

**22/00827/FUM**

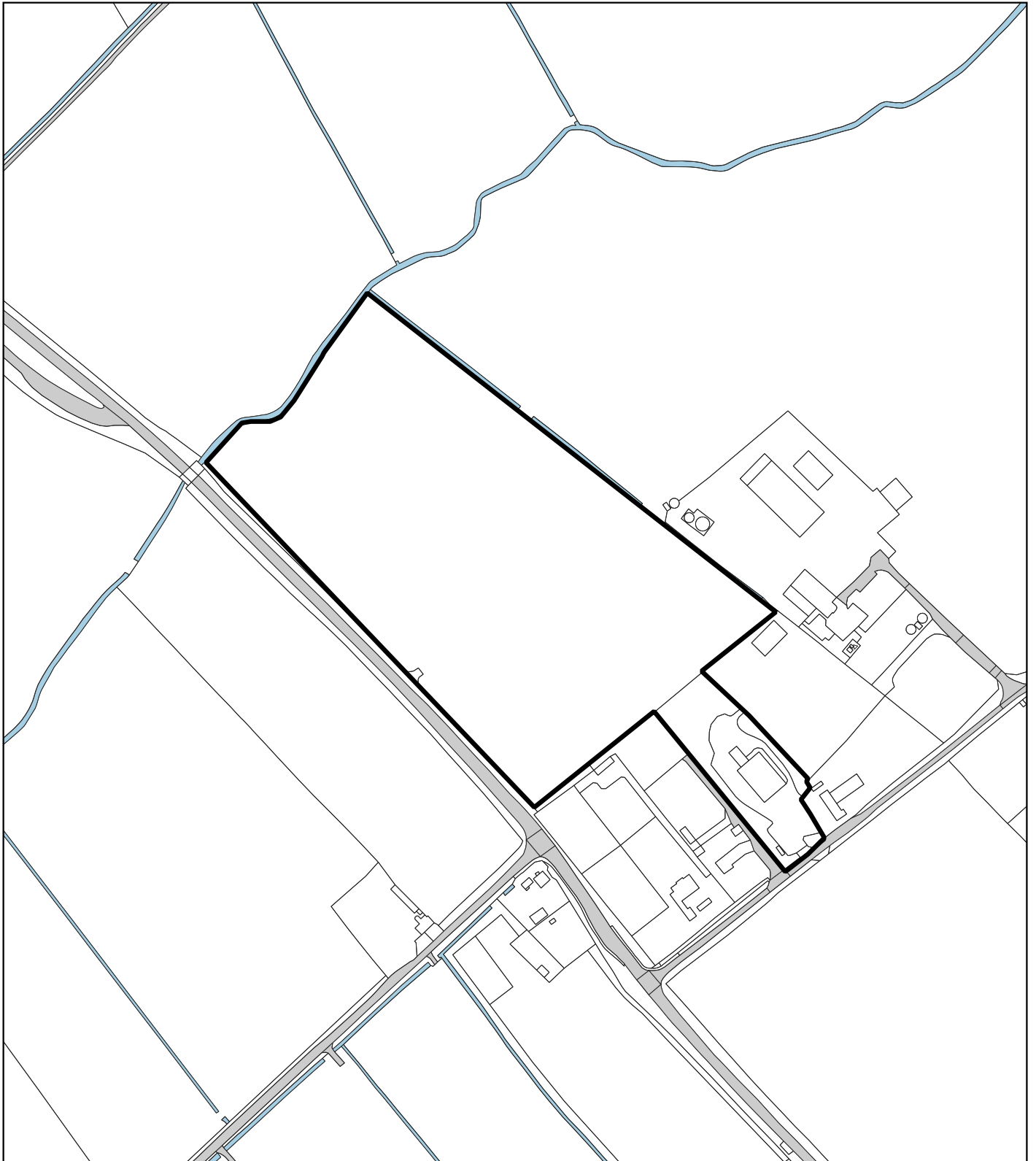
Barcham Trees Plc  
Eye Hill Drove  
Soham  
Cambridgeshire  
CB7 5XF

Change of use and extension of former engineering workshop to create a new visitor centre with a cafe, restaurant and retail facilities, car parking, new highway access arrangements and public access to arboretum

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=REPIE2GGIP700>





22/00827/FUM

Barcham Trees Plc  
Eye Hill Drove  
Soham



East Cambridgeshire  
District Council

Date: 07/06/2023  
Scale: 1:4,000



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**TITLE: 22/00827/FUM**

Committee: Planning Committee

Date: 21<sup>st</sup> June 2023

Author: Planning Team Leader

Report No: Y12

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**Site Address: Barcham Trees Plc, Eye Hill Drive, Soham, Cambridgeshire, CB7 5XF**

**Proposal: Change of use and extension of former engineering workshop to create a new visitor centre with a cafe, restaurant and retail facilities, car parking, new highway access arrangements and public access to arboretum**

**Applicant: Barcham Trees plc**

**Parish: Soham**

**Ward: Soham North**

Ward Councillor/s: Mark Goldsack  
Keith Horgan

**Date Received: 18 July 2022**

**Expiry Date: 23 June 2023**

**1.0 RECOMMENDATION**

1.1 Members are recommended to APPROVE the application subject to the signing of a Unilateral Undertaking to revoke application 17/01128/FUM and subject to the recommended conditions summarised below: The conditions can be read in full on the attached appendix 1.

- 1 Approved Plans
- 2 Time Limit
- 3 Arboricultural Method Statement
- 4 Construction Environmental Management Plan
- 5 Ground Piling
- 6 Surface Water Drainage
- 7 Surface Water Run-Off

- 8 Foul Water Drainage
- 9 Reptile Method Statement
- 10 Hedgerow Removal and Replacement
- 11 Details of Play Equipment and Furniture
- 12 External Materials
- 13 Soft Landscaping
- 14 External Lighting
- 15 Biodiversity Enhancements
- 16 Construction Times
- 17 Noise Levels
- 18 External Music
- 19 Opening Times
- 20 Delivery Times
- 21 Kitchen Extraction
- 22 Boundary Treatments
- 23 External Plant, Machinery and Equipment
- 24 Highway Improvements
- 25 Vehicular Gates
- 26 Parking
- 27 Access and Hardstanding Drainage
- 28 Metalled/Sealed Surface at Access
- 29 BREEAM
- 30 Exception to Opening Hours

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application seeks consent for the change of use of a former engineering workshop to create a visitor centre with a café, restaurant and retail facilities. The application would be associated with the existing arboretum which has been granted under application 19/00658/FUM and implemented. The application would see the arboretum opened for public access. The proposal includes car parking arrangements for the visitor centre and arboretum, access arrangements, and improvements to the junction of the A142.
- 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.eastcambs.gov.uk/online-applications/>.
- 2.3 The application is brought before Planning Committee in accordance with the Council's constitution.

## **3.0 PLANNING HISTORY**

### 3.1

#### **19/00658/FUM**

Engineering works to create new arboretum, including lake and activity areas

**Approved**

30 July 2019

#### **17/01128/FUM**

New arboretum and visitor facilities.

## **Approved**

4 January 2018

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

- 4.1 The site is located outside of the established development frameworks for both Ely (c.2.4 miles to the north-west) and Soham (1.3 miles to the south-east). The A142 runs along the western boundary of the site and Eye Hill Drove to the south which is a narrow single country track. There are a number of residential properties which front onto Eye Hill Drove.
- 4.2 The western part of the site contains the arboretum which is under construction and in the process of being planted. The portion of the site to the east where the visitor centre would be located currently contains a large engineering workshop set back from the public highway. There is mature vegetation to the site boundaries which provides screening from neighbouring properties. The site is accessed from Eye Hill Drove.

### **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 - 26 April 2023**

No comment or objection.

STC noted that this proposal will provide jobs for local people and encourage tourism

#### **Parish - 25 July 2022**

Change of use and extension of former engineering workshop to create a new visitor centre with a cafe, restaurant and retail facilities, car parking, new highway access arrangements and public access to arboretum.

Our previous comments apply. Our major concern is a suitable and safe traffic management at the junction with the busy A142

#### **Local Highways Authority - 17 May 2023**

The revised proposals as shown on the drawing 9070-F+M-01-DR-003-11 and P348 15 004 Rev C are acceptable in highway terms so I do not object to this application.

The mitigation proposals along the A142 and Eye Hill Drove align with previous permission (for a smaller scale of development) and therefore remain acceptable. Such mitigation will need to be implemented prior to commencement of use.

Please append the following conditions and informative to any permission granted:

#### **Conditions**

HW9A: Prior to commencement of use any gate or gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards. This style of access gate or gates shall be used at all times/thereafter be retained in perpetuity.

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.

HW22A: The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

Non-standard condition: Prior to the commencement of use, the vehicular access shall be constructed to include the provision of a metalled/sealed surface for a minimum length of 10m from the existing carriageway edge.

Informative

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 - 25 August 2022**

Subject to the following comments and recommendations:

Plan P348 15 004 Rev A does not show the swept path movements in the context of the proposed access, and it is not therefore possible to fully consider suitability of the proposals. The applicant should be invited to include the access arrangements on plan and to provide details of the vehicle used to define the swept paths.

From the information provided, the swept path for the vehicle turning out right from the site is shown to overhang the pedestrian crossing point on the external works proposed in the Transport Statement; this would not be acceptable, and the layout must be amended to prevent this.

While the likelihood of two large vehicle being required to pass one another at the junction is unclear, it is evident from the swept path plan that this could not be achieved.

Such occurrence would result in the junction becoming obstruct, which is likely to result in vehicles reversing either within the site or on the public highway. The applicant should be invited to quantify the likelihood of such occurrence and to demonstrate that the two-way movement between vehicles which can reasonably be anticipated to encounter one another at the access can be accommodated; otherwise, the access should be amended accordingly.

I would again recommend that this response be read in parallel with that of the County Councils Transport Assessment team.

**Local Highways Authority - 26 July 2022**

As a similar scheme, including the proposed highway works has prior consent (17/01128/FUM), I do not have an objection to this application. While the proposals differ, the differences are not material in highway terms.

However, the site access as shown on the drawing P348 15 004 is notably different to that previously approved. The access on Eye Hill Drive reduces to single lane width prior to the site access to avoid impact upon tree roots. To demonstrate this is suitable, the applicant will need to provide vehicle tracking for a coach entering and exiting the site, with the swept path contained within the carriageway.

The access from Eye Hill Drive, needs to be surfaced in a bound material (i.e., no gravel), for the first 5m length from the highway boundary.

Otherwise, the on-site layout, including turning provision is acceptable.

I recommend that you read this response in parallel to that of the County's Transport Assessment team.

**Local Highways Authority - 9 December 2022**

The latest drawings submitted showing access onto Eye Hill Drive are accepted and address previous comments made.

I therefore do not object to this application.

Please append the following conditions and informative to any permission granted:

**Conditions**

HW9A: Prior to commencement of use any gate or gates to the vehicular access shall be set back a minimum of 5m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards. This style of access gate or gates shall be used at all times/thereafter be retained in perpetuity.

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HW22A: The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

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**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 - 9 December 2022**

Given we recommended approval of the 2017 application and the current application proposes to reduce the size of the development, the TA team would not have any comments to make. The proposed application would generate less trips than the approved 2017 application.

**Environmental Health - 9 August 2022**

I have read the Phase I & II Environmental Assessment Report dated 15th February 2019 prepared by EPS and accept the findings that the site is suitable for use. A condition requiring further site investigation work is not for any change of use.

**Environmental Health - 26 July 2022**

We have recently commented on a Screening Opinion for this application under 22/00792/SCREEN.

Peter will respond separately with his comments regarding the Environmental Statement.

I would advise that construction times and deliveries during the construction phase 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

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.

The Application Form advises that there will be no trade effluent generated as part of this proposal. This would appear to be a clerical error as the D&AS correctly identifies that "Waste management would be undertaken by Barcham Trees as commercial waste". For clarity, I would be grateful if you could forward the attached Commercial Waste Duty of Care Information document to the Applicant so that they can ensure they are disposing of their waste legally.

Hours of Opening have been provided in the Application Form. These are given as 07:00 - 19:00 Monday to Friday, 08:00 - 17:00 on Saturday and none on Sundays or Bank Holidays. I have no issues to raise with this and would request that this is conditioned.

The Design and Access Statement advises that there is a mix of existing residential and commercial premises to the west. If I have calculated correctly it would appear as though it is 32m to the nearest sensitive receptor. I had previously advised in my comments to 22/00792/SCREEN that -



"I have gone back to Claire's previous comments concerning this and she advised that we would consider it necessary for a noise impact assessment and odour information to be provided with any application to ensure we are able to fully assess the potential impact on nearby residents."

I would echo these comments again due to the close proximity of sensitive receptors.

The Planning Statement discusses external mechanical plant and suggests -

"Whilst the building will be fitted with external plant and equipment to provide for extraction and ventilation, this will all be designed to industry standards. These standards are designed to be applied to far more confined urban environments where for example there may be flats above a development. Accordingly, it is reasonable to conclude that external plant can very easily be designed to avoid any adverse impacts to the closest residential properties. The details of the design, operation and future maintenance of such plant, can reasonably be controlled by way of planning conditions."

I would therefore recommend the following condition -

"The specific rated noise level emitted from mechanical plant at the site shall not exceed the existing background noise level. The free field sound level shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS 4142:2014+A1:2019.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy EN2 of the East Cambridgeshire Core Strategy 2009."

I would also recommend a condition which stipulates there is no external lighting without prior approval from the LPA. The D&AS makes reference to LED festoon lighting located in the external café area. If possible I would be seeking a condition which would stipulate that this type of external 'mood' lighting is not left on overnight/after a certain time. This may not be practicable for all lighting for H&S reasons but I would be happy to discuss this with you in greater detail.

The Design and Access Statement advises that "Deliveries for food and retail areas would occur through Barcham nursery to the rear retail space 'out of hours". I understand why this is desirable but I would still be seeking to restrict when these deliveries can take place so that they are not totally unrestricted. I would be happy to discuss this with you in greater detail if necessary.

The café has an outdoor area. It is not known if there is an intention to have music in this area but I would expect the requested NIA to take this in to account if it is part of the proposal.

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

**ECDC Trees Team - 21 July 2022**

No tree related objections to this application. Due to the existing trees on site that are being retained please condition the submission of an Arboricultural Method Statement to show how the retained trees will be protected throughout the development process. Please also condition the submission of a soft landscaping scheme in relation to the new visitor centre with a cafe, restaurant, retail facilities, car parking and highway access areas.

**Cambridgeshire Archaeology - 29 July 2022**

Thank you for your consultation with regard to the archaeological implications of the above referenced planning application.

Although this site lies in an area of archaeological potential, an archaeological evaluation of a larger area abutting the site redline to the north-west which was carried out in 2018 identified only limited archaeological evidence, predominantly consisting of post-medieval or modern ditches, furrows and field drains, with only sparse dateable material finds (Cambridgeshire Historic Environment Record reference ECB5337). On the balance of evidence it is therefore not considered that redevelopment of the former engineering workshop and its environs will be likely to impact upon significant archaeological remains, and on this basis we have no objections and no requirements for this development as proposed.

**Technical Officer Access - 10 August 2022**

A defined safe walking route required from family parking/Blue Badge parking.

Steps to mezzanine level need to have high contrast strip across the edge of each step to aid visually impaired people with the depth perception of each step.

The lift to the mezzanine floor should have a minimum lifting capacity of 400kg.

Flexible seating required throughout.

Please make sure that all pathways are bonded pea gravel not loose.

Good clear signage required throughout.

**The Ely Group Of Internal Drainage Board - 2 June 2023**

Following our response to the application, the agent has been in contact with the Board.

They have confirmed the runoff rates for the site, and that they will be as existing. It has also been confirmed that Barcham Trees will continue to pump water out of the Board's Main Drain into their reservoir, further downstream.

Therefore, the Board is happy to lift its objections to this application. The applicant will still require the Board's consent for the new discharge.

**The Ely Group Of Internal Drainage Board - 2 May 2023**

The application is an amendment to 22/087/FUM and is an update to the drainage strategy. The application being in connection with a change of use and extension for an Arboretum at Eye Hill Drove, Soham. The site being within the Middle Fen and Mere IDB District, with discharge being to a Board maintained drain.

Comments have previously been made to the proposals by ourselves in a letter dated 22nd July 2022, and which related to the previously lodged drainage strategy / proposals. At that time the discharge from the proposed development was to be limited to the Board's specified green field run off of 1.11 l/s/ha. On this basis the Board having no objection to the proposals, subject to a Bye Law Consent application being received.

The updated application includes a revised drainage strategy, which differs from the previous document. (The document being prepared by a different author.) It does not comply with the requirements of the Board in terms of restricting the discharge from the development to the required 1.11 l/s/ha and has not taken into account the contents of the email from the Board as included in the appendix to the previous report, or the fact that the same criteria has historically been previously applied to the development site. (Reference an FRA prepared in 2017 by Evans River and Coastal Consultants, and also referred to in the previous report on which our response the of July 2022 was based).

Notwithstanding the above, the current strategy also confirms that the site currently has no positive discharge to the IDB system, relying on overland flow and infiltration to dispose of surface run off.

The previous report limited discharge from the site to the IDB system to 1.01 l/s, based on the drained development area. The same criteria applied to the current development area of 1.02ha would result in a permitted discharge of 1.16 l/s.

Taking the above into account, and the previous response to the LPA / correspondence entered into with those acting for the applicant, the Board object to the application until the discharge is limited to that as previously advised by the IDB.

**The Ely Group Of Internal Drainage Board - 1 August 2022**

The above application is within the Middle Fen and Mere Internal Drainage District. The Flood Risk Assessment for the site has incorporated the Board's discharge rate requirements in the surface water design for the site. Therefore, on the basis that the applicant applies for the Board's consent for the discharge into our system, the Board has no objections to the application.

**Anglian Water Services Ltd - 25 July 2022**

Thank you for your consultation. Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments.

**Anglian Water Services Ltd - 21 July 2022**

Thank you for your consultation. Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments.

If this is to change, please re-consult with us.

**Environment Agency - 3 August 2022**

Thank you for your consultation email received 19th July 2022. We have reviewed the information provided and have no objection but wish to make the following comments.

**Flood Risk**

A small part of the site is within Flood Zones 2 and 3 on our Flood Map for Planning, but within an area benefitting from flood defences.

The FRA demonstrates that the site is outside the area shown to be at risk of flooding in the event of a breach of the Ely Ouse flood defences. As such, we consider that the main source of any fluvial flood risk at this site is associated with watercourses under the jurisdiction of the Middle Fen and Mere Internal Drainage Board (IDB).

**Groundwater and Contaminated Land**

The site is located above a Principal Aquifer. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>. If the development proposes to use deep infiltration systems including boreholes and other structures that by-pass the soil layer we would wish to be re-consulted.

**Foul Drainage - Guidance for Applicant**

The site is located in an area which is not served by the public foul sewer. Accordingly, the proposal will need a non-mains drainage system.

In addition to planning permission you may also require an Environmental Permit for your non-mains drainage system. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Further information can be found at GOV.UK:

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

**Lead Local Flood Authority - 26 April 2023**

We have reviewed the following documents:

- Flood Risk and Hydrology, Amber Planning Ltd, Ref: H8423, Dated: April 2023
- Conceptual Drainage Layout, Amber Planning Ltd, Ref: H8423-001, Dated: April 2023

Based on these, as Lead Local Flood Authority (LLFA) we can remove our objection to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving over the parking areas and a swale to provide further conveyance and attenuation before discharge into the adjacent watercourse at the greenfield equivalent rates.

We request the following conditions are 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 Hydrology document prepared by Amber Planning Ltd (ref: H8423) dated April 2023 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) 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;
- f) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Permissions to connect to a receiving watercourse or sewer;

#### 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.

#### Condition

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be

avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

#### Reason

To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

#### Informatives

##### IDB Consent

This site falls within the Middle Fen and Mere Internal Drainage Board (IDB) who is managed by the Ely Group of IDBs. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

#### 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.

#### **Lead Local Flood Authority - 14 December 2022**

At present we object to the grant of planning permission for the following reasons:

##### 1. Surface water flood risk

Based on the Long Term Flood Risk Mapping for surface water, it is noted that a large proportion of the car park is located in an area of low, medium and high surface water flood risk, which also appears to form an overland flood flow conveyance route. The potential depths of flooding are shown to be between 300mm and 900mm deep.

The Proposed Drainage Strategy Sheets demonstrate that the permeably paved car park is designed to attenuate surface water up to the 1% annual exceedance probability event including a 40% climate change allowance, which is shown to be partially situated in the location of the medium and high surface water flood risk. Whilst it is positive to see permeable paving proposed, it should be noted that the use of SuDS which are designed to cater for exceedance events should not be sited within areas of flood risk as this could compromise the system's ability to contain surface water drainage runoff of the proposed development, which could result in an increase in surface water flood risk. Therefore the LLFA is unable to support proposals to construct the permeable paving in the location of conveyance routes/areas of medium and high surface water flood risk.

At present, it is unclear if the proposed car park will alter the existing topography and landscape. Any proposals to raise ground levels could significantly divert and displace surface water from the existing overland flood flow conveyance route, therefore changing and increasing the surface water flood risk for neighbouring and downstream land and property. In accordance with Paragraph 167 of the National Planning Policy Framework (NPPF) and Section 4 of the Cambridgeshire Flood and Water Supplementary Planning Document, it should be ensured that flood risk is not increased elsewhere. Therefore, we request modelling be provided to adequately demonstrate that the proposals of the development would not increase surface water flood risk to neighbouring land and/or property and compensatory storage can be suitably provided to protect any properties from displaced surface water. In accordance with Policy ENV 8 of the East Cambridgeshire District Council Local Plan, development should only be permitted where the risk of flooding would not cause an unacceptable risk to safety.

## 2. Sequential test

Based on the Flood Risk Assessment and Drainage Strategy, it is noted that the proposed visitor centre building will be located within the very low risk area for surface water with the finished floor levels raised 300mm above levels of the adjacent footways and parking areas and therefore the hazards to people is classified as 'Very Low', as per the Defra Flood Risk Assessment Guidance for New Development report (FD2320/TR2). However, the proposed car parking area located in the area of surface water flood risk is classified as 'Very Low' to 'Dangerous for Most'.

At present, the Flood Risk Assessment and Drainage Strategy states that the development site is not subject to the Sequential Test as the site is located in Flood Zone 1. However, as per paragraph 167 of the NPPF, when determining any planning applications, in light of the sequential and exception tests (as applicable), the local planning authority should ensure that flood risk from any source is not increased elsewhere and therefore the LLFA consider that the sequential test should be applied as part of this application.

## 3. Hydraulic calculations required

a) At present, hydraulic calculations have not been provided to support the proposed surface water strategy. Calculations to show the performance of the system for a range of summer and winter storm durations from 15 minutes up to the 10080 minute (7 day) should be undertaken. For storm durations less than 1 hour, Flood Studies Report (FSR) rainfall data should be used. For storm durations greater than 1 hour, Flood Estimation Handbook (FEH) rainfall data should be used. FEH data must be used in these longer duration storms as it uses more up to data rainfall data and is more accurate for the purpose of modelling the future storm events over other data sources such as FSR for the larger duration storms.

For the critical 3.3% AEP rainfall event there should be no above ground flooding and for the 1% AEP rainfall event including an allowance for climate change some short term above ground flooding may be permitted. It should be demonstrated that flood water is below 300 mm from the buildings finished floor levels and does not disrupt emergency access routes.

b) The standard default setting of many surface water computer modelling programmes assumes a freely discharging outfall. Careful consideration is required and evidence provided to demonstrate that this assumption is correct. In many circumstances an outfall maybe surcharged affecting its hydraulic capacity and impacting on the surface water network. A surcharged outfall is likely to occur if discharging into a watercourse or surface water network near capacity. In these scenarios, and with the absence of supporting information to the contrary, it is expected the surface water calculations will assume a surcharged outfall.

c) In accordance with the latest climate change peak rainfall intensity allowances, a climate change allowance should be incorporated into the surface water management scheme for the 3.3% annual exceedance probability (AEP) rainfall event. The allowance used should be based on the lifetime of the development and therefore should include a 35% climate change allowance on the 3.3% AEP hydraulic calculations.

#### Informatives

##### Infiltration

Infiltration rates should be worked out in accordance with BRE 365/CIRIA 156. If infiltration methods are likely to be ineffective then discharge into a watercourse/surface water sewer may be appropriate; however soakage testing will be required at a later stage to clarify this.

##### IDB Consent

This site falls within the Middle Fen & Mere Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

##### 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.

##### Assistance For Developers

o Cambridgeshire County Council has a surface water guidance document which is available to view [here](#). This document provides checklists and templates to help ensure you include sufficient information within your drainage strategies. Following this guidance will help reduce the risk of an objection which can hold up a planning application.

Chief Executive Stephen Moir [www.cambridgeshire.gov.uk](http://www.cambridgeshire.gov.uk)

[www.cambridgeshire.gov.uk](http://www.cambridgeshire.gov.uk)

o We also offer a pre-application service which enables you to discuss your drainage proposals with the LLFA Officers prior to submission of a formal application.



## **Design Out Crime Officers - 26 July 2022**

Thank you for the opportunity to comment on this amended planning application. I have viewed the documents and design and access statement (DAS) in relation to crime, disorder and the fear of crime and have searched the Constabulary crime and incident systems covering this location past two years - a two-year period would usually provide sufficient information however, these figures also take account of Covid-19 lockdown and restrictions, I would consider this to be an area of low vulnerability to the risk of crime at present. It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, and the environment provide a safe place for employees and visitors.

I note that there have been a few reported crimes and incidents at this location in the past, with that in mind and previous experience of issues related to café's and similar businesses in rural locations, I would like to refer you to the below recommendations:

**Lighting** - For the safety and security of staff and visitors our recommendation is that the area surrounding the proposed café and outside space including access roads and footpaths, car and cycle parking including loading areas are lit by columns 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, where they are prone to damage. Care should be taken in relation to the location of lighting columns, not near trees or climbing aides. I understand the ecology issues in relation to lighting however lighting shields to prevent excess light spill are available for the welfare of wildlife and ecology. A professional lighting plan including lux level and calculations for this location would be required, to ensure the correct positioning of the lights within the location. There should be dusk to dawn bulkhead lighting above all entrances and around the building line.

### **Window and door standards and certification**

o Doors - all door sets allowing direct access, e.g. front and rear entrance door sets, plant rooms and fire doors will be certificated to one of the following standards:

- o PAS 24 - 2016 or
- o STS 201 Issue 4:2012 or
- o LPS 1175 Issue 7.2 (2014) Security Rating 2+ or
- o STS 202 Issue 3 (2011) Burglary Rating 2 or (Commercial door sets)
- o LPS 2081 Issue 1 (2015) Security Rating B+

NB: The benefits of third party certification are recognised within ADQ, Appendix A, Note 3.

o Windows, roof windows and roof lights - all ground floor and easily accessible windows, shall be certificated to one of the following standards:

- o PAS 24 - 2016 or
- o STS 204 Issue 4:2012 or
- o LPS 1175 Issue 7.2 (2014) Security Rating 1 or
- o STS 202 Issue 3 (2011) Burglary Rating 1 or
- o LPS 2081 Issue 1 (2015) Security Rating A

NB: Easily accessible is defined within Approved Document Q Appendix A.

Curtain walling - there are now certificated companies that are registered under Secured by Design

o Curtain Walling (If applicable): - While there are few tested curtain walling systems it is advisable to see evidence that any curtain walling system is secure. Communal entrance doors within the curtain walling should still be able to achieve the relevant test and certification standard, LPS1175-SR1 or LPS2081.

Please note that recently there has been some confusion concerning appropriate window and door suppliers. It should be understood that 'Certificated to relevant standards' (Police Preferred Specification) means that any manufacturer/fabricator of the installed door or window holds independent third party certification in their own company name, from an Approved Testing/Certification House. (Please see Paragraph 19 SBD Homes 2016 and Building Regulations Approved Document Q, Appendix A, Note 2 for full details)

There are now tested products and information on those is within the Secured by Design web site. Please follow a link to the accredited product search at:

<https://www.securedbydesign.com/member-companies/accredited-product-search>

Some Accepted Certification Facilities:

- o Bluesky Certification
- o BM Trada Certification
- o BRE Global
- o British Board of Agreement (BBA)
- o British Standards Institute (BSI)
- o British Woodworking Federation (BWF)
- o Build Check Certification
- o ER Certification
- o Warrington Certification
- o IFC Certification Ltd
- o UL International (UK) Ltd
- o Wintech Engineering Limited

Alarms - BS EN 50131 for wired alarm systems 4 grades (to accommodate all EU requirements)

o Buildings - loss prevention standard 1175 Burglary resistance of buildings and fences, Intruder resistance, security grills. Shutters etc. commercial risk 2,3 and 4.

o BS 8220 - Guide for the security of Buildings against crime - comes in 3 parts and gives guidelines on security measures that can be introduced to protect against crime.

o Offices and shops

o Warehouse and distribution

o CCTV - (NSI and SSAIB accreditation is also applicable for CCTV)

o BS 7958 CCTV Management and Operation Code of Practice

o BS 8495 Export of Digital Images

o BS 8418 Remote Monitoring Stations

o BS 62676 British Standard for the minimum requirements for CCTV Surveillance in security applications

Cycle - Should be in view of active windows, well-lit and covered by CCTV. Sheffield stands should be secured into the ground (not bolted down) as per Secured by Design guidelines. Minimum requirements for such equipment are:

- o Galvanised steel bar construction (Sheffield stands). There are now certificated companies registered under Secured by Design (lock it safe) sold secure silver.
- o Minimum foundation depth of 300mm with welded 'anchor bar'
- o The cycle stands must facilitate the locking of both wheels and the crossbar.

Landscaping - there must be a good maintenance plan in place - hedging and planting should be kept down to 1m - 1.2m and tree crowns raised to 2m to ensure clear views and surveillance across each site.

I would encourage the applicant considers submitting a "Secured By Design" (SBD) commercial 2015 application as I believe this development could attain this award with consultation.

I have no further comments at this time.

**Cambs Wildlife Trust - No Comments Received**

**Consultee For Other Wards In Parish - No Comments Received**

**Cambridgeshire Fire And Rescue Service - No Comments Received**

**CCC Growth & Development - No Comments Received**

**Ward Councillors - No Comments Received**

**Cambridgeshire Fire And Rescue Service - No Comments Received**

5.2 A site notice was displayed near the site on 22<sup>nd</sup> August 2022 and a press advert was published in the Cambridge Evening News on 11 August 2022.

5.3 Neighbours – 20 neighbouring properties were notified and the responses received are summarised below. A full copy of the responses are available on the Council's website.

- Concerns regarding the cessation of the Number 12 bus service increasing trips by car to the site.
- Development will enable reuse of a building.
- Less hazardous entry point.
- Concerns regarding accessibility by non-vehicle modes of transport.
- Concerns regarding vehicles using Eye Hill Drove and Barcham Road to get to and from the site.
- Concerns regarding conflict between cars and pedestrians / cyclists.
- Pleased about cycle parking provision.
- Pleased that the bus stop has been relocated.
- Questions the Crashmap data included in the Transport Statement.
- Concerns regarding accidents that have taken place on the A142.
- Requests for speed limit along Eye Hill Drove to be 30mph.
- Concerns regarding visibility at the junction with the A142.
- Concerns regarding the waiting times to exit Eye Hill Drove.

- Concerns regarding coaches turning right onto the A142.
- Concerns regarding pedestrian safety within the site.
- Concerns regarding impact on residential amenity from construction work.
- Concerns regarding external lighting.
- Preliminary Ecological Appraisal notes there are bats on site and lighting should be kept to a minimum.
- Concerns regarding opening hours.
- Concerns regarding noise and potential music.
- Concerns regarding drainage and effects on Fen Ragwort.
- No electric vehicle charging points.
- Log burner will produce carbon dioxide and other emissions.
- Concerns regarding increased traffic.
- Concerns regarding existing disturbance from Barcham Trees.

## **6.0 THE PLANNING POLICY CONTEXT**

- 6.1 East Cambridgeshire Local Plan 2015
- |          |   |
|----------|---|
| GROWTH2  | Locational strategy   |
| GROWTH 3 | Infrastructure requirements                                     |
| GROWTH 4 | Delivery of growth  |
| GROWTH 5 | Presumption in favour of sustainable development                |
| EMP 1    | Retention of existing employment sites and allocations          |
| EMP 2    | Extensions to existing businesses in the countryside            |
| EMP 4    | Re-use and replacement of existing buildings in the countryside |
| EMP 7    | Tourist facilities and visitor attractions                      |
| 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 14   | Sites of archaeological interest                                |
| COM 7    | Transport impact  |
| COM 8    | Parking provision   |
- 6.2 Supplementary Planning Documents
- Design Guide
  - Flood and Water
  - Developer Contributions and Planning Obligations
  - Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated
- 6.3 National Planning Policy Framework 2021
- |    |  |
|----|--|
| 6  | Building a strong competitive economy                                |
| 7  | Ensuring the vitality of town centres                                |
| 8  | Promoting healthy and safe communities                               |
| 9  | Promoting sustainable transport                                      |
| 12 | Achieving well-designed places                                       |
| 14 | Meeting the challenge of climate change, flooding and coastal change |
| 15 | Conserving and enhancing the natural environment                     |

## 7.0 **PLANNING COMMENTS**

7.1 The application is assessed in accordance with the development plan which comprises 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, heritage, residential amenity, traffic and transportation, parking provision, biodiversity and ecology and water management.

### 7.3 **Principle of Development**

7.4 The site is located outside of the established development frameworks for Soham and Ely. Policy GROWTH 2 of the Local Plan 2015 sets out the overall strategy for the distribution of growth across the district. The policy is up-to date and aims to ensure that growth takes place in appropriate locations across the district. Within the defined development envelopes housing, employment and other development to meet local needs will normally be permitted, provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations are satisfied. Outside defined development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Development is restricted to a limited number of categories. Of relevance to this application are policies EMP1, EMP2 and EMP4 of the East Cambridgeshire Local Plan 2015, which relate to extensions to businesses in the countryside and the re-use and replacement of buildings in the countryside, and EMP7 relating to tourist facilities and visitor attractions.

7.5 Policy EMP1 seeks to retain land or premises currently or last used for employment purposes and specifies use Classes B2, B8 and B1 (which is now covered by Class E.g (I to iii)).

7.6 Policy EMP2 sets out that proposals to expand existing businesses in the countryside will be permitted where:

- The proposal does not harm the character and appearance of any existing buildings or the locality.
- The proposal is in scale with the location, and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated.
- The extension is for the purpose of the existing business; and
- Any intensification of use will not detract from residential amenity.
- Full justification for the proposals should be submitted with a planning application.

7.7 Policy EMP4 sets out that proposals for the re-use of existing buildings in the countryside for business (B1, B2, B8), tourism, outdoor recreation or community-related uses which require a planning application will be permitted where:

- It can be demonstrated that the building is of permanent and substantial construction.
- The form, bulk and design of the building is of visual merit, architectural merit or historical significance, and is in general keeping with its surroundings.
- The proposal does not harm the character and appearance of the building or the locality.
- The proposal would not (by itself or cumulatively) have a significant adverse impact in terms of the amount or nature of traffic generated; and
- Other Local Plan policies relating to specific uses are met.

7.8 Policy EMP7 of the Local Plan 2015 sets out that proposals for new tourist or visitor attractions will be supported where there is an identified need to create new facilities or to expand or improve existing visitor attractions and facilities to ensure their continued viability.

7.9 The policy requires that:

- The proposal is of an appropriate scale and nature relative to its location, and would not (by itself or cumulatively) have a significant adverse impact in terms of the amount and nature of traffic generated.
- The character & appearance of the area and natural assets would be maintained and enhanced.
- The proposal maximises opportunities for sustainable travel including walking, cycling and public transport; and
- Opportunities to reuse existing buildings have been explored.

7.10 Paragraph 84 of the NPPF sets out that planning decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside

7.11 Paragraph 85 of the NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

7.12 The purpose of the delivery of the arboretum and visitor centre is to expand the existing business and to showcase Barcham Trees' products. The arboretum itself has already been approved under application 19/00658/FUM and is currently under construction. It should be noted that there was an application prior to this,

17/01128/FUM, under which the arboretum and a new visitor centre was approved. These applications therefore provide a significant material consideration when considering the current proposals.

- 7.13 The proposed building to accommodate the visitor centre would utilise an existing building and includes extensions to accommodate the proposals. The matters of visual impact, residential amenity and highway safety are discussed in full within the relevant sections of this report, however given the sites previously developed nature, it is not considered that there would be harm to the character and appearance of any existing buildings or the locality. The proposal would be in scale with its locality and is for the purposes of the existing business. The building which is proposed to change use is of a permanent and substantial construction, and the alterations to the existing building are considered to improve and enhance the visual appearance of the site. The proposed visitor centre would be of a smaller scale than that which was previously approved.
- 7.14 The re-use and extension of an existing building and brownfield site is proposed. The proposal would ensure the retention of land and premises last used for employment purposes and would see an increased provision of jobs. Barcham Trees currently employs 80 full time staff, and 15 seasonal staff. The proposal would provide an increase in jobs, with 100 full time positions and 20 seasonal positions.
- 7.15 The proposal includes improvements to the local highway in order to accommodate the development and ensure highway safety by way of improvements to the A142/Eye Hill Drove junction and proposed widening improvements to Eye Hill Drove. While the proposal will see an increase in visitors to the site, the Local Highways Authority considers the highway improvements will mitigate this increase.
- 7.16 The proposal may create some impacts on residential amenity (see 7.36 below), however it is considered that these may be adequately controlled by way of planning conditions to ensure that the proposal does not create any significantly detrimental impacts.
- 7.17 The NPPF is clear in that the sustainable growth and expansion of businesses in rural areas should be supported, specifically where this involves the conversion of existing buildings. It is also clear that there is support in the NPPF for the diversification of land-based rural businesses and sustainable leisure developments. The NPPF recognises that in rural areas, sites may be beyond existing settlements, in locations that are not well served by public transport. The proposal would see the arboretum opened to the public, and the creation of high quality visitor centre. This is a unique opportunity for the district, and provides a visitor attraction that is not currently found in this area. At the same time, the proposed development would enable the expansion and diversification of the existing business and enable the business to showcase its products. While the proposal is not well connected to the nearest settlement of Soham, it would be unreasonable to request that the applicant justify why sites closer to the settlement are not proposed. The proposal would be well related to the existing Barcham Trees operation, an established business covering approximately 150 acres (60.70ha).

- 7.18 It is considered that the proposal complies with policies EMP1, EMP2, EMP4, and EMP7 of the Local Plan 2015 by providing an expansion of the existing business through the conversion and extension of an existing building on a previously developed site, which would provide a tourist attraction. The engineering workshop has ceased to operate, and the proposal would mean that the site would continue to be used for employment purposes. The proposal is also considered to comply with the aims of the NPPF.
- 7.19 The principle of development is therefore considered to be acceptable providing the proposed development accords with all other relevant planning policies.
- 7.20 Retail Impact Assessment
- 7.21 Policy COM1 of the Local Plan 2015 sets out that a retail impact assessment will be required for retail schemes outside town centres which propose 280m<sup>2</sup> or more of net retail floorspace.
- 7.22 The policy sets out that outside the town centres of Ely, Soham and Littleport, proposals for retail and 'town centre uses' may be permitted under the following circumstances:
- The sequential approach has been followed and there are no suitable sequentially preferable sites available.
  - The site is suitable for the proposed use and the building form and design is appropriate in the local context.
  - The scale and type of development is directly related to the role and function of the centre or its locality, in accordance with the hierarchy in Policy GROWTH 2.
  - For retail developments of 280m<sup>2</sup> net floorspace or larger, there would be no adverse effect on the vitality and viability of the nearest town centre, or on any other centres, as demonstrated in a Retail Impact Assessment.
  - The development would enhance the character and attractiveness of the centre and its locality, and not adversely affect residential amenity; and
  - The development would be accessible by a choice of means of transport (including public transport, walking and cycling), and the local transport system is capable of accommodating the potential traffic implications.
- 7.23 Policy COM1 sets out that as an exception to this approach, proposals for tourist facilities and attractions which require a rural location, or are associated with the expansion of existing tourist facilities/attractions in the countryside – and which accord with criteria in Policy EMP 7.
- 7.24 The applicant has submitted an addendum to their retail impact assessment which was considered under the previous application for the larger visitor centre 17/01128/FUM. Under the previous application, it was concluded that the proposed visitor centre and retail elements would not harm the vitality and viability of the nearest town centre. The proposal currently being considered is for a much reduced scale, and there has been no change in policy which would result in an alternative outcome. In any event, the retail impact assessment submitted concludes that there are no suitable or available locations for this type of proposal either within or immediately adjacent to Soham or Ely town centre. The report also



sets out that the proposal is likely to draw in trade from beyond the District and potentially result in subsequent combined trips to nearby centres, therefore leading to an increase in expenditure in the area. The report states that the proposal would not operate in direct competition with any other retail or leisure facilities in the area as Barcham Trees is a niche business and the supply of trees is the main focus of their retail. The original retail impact assessment sets out that the remainder of the retail aspect will include comparison goods, and lists a number of product types commonly found within garden centre settings.

- 7.25 Policy COM1 refers to the need to ensure there would be no adverse effect on the vitality and viability of the nearest town centre, or on any other town centres. The applicant maintains that the retail element of the scheme is promoting economic competition between itself and other garden centres, and not within the town centres of Soham and Ely. Economic competition between companies within a certain industry is not a material planning consideration. It is considered that the proposal will not adversely affect the vitality and viability of the town centres of Soham and Ely and as already detailed, the proposal has the potential to enhance the town centres through the increased visitor numbers to the area. The proposal will also act as a visitor attraction, which policy COM1 specifically lists as an exception. The proposal is therefore considered to be compliant with policy COM1 of the Local Plan 2015.
- 7.26 Visual Impact and Arboriculture
- 7.27 Paragraph 126 of the NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.
- 7.28 Policy ENV1 of the East Cambridgeshire Local Plan 2015 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 areas and the nocturnal character.
- 7.29 Policy ENV2 of the Local Plan 2015 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.

- 7.30 The site is located in the countryside and is accessed via a lane with limited residential dwellings in the vicinity. The wider Barcham Trees site is a long-established feature within the landscape, with rows of trees visible from public vantage points. The acceptability of introducing the arboretum has already been considered under application 19/00658/FUM and is currently under construction, with engineering operations having been carried out to form the landscaped areas and lake, and planting having taken place. The arboretum is considered to remain acceptable from a visual aspect, and there have been no changes in policy which would warrant an alternative conclusion.
- 7.31 The proposed conversion and extension of the engineering workshop to form the visitor centre is considered to be a high-quality scheme, utilising attractive palette of materials such as natural timber, a stone clad chimney breast in limestone or clunch, and slate grey composite roofing. The materials at this stage are not finalised, however the indicative materials proposed would be appropriate in this setting. The formal submission of materials can be secured by way of a planning condition appended to any grant of approval. The building would feature large areas of glazing, breaking up the unrelieved expanses of the existing buildings elevations and creating a more modern appearance.
- 7.32 The existing building form toward the front of the site will retain its dimensions, with the extended elements being positioned to the side and rear of the building. The proposal will result in an altered appearance of the site, however this is considered to be much improved as a result of the application due to the more attractive external materials introduced, as well as the site frontage being clear of the existing industrial materials and machinery, and landscaped to form an attractive entrance. The extended elements of the building will remain subservient to the existing building and appear as extensions, out of sight of the public highway, respecting the existing presence of the building within the streetscene.
- 7.33 The site will feature parking to the front, and also along the south-west boundary. Further parking will be positioned between the site and the arboretum. The layout of the parking arrangements mean that the site is not dominated by parking, and the landscaped areas included within the site mean that the appearance of parking is broken up. Pedestrian routes within the site will be demarcated using timber effect concrete railway sleepers, and pea gravel set within bodpave cells will be used for the areas of hardstanding. The materials palette indicated creates a much more natural aesthetic and softens the impact of the development within the rural location.
- 7.34 The level of soft landscaping proposed is significant, and assimilates the proposed development into its surroundings. The detailed design of soft landscaping, including species and planting specifications can be secured by way of planning condition. In order to accommodate the road improvements, a hedgerow to the southern boundary will need to be replaced. However, the loss of this hedgerow is considered to be less of an impact than the previous application 17/01128/FUM in which the proposals would have seen the loss of trees and hedgerows. The details and timescale of the hedge replacement can be secured by way of a planning condition. Significantly, the current proposal would see the retention of the T002, a Category A Oak Tree which would previously have been removed. The widening of Eye Hill Drove has previously been agreed and considered acceptable in visual

terms (17/01128/FUM), however the current proposal would reduce the extent of the works as the access into the site would be positioned closer to the junction with the A142. The road improvements are not considered to be visually harmful to the character of the area. The Council's Trees Officer has reviewed the information submitted and has raised no objection to the proposals. They have requested the submission of an Arboricultural Method Statement by way of condition, to show how the retained trees will be protected throughout the development process.

- 7.35 The proposal is not considered to create any significantly detrimental impacts on the character and appearance of the area. The proposed arboretum is still considered to be acceptable within the landscape, and the proposed visitor centre is considered to improve the appearance of the engineering site. The proposal is considered to comply with policies ENV1 and ENV2 of the Local Plan 2015, as well as the provisions of the NPPF.
- 7.36 Residential Amenity
- 7.37 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. 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.
- 7.38 The proposed conversion of the building would introduce glazing to the building, however due to the position of the building within the site and the separation distances between the building and the nearest neighbouring dwellings, the proposal is not considered to create overlooking to neighbouring occupiers. Additionally, the separation distances between the building and neighbouring occupiers mean that the proposal would not create an overshadowing or overbearing impact.
- 7.39 Concerns have been raised by neighbours in regard to the impact on residential amenity from construction activities. This can be appropriately mitigated through the implementation of a condition which restricts construction hours. Such a condition can be appended to any grant of permission. Concerns have also been raised regarding external lighting to the site and the concern that this may provide nuisance in a rural area at night. No information regarding external lighting has been submitted, however a condition may be appended to any grant of permission that requires the submission of the details of any external lighting prior to installation in order to ensure that any proposed lighting is appropriate in terms of residential amenity. Neighbours have also raised concerns regarding the potential for disturbance should external music be played at the site. The proposal does not include this information, however a condition may be appended to any grant of permission which prevents music from being played in external areas.
- 7.40 Neighbours have raised concerns regarding the opening hours specified within the application form and the potential for disturbance. This was discussed with the agent and it was put forward that separate conditions be applied for public opening and deliveries. It is proposed that the arboretum and visitor centre is open to the public between 08:00 to 18:00 Monday – Saturday and 08:30-16:30 on Sundays, Public Holidays and Bank Holidays. The agent has advised that due to the catering

element of the proposal, that some early deliveries may be required for fresh produce. They have requested that deliveries may take place from 07:00. It is considered appropriate to restrict deliveries to the visitor centre to between 07:00 - 18.00 Monday – Saturday and 08:30-16:30 on Sundays, Public Holidays and Bank Holidays. It is considered that with the aforementioned conditions appended to any grant of permission, that residential amenity would be adequately protected from noise and disturbance. Within the permission for the previous visitor centre, it was agreed that the visitor centre could be used on a maximum of six separate days per calendar year until 21:30 and that the applicant would keep a register of all such events which is available for inspection by the Local Planning Authority. The applicant has requested that this condition is applied to any grant of permission on the current scheme, and it is considered acceptable.

- 7.41 Neighbours have raised concerns regarding disturbance from existing operations at Barcham Trees, however these matters do not fall under the scope of the current planning application.
- 7.42 Environmental Health have requested that a condition is appended to any grant of permission which requires an assessment for odour is undertaken and then incorporated in to the design of the extraction systems for the kitchen areas in order to achieve an adequate level of particulate and odour control and secondly adequate stack dispersion so as to prevent harm to residential amenity.
- 7.43 It is acknowledged that the proposal as a whole, including the highway improvement works, will have an effect on the residential amenity of existing occupiers on Eye Hill Drove. It is also accepted that the character of Eye Hill Drove is likely to change and that there will be a certain level of noise and disturbance from traffic movements and users of the visitor centre. Consideration should be given the existing use of the site which has been operating as an engineering workshop for large machinery and is likely to have created a level of noise disturbance while in operation. There will be increased traffic and deliveries to the Barcham Trees site in connection with the retail stock and cafe/restaurant, however, it is considered that once inside the visitor centre or arboretum that visitors will not directly impact on the amenity of residents. It should also be noted that the proposal would see a reduction in floorspace from the original proposal, and will result in a reduction to the roadworks required on Eye Hill Drove. On balance, it is considered that subject to the imposition of appropriate planning conditions, that the proposal will not have a significantly detrimental effect on residential amenity such that would warrant refusal of the application. It is considered that the proposal complies with Policy ENV2 of the Local Plan 2015 and the provisions of the NPPF.
- 7.44 Highway Matters
- 7.45 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.

- 7.46 Paragraph 85 of the NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 7.47 The proposal includes improvements to Eye Hill Drove, involving the widening of the road up to the site access, the upgrade of the existing A142 Ely Road / Eye Hill Drove junction to include a ghost island junction, a pedestrian island crossing facility new and extended footpaths, and a new bus lay-by. The majority of works have already been agreed with the Local Highways Authority as part of application 17/01128/FUM. The proposal will see a reduction in the extent of Eye Hill Drove which requires widening, and will see the retention of more trees and hedgerows as a result. It should also be noted that the scale of the visitor centre is significantly reduced from that which was previously approved (previously 3,883sqm / 41,796sqft – current application 1,231sqm / 13,250sqft). The applicant has submitted a Transport Assessment alongside the application. The proposals and submitted information has been reviewed by the Local Highways Authority as well as the Cambridgeshire County Council Transport Assessment Team.
- 7.48 The CCC Transport Assessment Team have advised that given they recommended approval of a larger scheme in 2017, they would not have any comments to make. They note that the proposal would generate less trips than the previously approved 2017 application. The Local Highways Authority have reviewed the proposals as well and advise that the highways mitigation measures along the A142 and Eye Hill Drove align with previous permissions and therefore remain acceptable. They have requested conditions are appended to any grant of permission.
- 7.49 As part of the application the proposal includes 126 parking spaces, of which 19 will be family spaces with extra accessibility provision, and 17 will be disabled spaces. The proposal also includes parking provision for 20 motorcycles and 72 pedal bicycles.
- 7.50 Policy COM8 of the Local Plan requires development proposals to provide adequate levels of car and cycle parking and make provision for parking *broadly* in accordance with the Council’s parking standards (as set out in the policy). A mixture of uses are proposed as part of the application, including retail and café/restaurant as well as the arboretum. While the retail and food elements are considered to be a use falling under Class E of the Town and Country Planning

(Use Classes) (Amendment) (England) Regulations 2020, these are referred to by their previous use class within policy COM8 of the Local Plan 2015 (classes A1/A3). The arboretum element of the proposal would be considered a sui generis use. While these uses attract separate car parking requirements under policy COM8, it is considered that in respect of the site these uses would not operate independently, and that visitors to the arboretum would use the retail and food elements, and vice versa. The floorspaces dedicated to the retail and food elements appear to be equally split and therefore under the parking requirements of Policy COM8 the proposal would require approximately 156 parking spaces. While the parking proposal shows a small shortfall at 126 spaces, given the trip rates during weekend daytime peak hours set out in the Transport Assessment, it is considered that the parking proposed is sufficient to accommodate this specific development.

- 7.51 Policy COM8 also sets out that for a development of this type, 6% of the overall parking should be disabled parking. This would equate to 7.56 spaces under this proposal, however the applicant has overprovided and sets out that 17 spaces will be provided for disabled parking directly adjacent to the visitor centre, and on a porous macadam surface. In addition, the applicant has set aside a further 19 spaces for family parking, which offer additional space for accessibility.
- 7.52 Concerns have been raised by neighbours regarding vehicles turning left out of the site and travelling further along Eye Hill Drove. There have been requests for signage which prevents vehicles from turning left, however this has not been requested by the Local Highways Authority or the CCC Transport Assessment Team. Paragraph 56 of the NPPF states that “planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects”. Given that neither the Local Highways Authority or the CCC Transport Assessment Team have requested signage to prevent vehicles turning left onto Eye Hill Drove, it is not necessary or reasonable to condition this. Likewise, neighbours have requested that coaches exiting Eye Hill Drove onto the A142 can only turn left rather than cross the carriageway, however this type of restriction has not been requested by the Local Highways Authority or the CCC Transport Assessment Team.
- 7.53 Concerns have been raised by neighbours in relation to the Number 12 bus service being ceased, however this is not a planning matter and has no bearing on the determination of the application. Concerns have been raised by neighbours in relation to the conflict between motor vehicles and other users of the public highway, however matters of highways safety have been assessed by both the Local Highways Authority and the CCC Transport Assessment Team. Concerns have also been raised regarding the vehicle accident data in the Transport Assessment and accidents that have taken place on the A142, however, this information has also been reviewed by the Local Highways Authority and the CCC Transport Assessment Team who have raised no concerns. Other highway safety concerns raised include visibility at the A142 junction, requests for the speed limit at Eye Hill Drove to be changed to 30mph, and concerns regarding pedestrian safety within the site. Visibility would have been considered by the Local Highways Authority and the CCC Transport Assessment Team when assessing the highway improvements. Changing the speed limit is not a matter that is relevant to this

planning application and is a matter that should be directed to the County Council. Pedestrian safety within the site is a matter that the site operator would be responsible for with regard to health and safety legislation. However, there is nothing within the submitted plans that indicates a significant risk.

7.54 It is noted that positive comments have been received in regard to the relocation of the bus stop, the cycle parking provision, and the use of a less hazardous entry point to the site.

7.55 It is considered that reasonable and necessary improvements can be secured to the A142 and Eye Hill Drove which will ensure highway safety. While the parking proposals show a small shortfall with policy COM8, they are broadly in accordance with the policy and supported by the Transport Assessment. On balance, the proposal is therefore considered to be acceptable in this regard.

7.56 Ecology

7.57 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.

7.58 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.

7.59 Proposals which do not demonstrate that the post-development biodiversity value of the onsite habitat will not significantly exceed the pre-development biodiversity value of the onsite habitat will be refused. Under policy NE9 of the Natural Environment SPD, new planting must be an integral part of the design of a development rather than as an afterthought. Native new planting should be provided that reflects the local character and a suitable species mix should be provided that helps to promote a wide range of biodiversity and contribute to enhancing green infrastructure. Proposals should also incorporate within the landscape scheme, features that will support the establishment of biodiversity.

- 7.60 The applicant has submitted Preliminary Ecological Appraisals (PEAs) as part of the application. The PEAs note that the “site consists predominantly of ephemeral vegetation, bare ground, earth bunds dominated by tall ruderals, with scattered broadleaved trees to the southwest corner of the site. A large farm building, spoil, refuse piles, structures and vehicles are located within the southern parcel of the site.” The reports discuss that most habitats on site are of negligible ecological value, however the habitat of most value is the unculverted wet ditch just outside the east boundary of the site and the areas of scattered trees which offer potential bird nesting. The site is located approximately 300m (984ft) from the Delph Bridge Drain SSSI which is designated for supporting the only known British population of Fen Ragwort (*Senecio Paludosus*).
- 7.61 The PEAs make a number of recommendations for avoidance, mitigation and enhancement measures and conclude that through the implementation of these measures, all significant impacts from the proposed development can be mitigated in line with relevant wildlife legislation and planning policy. The report sets out that the proposal is expected to result in significant enhancements for a range of protected species.
- 7.62 The arboretum has already been agreed under application 19/00658/FUM and brings significant environmental benefits with it such as the creation of a large area of habitat suitable for a number of species, significant tree planting in the region of 2,000 trees and the creation of a new habitat to establish Fen Ragwort. As part of this application it was conditioned that prior to first use a scheme of biodiversity enhancements were put forward. It is considered appropriate that this condition is appended to any grant of permission on the current application as this will secure enhancements on the site of the visitor centre as well as the arboretum. The report notes that it is recommended that a precautionary reptile method statement is submitted to cover the proposed clearance of the site. This can be secured by condition prior to commencement of works on the site of the visitor centre.
- 7.63 It is considered that it has been satisfactorily demonstrated that a net gain in biodiversity can be achieved at the site with the aforementioned conditions appended to any grant of permission. The proposal is therefore considered to be in accordance with policy ENV7 of the Local Plan 2015, policy NE6 of the Natural Environment SPD, and the NPPF.
- 7.64 Flood Risk and Drainage
- 7.65 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”.
- 7.66 The Cambridgeshire Flood and Water SPD follows national policy and 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.

7.67 The Environment Agency has reviewed the proposals and advise that a small area of the site is within Flood Zones 2 and 3, but within areas benefitting from flood defences. They consider that the flood risk assessment is acceptable for the scale and nature of the development and they raise no objection to the proposal. Sequentially, the Local Planning Authority are satisfied that there are no alternative sites to locate this development due to the necessity to locate the proposal next to the existing business. The physical layout of development has been designed to avoid where practically possible, areas known to be at risk of flooding which is in line with national policy and the Cambridgeshire Flood and Water SPD. The Environment Agency note that the site is located in an area not served by the public foul sewer and therefore note that the proposal will need a non-mains drainage system. They note that the applicant may require an environmental permit for a non-mains drainage system and that this is subject to a separate application to the Environment Agency. The details of the non-mains drainage system can be secured by way of condition.

7.68 The Lead Local Flood Authority (LLFA) originally raised an objection to the scheme based on the position of the overflow car park which was located within an area of the site of low, medium and high surface water flood risk and overland flood flow conveyance route. There was also objection based on hydraulic calculations. Following receipt of these comments the applicant submitted additional information and amended the position of the car park area to overcome the concerns raised by the LLFA. The LLFA has been reconsulted on the revised information and confirms that they remove their objection as the information submitted demonstrates that surface water can be managed through the use of permeable paving over the parking areas and a swale to provide further conveyance and attenuation before discharge into the adjacent watercourse at the greenfield equivalent rates. They have requested that conditions are appended to any grant of permission which require relate to the detailed design of surface water drainage and maintenance, as well as the management of surface water run-off during the construction phase.

7.69 The Middle Fen and Mere Internal Drainage Board (IDB) have reviewed the information submitted and have confirmed that they are satisfied with the proposals. They advise that the runoff rates for the site will be as existing and that Barcham Trees will continue to pump water from the Board's Main Drain into their reservoir further downstream.

- 7.70 Anglian Water have reviewed the proposals and have raised no comments as there is no connection to any Anglian Water sewers.
- 7.71 Based on the information provided it is considered that flood risk and drainage can be adequately dealt with in accordance with policy ENV8 of the East Cambridgeshire Local Plan 2015, the Cambridgeshire Flood and Water SPD, and Chapter 14 of the NPPF.
- 7.72 Other Material Matters
- 7.73 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. Applications are required to demonstrate how sustainable design and construction has been considered, and all non-domestic developments of 1000m<sup>2</sup> or more are required to meet BREEAM Very Good standard or equivalent. The Planning Statement sets out that the vision for the new visitor centre building is for it be highly sustainable, reflecting the environmental quality of the wider site and arboretum. The Planning Statement sets out that the detailed design of sustainability measures can be dealt with by way of condition. This can be appended to any grant of permission.
- 7.74 Planning Balance
- 7.75 With regard to the principle of development, the proposal does not fall within one category and different elements of several policies are relevant to the proposal. On balance, the proposal is considered to comply with policies EMP1, EMP2, EMP4, and EMP7 of the Local Plan 2015 by providing an expansion of the existing business through the conversion and extension of an existing building on a previously developed site, which would provide a tourist attraction. The engineering workshop has ceased to operate, and the proposal would mean that the site would continue to be used for employment purposes. The proposal is also considered to comply with the aims of the NPPF. The proposal would bring about economic benefits in terms of additional employment, the expansion and diversification of an established business in the district, and the attraction of visitors to the area.
- 7.76 It is acknowledged that the proposal will result in an increase in traffic in the area and that nearby residents may be affected by the intensification of the site, which attracts some weight against the proposal. However, the applicant is providing a comprehensive scheme of highways improvements are part of the proposal, and these are considered to be acceptable by the Local Highways Authority and the CCC Transport Assessment Team. In the absence of an objection from the Local Highways Authority, it is considered that the scheme complies with the relevant development plan policies in relation to highway safety. In addition, it is considered that with the appropriate conditions in relation to opening hours, that the impacts on residential amenity from traffic movements would not be significantly harmful such as to warrant refusal. The proposal as a whole is not considered to create any significantly detrimental impacts on residential amenity, and appropriate conditions can be appended to any grant of permission which protect the amenity of nearby occupiers.

- 7.77 While the proposal will result in a change to the appearance of Eye Hill Drove, this is not considered to be significantly harmful such as to warrant refusal of the application, and elements of the proposal will result in an enhancement to the appearance of the engineering site. The proposal is therefore considered to be compliant with policies relating to visual appearance and design.
- 7.78 The proposal has demonstrated that the matters of flood risk and drainage can be adequately dealt with, and conditions can secure that a scheme is put forward which details sustainability measures. The proposal is not considered to create any ecological harm, and is considered to result in a significant environmental gain in terms of habitat creation.
- 7.79 On balance, the benefits of the proposal are considered to significantly outweigh the limited harm to the character and appearance of the area, and outweigh the impacts on residential amenity through increased vehicle movements in the area.

## **8.0 COSTS**

- 8.1 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.
- 8.2 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.
- 8.3 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.
- 8.4 In this case members' attention is particularly drawn to the following points:
- The Local Highways Authority and the CCC Transport Assessment Team do not object to the proposal and the highway improvements have previously been approved.
  - A larger visitor centre has been permitted under 17/01128/FUM.

## **9.0 APPENDICES**

- 9.1 Draft Planning Conditions

### Background Documents

22/00827/FUM

19/00658/FUM

17/01128/FUM

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

## Appendix 1 – Draft Planning Conditions – 22/00827/FUM

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

Plan Reference	Version No	Date Received
Drainage Assessment H8423-001	1	13th April 2023
9070-FM-01-DR-003	11	15th May 2023
Rear Perspective		8th July 2022
Retail Assessment 2022	Addendum	8th July 2022
Archaeological Evaluation		8th July 2022
Environmental Assessment	Phase I & II	8th July 2022
Planning Statement		8th July 2022
Ecological Appraisal 2019		8th July 2022
Ecological Appraisal 2021		8th July 2022
Structural Report		8th July 2022
Transport Statement Final	+ Appendices	8th July 2022
Tree Survey		8th July 2022
Tree Survey Plan	Appendix G	8th July 2022
20909 009 Topographical Survey		8th July 2022
9070-FM-01-DR-001-01		18th July 2022
9070-FM-01-DR-050-06		8th July 2022
9070-FM-01-DR-051-04		8th July 2022
9070-FM-01-DR-081 0A		8th July 2022
9070-FM-01-DR-081-0		8th July 2022
Design & Access Statement A01		Part 1 20th July 2022
Design & Access Statement A01		Part 2 20th July 2022
P348 15 004	C	6th December 2022
9070-FM-01-DR-008	01	20th July 2022
9070-FM-01-DR-EX-000	01	20th July 2022
P348 15 005	A	6th December 2022

- 1 Reason: To define the scope and extent of this permission.
- 2 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 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.

- 3 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 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 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 Hydrology document prepared by Amber Planning Ltd (ref: H8423) dated April 2023 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) 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;
  - f) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
  - g) Full details of the maintenance/adoption of the surface water drainage system;
  - h) Permissions to connect to a receiving watercourse or sewer;
- 6 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.
- 7 No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.
- 7 To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.
- 8 No development shall take place until a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme(s) shall be implemented prior to first use.
- 8 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. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted and the details need to be agreed before construction begins.
- 9 Prior to commencement of any development or site clearance, a precautionary reptile method statement, in accordance with the Preliminary Ecological Appraisal dated August 2021 shall be submitted to and approved in writing by the Local Planning Authority.

- 9 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.
- 10 Prior to commencement, the extent of the hederow removal required in order to accomodate the road widening improvements shall be submitted to, and agreed in writing by, the Local Planning Authority. The information shall also include the details of the replacement hedging proposed, including species mix, density, maturity, and timescales for planting.
- 10 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 11 Prior to installation, details of all play equipment and furniture (benches, bins etc.) to be installed shall be submitted to and approved in writing by the Local Planning Authority.
- 11 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 No above ground construction shall take place on site until details of the external materials to be used for the visitor centre have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 12 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 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.
- 13 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 14 Notwithstanding the approved plans, no external lighting shall be erected within the application site until details of the proposed lights, their specification, location, predicted light spill and hours of proposed use, have been submitted to and agreed in writing by the Local Planning Authority. Any external lighting that is installed shall accord with the details so approved.
- 14 Reason: To safeguard the character and appearance of the area, and residential amenity, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.



- 15 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 15 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.
- 16 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.
- 16 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 The specific rated noise level emitted from mechanical plant at the site shall not exceed the existing background noise level. The free field sound level shall be measured and/or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS 4142:2014+A1:2019.
- 17 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 18 No music shall be played at any time in any external areas of the site without the prior written approval of the Local Planning Authority.
- 18 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 19 The use of the Arboretum and Visitor Centre shall take place only between the hours of 08:00 to 18:00 Monday - Saturday and 08:30-16:30 on Sundays, Public Holidays and Bank Holidays.
- 19 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 20 Deliveries to the visitor centre shall take place only between the hours of 07:00 to 18:00 Monday - Saturday and 08:30-16:30 on Sundays, Public Holidays and Bank Holidays.
- 20 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 21 Prior to first use, a Risk Assessment for Odour shall be undertaken in accordance with the Ricardo EMAQ+ document - Control of Odour and Noise from Commercial Kitchen Exhaust Systems and then incorporated into the design of the extract system in order to achieve an adequate level of particulate and odour control and secondly adequate stack dispersion so as to prevent harm to the amenity. These details shall be submitted to and approved in writing by the Local Planning Authority prior to first use.

- 21 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 22 No above ground construction of the Visitor Centre (including the car park and internal access road) shall commence until details of the boundary treatments have been submitted to and agreed in writing with the Local Planning Authority. The boundary treatments shall be in situ in accordance with the approved details prior to the first use of the Visitor Centre.
- 22 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 23 Prior to first use of the Visitor Centre details of all external plant, machinery and equipment shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the nature and frequency of maintenance arrangements, the level of noise emitted and the hours of use. Development shall be carried out in accordance with the approved details.
- 23 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 24 Prior to first use of the Arboretum and Visitor Centre the highway improvement works as shown on the approved drawings shall be completed to Cambridgeshire County Council specifications and requirements.
- 24 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 25 Prior to commencement of use any gate or gates to the vehicular access shall be set back a minimum of 5 m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards. This style of access gate or gates shall be used at all times/thereafter be retained in perpetuity.
- 25 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 26 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.
- 26 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 27 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 27 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

- 28 Prior to the commencement of use, the vehicular access shall be constructed to include the provision of a metalled/sealed surface for a minimum length of 10m from the existing carriageway edge.
- 28 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 29 The development hereby approved shall meet BREEAM Very Good standard or equivalent. If this standard cannot be achieved by virtue of the site's location then prior to above floor slab construction works it must be demonstrated by a BRE Licensed Assessor how all other BREEAM standards have been fully explored in order to meet the highest standard of BREEAM Good or equivalent and agreed in writing by the Local Planning Authority.
- A certificate, following post construction review, shall be issued by a BRE Licensed Assessor to the Local Planning Authority, indicating that the relevant BREEAM standard has been achieved or its equivalent within six months of first occupation of the site for written agreement by the Local Planning Authority.
- 29 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and the Climate Change SPD, 2021.
- 30 As an exception to the hours of use specified in condition 19, the Arboretum and Visitor Centre (excluding conferences) can be used on a maximum of six separate days in each calendar year between the hours of 08:00 and 21:30 on Monday - Saturday. The applicants shall keep a register of all such events, which shall be available for inspection by the Local Planning Authority upon request.
- 30 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.