are some attributes of the site which are reflective of the local landscape character, however the enclosure created by localised vegetation patterns contrasts with the openness of the wider landscape character of the fens, east of the A142. The LVIA notes that in this location, the town has a harsh urban edge which is unsympathetic. The LVIA concludes that the site is considered to have a moderate to low susceptibility to the proposed scheme for residential development. On balance, the LVIA considers that the proposal would have a limited effect on the landscape with the existing strongly defined boundaries largely retained and enhanced. The LVIA notes that this will result in a slight adverse effect initially which would reduce to negligible over time as the proposals establish. The LVIA sets out that the proposal will contribute to the landscape through a significant number of new features including the provision of woodland, trees and hedgerows which will fit in with the character of the location. The LVIA concludes that there would be a small number of visual effects but that these would be localised and limited in extent. Views of St Andrews Church tower from the Commons and the Lode's footpath will be unaffected, and the mitigation measures would ensure that the proposal becomes well integrated within the surroundings.

- 9.36 Consideration also needs to be given to the site's designation as an allocation for residential development within the East Cambridgeshire Local Plan 2015. The site is part of a wider allocation (SOH1), which comprises approximately 22ha (54.3 acres) of land. The application site occupies approximately 5.01ha (12.3 acres) of this allocation. The majority of the remainder of the allocation sits to the north-west of the site. It is considered that the illustrative plans submitted demonstrate that an acceptable scheme could be achieved, as a standalone scheme. Equally, it is considered that should the remainder of the allocation come forward in the future, that the site would not prejudice this visually.
- 9.37 It is considered that the illustrative drawings submitted indicate that sufficient space could be provided in order to accommodate high quality soft landscaping within the site, as well as to the site edges which could help to assimilate the development into its surroundings and soften the built form of the development. It is considered that at the detailed design stage an appropriate high-quality scheme could be submitted. The proposed development would be viewed against the backdrop of the built form of Soham. The Council's Tree's Officer have suggested conditions are applied in order to protect existing trees and hedgerows on site, and a management plan for ongoing maintenance is recommended. The Council's Conservation Officer has reviewed the proposals and advises that site is remote from any designated heritage assets and a setting impact assessment under Historic England's GPA3 would not be proportionate. They note that they concur with the LVIA view that the scheme will not have any adverse impact on the setting of any designated heritage assets (principally the parish church of St Andrew). The outline proposal is therefore considered to comply with policies HOU2, ENV1 and ENV2 of the Local Plan 2015, and the NPPF.
- 9.38 Highways
- 9.39 Policy ENV2 of the East Cambridgeshire Local Plan 2015 sets out that development proposals will be required to incorporate the highway and access principles contained in Policy COM7 of the Local Plan 2015 to ensure minimisation of conflict between vehicles, pedestrians and cyclists; safe and convenient access for people with disabilities, good access to public transport, permeability to pedestrian and cycle routes; and protection of rights of way. Policy COM8 of the Local Plan 2015 seeks to ensure that proposals provide adequate levels of parking, and policy COM7 of the Local Plan 2015 require proposals to provide safe and convenient access to the highway network. Paragraph 110 b of the NPPF seeks to ensure "safe and suitable access to the site can be achieved for all users". Paragraph 104 c of the NPPF sets out that "opportunities to promote walking, cycling and public transport use are identified and pursued" and that "Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes."
- 9.40 The application is submitted in hybrid form, with the site access being considered under the full planning permission element which has been discussed in section 8.18 – 8.22 of this report. The site access would comprise a priority T-junction at 5.5m wide, with 2m wide footpaths either side. The Local Highways Authority has reviewed the access proposals and following amendments throughout the application process, has no objections to the proposed access. The proposals have also been reviewed by the Cambridgeshire County Council Transport Assessment

Team. The Transport Assessment Team have confirmed that following amendments, they have no objection to the proposals. They have requested conditions which secure the widening of the existing footway on the western side of Staples Lane between Brook Street and Fordham Road to a minimum 2m in width. They have also requested a condition regarding Welcome Travel Packs. They have set out that the developer shall pay a monetary sum of £58,800 to the County Council towards the A142/Fordham Road/A1123 roundabout improvement scheme, and this can be secured within the S106 Legal Agreement. The proposal is considered to be compliant with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and the provisions of the NPPF.

- 9.41 Public footpath No 82 runs through the application site. The Asset Information Definitive Map Officer has reviewed the application and notes that the legal alignment of the public footpath is generally straight from the pathway between 93b and 95 Brook Street and appears to pass through a tree / hedge line to the east of the walked line. They note that the legal alignment differs from the walked line of the footpath. The note that the illustrative drawings state that the footpath will be retained, but have advised that if the walked line is the route which is to be retained it will require diverting by an order under S257 of the Town and Country Planning Act 1990. They have requested a condition to ensure that the appropriate process is carried out and that proposals are acceptable.
- 9.42 It is considered that at a reserved matters stage an appropriately designed scheme could be brought forward which satisfies the requirements of policies ENV2, COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9.43 Ecology
- 9.44 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 174 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 180 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.
- 9.45 Policy NE6 of the Natural Environment SPD sets out that all development proposals must provide clear and robust evidence setting out:
- information about the steps taken, or to be taken, to avoid and minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat
 - the pre-development biodiversity value of the onsite habitat based on an up to date survey and ideally using the Defra metric,
 - the post-development biodiversity value of the onsite habitat ideally using the Defra metric; and
 - the ongoing management strategy for any proposals.

- 9.46 The applicant has submitted an ecological assessment alongside the application. The assessment notes that the site comprises four fields of improved sward. There are nine lengths of hedgerow which qualify as priority Hedgerow Habitat of Principal Importance but are not Important Hedgerows under the Hedgerow Regulations. The assessment notes that there is potential for foraging bats on site and that the reptile survey recorded a singleton grass snakes which are likely to be from a core population off-site, but that there are no suitable hibernation areas present. The assessment highlights that nesting birds and swallows are likely.
- 9.47 The assessment makes a number of recommendations for mitigation and enhancement, and concludes that the scheme will impact habitats of lower ecological value, and species impacts will not be at the population level. Biodiversity Net Gain will be achieved via the provision of high quality habitats within open space, with a calculated gain of +12.6% for habitats and +11.5% for hedges. The Wildlife Trust have been consulted as part of the application and have advised that they are satisfied that the proposed biodiversity net gain is realistic and achievable and meets East Cambridgeshire biodiversity policy requirements. They note that the applicant proposes to contribute towards the Soham Commons access and biodiversity enhancement project by way of mitigation for the recreational impacts on East Fen Common arising from the development. They advise that with the additional mitigation proposed, by way of making a financial contribution towards implementation of the recommendations in the Soham Commons access and biodiversity enhancement report, the impacts on East Fen Common can be reduced to negligible. Concern has been raised within a neighbour response that the ecological information submitted does not address the full extent of wildlife in the area, however the information has been reviewed by the Wildlife Trust who have not raised any issue in this regard. Concerns have also been raised in regard to disruption of protected species, however this would be covered under separate legislation.
- 9.48 It is therefore considered that with the appropriate conditions appended to secure that the development is carried out in strict accordance with the ecology assessment submitted, and that a scheme of biodiversity enhancement is submitted, that the proposal complies with policy ENV7 of the East Cambridgeshire Local Plan 2015, the Natural Environment SPD, and the provisions of the NPPF.
- 9.49 Flood Risk and Drainage
- 9.50 Paragraph 6.9.1 of the East Cambridgeshire Local Plan 2015 is clear that “flood risk is an important issue for the district, particularly given the topography of the area and the context of climate change with related sea-level rises and increased incidents of heavy rainfall”. The Cambridgeshire Flood and Water SPD sets out that the general approach to flood risk and planning is that development should be directed to the areas at the lowest risk of flooding. Policy ENV8 of the Local Plan 2015 sets out that all developments should contribute to an overall flood risk reduction and that the sequential and exception test will be strictly applied across the district. It sets out that development should normally be located in Flood Zone 1. The policy states that development will not be permitted where it would:
- Intensify the risk of flooding during the lifetime of the development taking into account climate change allowances, unless suitable flood management and mitigations measures can be agreed and implemented.

- Increase the risk of flooding of properties elsewhere during the lifetime of the development, taking into account climate change allowances, by additional surface water run-off or impeding the flow or storage of flood water.
- It would have a detrimental effect on existing flood defences or inhibit flood control and maintenance work.
- Where the risk of flooding would cause an unacceptable risk to safety.
- Safe access is not achievable from/to the development during times of flooding, taking into account climate change allowances.

- 9.51 The application site is located within flood zones 1, 2 and 3, and varies across the site. The site is allocated as part of a wider residential allocation within the East Cambridgeshire Local Plan 2015 (SOH1). The application site itself is a smaller parcel of this allocation. As the site is allocated it has passed the sequential test in so far as development has been accepted on this site. The indicative layouts provided by the developer indicate that the site can be sensitively laid out to ensure that development is directed towards areas of the site at lower risk of flooding, with areas of open space directed toward flood zones 2 and 3.
- 9.52 The applicant has submitted a flood risk assessment and drainage strategy as part of the application. The document notes that as part of the scheme part of the site will be raised. All new homes would be a minimum of 300mm above the flood zone 2 and 3 maximum flood level to ensure that homes are safe from flooding, including in the 1 in 100 year storm event and climate change. Site specific modelling has been carried out, including across the wider SOH1 allocation which demonstrates that all new homes will be located in areas with a low risk of flooding. The applicant sets out that there is a theoretical residual flood risk in respect of the areas of open space and green infrastructure adjacent to the lode in the event of a breach of flood defences but that this is mitigated by the requirement for ongoing maintenance of the flood defences. The applicant sets out that in terms of future responsibilities for maintenance of the watercourse, riparian responsibility will remain with a single entity, and will be determined by the S106 which sets out that that ownership will sit with either the Town Council, District Council or a management company. Regarding the ongoing access to flood defences, this would be fully assessed at a reserved matters stage when the detail and layout is assessed. It is considered that a scheme could be brought forward which provides appropriate ongoing access to the flood defences.
- 9.53 The Internal Drainage Board have been consulted regarding the application and have advised that the site is outside of the Middle Fen and Mere Internal Drainage Board, and therefore they have no comments to make regarding drainage.
- 9.54 Anglian Water note that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development boundary. Anglian Water notes that the foul drainage from the development would be within the catchment of Soham Water Recycling Centre (SWRC). They note that the SWRC currently does not have capacity to treat the flows from the development site, but that they are obligated to accept foul flows from the development and would take the necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted. Anglian Water note that they are aware of the

growth current underway and forecast in the in the Soham Water Recycling Centre catchment. They confirm that they do not require investment at the Soham Water Recycling Centre at present, and that this will be monitored.

- 9.55 The Environment Agency have reviewed the proposals and have advised that it remains their view that the most sustainable option for the realisation of the SOH1 allocation is through consideration of the whole site rather than piecemeal applications. They set out that the illustrative masterplan that has been submitted does not demonstrate that a sequential approach has been used in its design to avoid areas at risk of flooding and that building layouts restrict access to flood defences and the watercourse. They set out that the layout places the riparian responsibilities for maintaining the watercourse under multiple landowners. The wider SOH1 allocation falls under several land owners. The applicant has submitted a range of documents alongside the application in place of a formal masterplan, to demonstrate that the proposed development does not prejudice the deliverability of the remainder of the site in accordance with the aims of the SOH1 allocation; particularly that across the wider site, development could be directed away from areas of higher flood risk. The Local Planning Authority considers that this is acceptable and accepts that the applicant cannot bring forward a site-wide masterplan on land they do not control. The Environment Agency have requested a condition is appended to any grant of approval in order to secure ongoing access to flood defences, management of the residual risk of flooding and maintenance strategies. They advise that they are satisfied at this stage that the proposed development could be allowed in principle but that the applicant will need to provide further information. Conditions may be appended to any grant of permission to secure the required information.
- 9.56 While the comments from the Environment Agency are noted, they have raised no formal objection to the proposal and have advised that all concerns raised are focussed on flood risk issues outside of their remit and that in these cases they would not normally attend or directly contribute to appeals (Appendix 1 of Environment Agency consultation responses dated 13th June 2023). Therefore, these concerns would not warrant refusal of the application.
- 9.57 The Lead Local Flood Authority (LLFA) have reviewed the information submitted and raise no objection in principle to the proposal. They advise that the LLFA is satisfied that there is sufficient space available within the site for a suitable surface water drainage system to be implemented. They note that there are many positive elements from the existing surface water drainage strategy with has benefitted from pre-application engagement with the LLFA, including limiting surface water discharge from the site to greenfield rates. They recommend a condition is appended to any grant of permission to require a detailed design of surface water drainage based on the final design of the site.
- 9.58 In summary, there are no objections from statutory consultees relating to flood risk or drainage. It is considered that an appropriate scheme may be brought forward at reserved matters stage which adequately addresses flood risk and drainage matters. Conditions may be appended to any grant of permission to secure the submission of appropriate drainage strategies for the wider site. This element of the application is therefore considered to comply with policy ENV8 of the East Cambridgeshire Local Plan 2015 and the provisions of the NPPF

9.59 Sustainability

9.60 Policy ENV4 of the Local Plan 2015 sets out that all proposals for new development “should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable”. The policy requires that developments for 5 or more dwellings “are required to achieve Code for Sustainable Homes Level 4 (or its replacement pending implementation of the zero carbon homes requirement)”.

9.61 The Council’s Climate Change SPD sets out that applicants could demonstrate their approach to the following:

- a. Minimising demand for energy through design;
- b. Maximising energy efficiency through design;
- c. Carbon dioxide reduction achieved through items a and b above, and through incorporation of renewable and low carbon energy sources;
- d. Water efficiency (including whether, for residential development, the design intends to voluntarily incorporate the Part G Building Regulations option of estimated water consumption set at no more than 110 litres per person per day, rather than the standard 125l/p/d);
- e. Site waste management;
- f. Use of materials (such as low carbon-embodied materials); and
- g. Adaptability of the building, as the climate continues to change.

9.62 The applicant has included an Energy and Sustainability statement with the application. The report sets out that a number of the key considerations would be addressed through the application of Building Regulations standards and developer responsibility. Based on the information submitted at this stage, it is considered that an appropriate scheme could be submitted at detailed design stage which maximises energy efficiency and incorporates renewable or low carbon energy sources. Building Control have reviewed the information and have raised no objections. It is considered appropriate to append a condition to any grant of permission which requires that prior to the commencement of development, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority.

9.63 Other Material Matters

9.64 Archaeological investigation has already been carried out at the site and the applicant has been in discussions with the Historic Environment Team regarding the findings. The Historic Environment Team raise no objection to development of the site, but recommend further conditions, which can be appended to any grant of permission.

9.65 With regard to contamination, a Phase 1 Desk Study and Preliminary Risk Assessment report has been submitted which has been reviewed by the Council’s Scientific Officer. They note that although most of the site is generally at low risk from contamination the report recommends that a Phase II investigation is carried

out. Conditions are recommended which can be appended to any grant of permission.

9.66 Other Matters

9.67 Concerns have been raised around the insurance costs for existing and new residents, however this is not a material planning consideration.

9.68 Neighbours have also raised concerns regarding subsidence of the new houses, however the construction of any dwellings would be agreed with Building Control at the appropriate stage. Additionally, concerns regarding fly tipping and incorrect waste disposal are not a material planning consideration.

9.69 Neighbours have raised concern that this development may lead to development on the wider site, however it should be noted that the wider site is allocated within the East Cambridgeshire Local Plan 2015 (SOH1) for residential develop of up to 400 dwellings.

9.70 Concerns have been raised around the loss of existing open space and its impact on the community, however it should be noted that while there is a public footpath running through the site, the land is privately owned.

9.71 It is noted that some positive comments have been received in relation to additional walking routes which would be provided by the development, as well as the retention of trees and hedges.

10.0 PLANNING BALANCE

10.1 The site is allocated within the East Cambridgeshire Local Plan 2015 and is wholly within the development envelope for Soham. It is considered that the principle of development is acceptable on this basis. The application would provide 20% affordable housing and 5% self-build properties.

10.2 It is considered that the outline application demonstrates that at a reserved matters stage an appropriately designed scheme could be brought forward which prevents detrimental impacts on the amenity of neighbouring occupiers and ensures a high standard of amenity for future users in accordance with policy ENV2 of the Local Plan 2015 and the NPPF. The LVIA submitted concludes that there would be no significantly detrimental visual impacts and that the proposal would have a limited effect on the landscape with the existing strongly defined boundaries largely retained and enhanced. The LVIA notes that this will result in a slight adverse effect initially which would reduce to negligible over time as the proposals establish. It is considered that it has been adequately demonstrated that a high-quality scheme could be brought forward which prevents significantly detrimental impacts on visual amenity, in accordance with policies HOU2, ENV1 and ENV2 of the Local Plan 2015, and the NPPF. The application proposes appropriate access arrangements and would secure financial contributions to local road infrastructure, and the proposal is considered at this stage to be compliant with policies ENV2, COM7 and COM8 of the Local Plan 2015. With regard to flood risk and drainage, the proposals have been reviewed by the relevant statutory consultees who confirm that there are no objections, and the proposal is therefore considered at

this stage to be compliant with policy ENV8 of the East Cambridgeshire Local Plan 2015, the Cambridgeshire Flood and Water SPD, and Chapter 14 of the NPPF. The Wildlife Trust are content that matters relating to ecology can be dealt with by way of an appropriately worded planning condition, and addressed at the reserved matters stage of the project.

11.0 COSTS

- 11.1 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.
- 11.2 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.
- 11.3 Members do not have to follow an officer recommendation indeed they can legitimately 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.
- 11.4 In this case members' attention is particularly drawn to the following points:
- Site is part of a wider allocation (SOH1) within the East Cambridgeshire Local Plan 2015.
 - No Statutory objections.

12.0 APPENDICES

- 12.1 Appendix 1- Recommended Conditions

Background Documents

21/01048/HYBM

National Planning Policy Framework -

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>

Appendix 1- Recommended Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

<u>Plan Reference</u>	<u>Version No</u>	<u>Date Received</u>
Arb Impact Assessment	Rev 2	25th March 2022
Ecological Assessment	NOV 21	22nd December 2021
Biodiversity Metric Spreadsheet	5.11.21	22nd November 2021
Flood Risk Assessment and Drainage Strategy		2nd August 2021
Hydraulic Modelling Report		2nd August 2021
018-019-100	P1	2nd August 2021
018-034-500	P2	2nd August 2021
C-601	P12	8th April 2022
C-602	P02	21st March 2022
C-603	P02	21st March 2022

- 1 Reason: To define the scope and extent of this permission.
- 2 FULL PLANNING PERMISSION FOR THE DEMOLITION OF 81 BROOK STREET AND PROVISION OF NEW SITE, REPLACEMENT BUNGALOW AND ACCESS:

The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those

elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Sustainable Drainage Strategy prepared by Waterco (ref: 12737-FRA & Drainage Strategy-03 dated July 2021) noting the above observations. and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) Temporary storage facilities if the development is to be phased;
- g) A timetable for implementation if the development is to be phased;
- h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- i) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- j) Full details of the maintenance/adoption of the surface water drainage system;
- k) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

- 3 Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be

incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

- 4 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 4 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 5 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 5 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 No development shall commence until the applicant has implemented a programme of archaeological work that has been secured in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:
 - a) The statement of archaeological significance and research objectives;
 - b) The programme, methodology and timetable of fieldwork and public engagement, and the nomination of a competent person(s) or organisation to undertake the agreed works;
 - c) Implementation of fieldwork;
 - d) A Post-excavation Assessment report and Updated Project Design to be submitted within six months of the completion of fieldwork;
 - e) An analytical archive report to be completed within two years of the completion of fieldwork and submission of a draft publication report (as necessary);
 - f) Preparation of the physical and digital archaeological archives for deposition at accredited stores approved by the Local Planning Authority.

- 6 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.

- 7 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 8 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 9 Prior to the commencement of any development, the remediation scheme approved in Condition 9 above shall be implemented in accordance with the agreed timetable

of works and to the agreed specification. The Local Planning Authority must be given two weeks written notification of commencement of any remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

- 9 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 10 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 11 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into onto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 11 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 12 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.

- 12 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 13 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on drawing C-601 Rev P12.
- 13 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 14 The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.
- 14 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 15 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on drawing C-601 Rev 12 in writing by the Local Planning Authority.
- 15 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 16 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated July 2021, prepared by Waterco; and the following mitigation measures detailed within the FRA:

The proposed development platform will be set at 5.17m AOD or above to ensure that all properties, gardens and access roads are flood free during the 1% AEP plus 35% CC and 1% AEP plus 65% CC breach events.

Finished ground floor levels of properties will be set at a minimum of 5.459m AOD or 150mm above surrounding ground levels, whichever is highest. A minimum floor level of 5.459m AOD will provide 300mm freeboard above the 1% AEP plus 35% CC breach flood level.
- 16 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 17 No above ground construction shall take place on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 17 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

- 18 No above ground construction shall commence until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include surfaces and boundary treatments. The works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with an implementation programme submitted to and approved in writing by the Local Planning Authority prior to first occupation.
- 18 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant (including retained existing trees/hedgerows) is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 19 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 20 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 20 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 21 **OUTLINE PLANNING PERMISSION (ALL MATTERS RESERVED EXCEPT FOR ACCESS) FOR THE CONSTRUCTION OF UP TO 80 NEW HOMES (INCLUDING AFFORDABLE HOUSING), PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE**
- Approval of the details of the layout, scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 2 years of the date of this permission.
- 21 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 22 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.

- 22 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 23 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Sustainable Drainage Strategy prepared by Waterco (ref: 12737-FRA & Drainage Strategy-03 dated July 2021) noting the above observations. and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) Temporary storage facilities if the development is to be phased;
- g) A timetable for implementation if the development is to be phased;
- h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- i) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- j) Full details of the maintenance/adoption of the surface water drainage system;
- k) Measures taken to prevent pollution of the receiving groundwater and/or surface water

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

- 23 Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.
- 24 Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc. The CEMP shall be adhered to at all times during all phases.
- 24 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 25 In the event of the foundations from the proposed development requiring piling, prior to the commencement of development the applicant shall submit a report/method statement to the Local Planning Authority, for approval in writing, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Noise and vibration control on the development shall be carried out in accordance with the approved details.
- 25 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 26 No development shall commence until the applicant has implemented a programme of archaeological work that has been secured in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:
 - a) The statement of archaeological significance and research objectives;
 - b) The programme, methodology and timetable of fieldwork and public engagement, and the nomination of a competent person(s) or organisation to undertake the agreed works;
 - c) Implementation of fieldwork;
 - d) A Post-excavation Assessment report and Updated Project Design to be submitted within six months of the completion of fieldwork;

- e) An analytical archive report to be completed within two years of the completion of fieldwork and submission of a draft publication report (as necessary);
- f) Preparation of the physical and digital archaeological archives for deposition at accredited stores approved by the Local Planning Authority.
- 26 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 27 Prior to the commencement of development, a scheme for the maintenance and management of the Bronze Age burial monument identified within the site and for the retention of public access to the monument shall be submitted to and approved in writing by the Local Planning Authority. The monument shall thereafter be maintained and managed and public access provided to it in accordance with the approved scheme in perpetuity.
- 27 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 28 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with 'Land Contamination Risk Management' (LCRM), Environment Agency, 2020. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 28 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 29 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human

health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 29 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 30 Prior to the commencement of any development, the remediation scheme approved in Condition above shall be implemented in accordance with the agreed timetable of works and to the agreed specification. The Local Planning Authority must be given two weeks written notification of commencement of any remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
- 30 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 31 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 31 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.

- 32 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 32 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 33 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 33 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 34 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on drawing C-601 Rev P12.
- 34 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 35 The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.
- 35 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 36 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on drawing C-601 Rev 12 in writing by the Local Planning Authority.
- 36 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 37 Prior to the first occupation of the 10th dwelling, where achievable the developer shall widen the existing footway on the western side of Staples Lane between Brook Street and Fordham Road to a minimum 2m in width as shown indicatively in drawing nos.C-602 Rev P02 and C-603 Rev P02. Details to be submitted to and approved by the Local Planning Authority and works to be carried out by the developer.

- 37 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 38 Prior to first occupation, the developer shall be responsible for the provision and implementation of Welcome Travel Packs to be agreed in writing with the Local Planning Authority. The Welcome Travel Packs shall be provided to the first occupants of each residential dwelling.
- 38 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 39 As part of the first reserved matters the development shall demonstrate how it complies with the Ecological Assessment prepared by Hopkins Ecology dated November 2021 and the scheme of biodiversity net gain contained. The submission shall include a timetable of works to implement the biodiversity net gain strategy, and shall be completed in accordance with that timetable.
- 39 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.
- 40 Prior to first occupation a scheme for the biodiversity net gain management and maintenance for a period of at least 30 years shall be submitted to and agreed in writing with the Local Planning Authority. The development shall comply with the agreed details.
- 40 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and the Natural Environment SPD, 2020.
- 41 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated July 2021, prepared by Waterco; and the following mitigation measures detailed within the FRA:
- The proposed development platform will be set at 5.17m AOD or above to ensure that all properties, gardens and access roads are flood free during the 1% AEP plus 35% CC and 1% AEP plus 65% CC breach events.
- Finished ground floor levels of properties will be set at a minimum of 5.459m AOD or 150mm above surrounding ground levels, whichever is highest. A minimum floor level of 5.459m AOD will provide 300mm freeboard above the 1% AEP plus 35% CC breach flood level.
- 41 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 42 No development approved by this planning permission shall commence until such time as a scheme to ensure the following has been submitted to, and approved in writing by, the local planning authority:
- o Ensure ongoing access to the flood defences and watercourse.

- o Manage the residual risk of flooding from Soham Lode so that no properties would flood onsite and there will be no increase in risk of flooding now and in the future.
 - o Implement a long-term maintenance strategy for the Soham lode and the associated flood defences that are on site or adjacent to the site.
- 42 Reason: To ensure the structural integrity of existing flood defences thereby reducing the risk of flooding, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 43 Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours: 0730 to 1800 each day Monday - Friday, 0730 to 1300 Saturdays and none on Sundays, Bank Holidays and Public Holidays.
- 43 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 44 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 44 Reason: The application has been assessed as acceptable and complying with policy ENV4 of the East Cambridgeshire Local Plan 2015 on this basis.
- 45 No development shall take place until a scheme to dispose of foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first occupation of any dwelling.
- 45 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 46 Prior to commencement of development, a rights of way access scheme shall be submitted to and approved by the Local Planning Authority in consultation with the highway authority. Such scheme shall include provision for:
- The design of access and public rights of way routes and their surfacing, widths, gradients, landscaping and structures
 - Any proposals for diversion and closure of public rights of way and alternative route provision
- 46 Reason: The application has been assessed as acceptable and complying with policy COM7 on this basis.
- 47 Prior to the commencement of development, the definitive line of the public rights of way shall be marked out on site.
- 47 Reason: The application has been assessed as acceptable and complying with policy COM7 on this basis.

- 48 As part of the soft landscaping scheme a Hedgerow and Woodland/tree Management and Creation Scheme should be submitted to and approved in writing by the Local Planning Authority. The Woodland Management and Creation Scheme (hereafter referred to as HWMCS) is required to contain details on the following:
- 1) The areas of woodland and hedgerows to be retained and/or enhanced;
 - 2) Areas where new woodland planting including public open spaces planting and hedgerows will be established;
 - 3) The methodology for the establishment of new areas of native woodland, public open spaces planting and hedgerows;
 - 4) Management of existing and proposed woodland, public open spaces planting and hedgerows to enhance their amenity and ecological value;
 - 5) Details of responsibility for the future management of the woodland areas, public open spaces and hedgerows.
 - 6) Details to cover a period of no less than 20 years or until decommission of the development
- 48 Reason: The application has been assessed as acceptable and complying with policy ENV7 on this basis.
- 49 No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 49 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 50 No development shall take place until a detailed Arboricultural Method Statement (AMS) compliant with BS 5837:2012 Trees in relation to design, demolition and construction has been submitted and approved in writing by the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

- 50 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 51 Prior to any occupation of the development, a scheme for the maintenance of the hard and soft landscaping for a minimum period of 10 years from last occupation, shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be maintained in accordance with the agreed scheme. The scheme shall include the following:
- i) methods for the proposed maintenance regime;
 - ii) detailed schedule of maintenance works;
 - iii) details of who will be responsible for the continuing implementation
 - iv) details of any phasing arrangements
- 51 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 52 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 52 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 97 of the NPPF.