

## Planning Committee Update – 5<sup>th</sup> June 2024

| Agenda Item | Application Reference | Additional Info Received/Updates to Committee   |
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| 6           | 20/01174/FUM          | <p>1) Comments have been received since the publication of the committee report and agenda from a neighbouring property. The comments state:</p> <p style="padding-left: 40px;">‘As previously stated in earlier correspondence, I am very concerned about the proposed houses overlooking my bungalow and also the drain/ditch directly behind my boundary fence. Another concern is that Mereside is part of Soham’s flood plain and should not be built on. Also, what will happen to the mature trees and to the wildlife?’</p> <p>These comments are largely a summary of previous comments made by that neighbour and all issues raised in the most recent comments have been addressed in the officer report.</p> <p>2) Soham Town Council have requested that any previous comments the Town Council have submitted regarding the application are within the Planning Officer’s report. Members will note in paragraph 5.1 of the Committee Report that only comments in respect of the most recent revision are listed in the Committee Report. Comments in respect of previous revisions to the proposal from Soham Town Council and other relevant consultees can be found in full on the Council’s website.</p> |
| 7           | 23/01338/OUM          | <p>Email received from the Applicant’s Agent on the 22<sup>nd</sup> May 2024 providing further clarification on a number of matters raised by Members at the April 2024 Planning Committee, and a response to the Stantec Report conclusions and recommendations, with a supporting sketch layout.</p> <p><b>PLAY SPACE</b><br/> <i>Members raised concerns regarding the proximity of the play space to Cambridge Road on the illustrative layout.</i></p> <p><i>Clearly this is an illustrative layout and while we are confident that with the appropriate layout, screening, landscaping, etc. a play space at the front of the site could provide a safe and pleasant facility, it could equally be located elsewhere</i></p>  |

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|  | <p><i>within the site. I attach, for reference, an alternative masterplan layout showing a relocated play space on the southern boundary of the site, which demonstrates how this could be achieved.</i></p> <p><b>PASSIVHAUS CERTIFICATION</b><br/><i>A Member queried why the applicant was not committing to Passivhaus certification.</i></p> <p><i>Stonewater Housing Group are committed to bringing forward low energy housing and incorporate Passive House principles for new developments. This scheme will be constructed in line with these principles and will combine high levels of insulation, passive solar gain, mechanical ventilation heat recovery (MVHR) and the other key principles set out in the submitted energy strategy (as secured by condition under the previous planning permission).</i></p> <p><i>PassivHaus is a company, based in Germany, which pioneered these principles, but as a business it operates by training Passivhaus assessors and granting Passivhaus Certification, which costs around £3,000 per dwelling. Once one has added in the costs of a qualified Passivhaus assessor to make each application this adds around £4,000-£5,000 per unit, which for this scheme of 83 units would add around £330,000 - £415,000 to the construction cost of the scheme. As an affordable housing development this additional cost would have a significant impact on the viability of the scheme, with no tangible benefit. The houses are built to the same standard with or without Passivhaus certification, the additional cost only pays for certification. For this reason, Stonewater do not typically apply for Passivhaus Certification for new developments and the inspector at the previous appeal accepted that there was no need for such an approach, subject to the stringent condition that officers have proposed requiring Passive House principles to be followed.</i></p> <p><b>OPENING WINDOWS</b><br/><i>A Member raised concerns that the installation of MVHR meant that future residents would be unable to open their windows and that this would result in poor quality accommodation.</i></p> <p><i>Airtightness is critical to Passive House design. An MVHR system works by extracting air from certain rooms and supplying fresh air to others. The air that is extracted is warm indoor air from wet rooms such as kitchens and bathrooms - this air then passes through a heat exchanger which gives up the warmth from that air to the incoming fresh outdoor air. The incoming and exhaust air masses remain separate throughout and the “prewarmed” fresh outdoor air is then supplied to bedrooms, living rooms, dining rooms etc. This is a very efficient and controlled means of providing fresh air to the habitable spaces and removes the need to open windows to provide fresh air within homes, providing an excellent living environment. Opening windows will reduce the effectiveness of heating and cooling system of the building and is therefore not recommended for Passive Homes, but all of the homes in the proposed development have openable</i></p> |
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|  |  | <p>windows and windows can be opened on every single property in the scheme. The noise assessment demonstrates that the homes in the noisiest parts of the site (i.e. fronting Cambridge Road) can all still open rear windows and meet standard internal noise levels and that external noise levels in rear gardens are also acceptable for every single property.</p> <p><b>HIGHWAYS</b></p> <p>We have discussed members request for the provision of a signalised pedestrian crossing and confirmed to you that we are happy to include one as part of the proposals, if the LHA will agree to it.</p> <p>Widening the footpath on Stretham Road was suggested by Stantec as a way of improving the pedestrian experience. There is sufficient capacity to increase the width of the footpath to 3.00m, or to maintain it at 2.00m and to introduce a 1.00m buffer between the footpath and the road. The LHA have not requested this, but we are happy to include this as part of the scheme, if supported by the LHA.</p> <p>Picking up the specific recommendations of the Stantec report, subject to agreement with the LHA, we respond as follows:</p> <ul style="list-style-type: none"> <li>i) The applicant reviews the site access design to ensure the construction of the access and visibility splay to the right can be achieved without the need for third-party land.<br/><b>The visibility splay is provided entirely within the application site and highways land and there is no need for third party land. There is an area of unregistered land near the south of the access point, but the visibility splay has been specifically designed not to encroach on this land. We have been through this in detail with the LHA and as part of the Road Safety Audit – no further work is required on this point.</b></li> <li>ii) The existing street lighting on the A10 is extended past the proposed site access at the detailed design stage.<br/><b>No objection to this if supported by the LHA</b></li> <li>iii) That ‘KEEP CLEAR’ road markings are provided across the site access at the detailed design stage to maintain access in/out of the site at peak times.<br/><b>No objection to this if supported by the LHA</b></li> <li>iv) Further discussions are held between the developer, ECDC, and the local highway authority to ascertain whether CCC Highways would accept a standalone controlled crossing in this location given the analysis set out in this independent review.<br/><b>Discussions with the LHA have been ongoing. We are happy to include a signalised crossing, if the LHA will agree to it</b></li> <li>v) That the footway provision be reviewed, with either:</li> </ul> |
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|  |  | <ul style="list-style-type: none"> <li>- a service margin strip be provided, to decrease the proximity between pedestrians and the carriageway, or</li> <li>- the footway being re-routed through the site and emerging at the pedestrian crossing only.</li> </ul> <p><b>No objection to this if supported by the LHA (see above)</b></p> <p>Email received from County Council Transport Assessment Team (3 June 2024) –<br/> “Given the amount of pedestrians the planning application would generate I’m not sure asking for a signal-controlled crossing which could cost over £150,000 could be justified. There is the design and safety audit costs, the actual build costs and a commuted sum for future maintenance.</p> <p>Table 5.2 suggests the development will generate 4 pedestrian movements in the AM peak, 3 in the PM peak and a total of 30 over the course of the day. These are very low numbers and not all will want to use the crossing.</p> <p>I think the LPA should carefully consider how it would defend such a situation at appeal, as if I were an applicant I would challenge the request for a crossing. As Highway Authority I wouldn’t want to try defending the request for a crossing, I’d be very concerned about costs being awarded against us for being unreasonable.”</p> <p>Email received from County Council’s Principal Highway Development Management Engineer (28 May 2024) –<br/> “I’ve reviewed the report produced by Stantec and provided a response to each of their recommendations.</p> <p>“3.2.4 The existing street lighting on the A10 stops before the proposed site access. Stantec recommends that the existing street lighting is extended past the proposed site access, as part of the detailed design process.”</p> <p>CCC Response: Agreed. Should permission be granted, the street lighting will be reviewed as part of the S278 agreement process.</p> <p>“3.2.9 Stantec recommends the Applicant is required to provide further detail of the highway boundary for review to determine whether an appropriate visibility can be achieved without third party land.”</p> <p>CCC Response: Agreed that there is merit in carrying out further investigation regarding the highway boundary, but I consider the risk minimal that the visibility splay cannot be provided. The parcel of land in question is unregistered with</p> |
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|  |  | <p>land registry and houses utility apparatus. Provided the applicant undertakes the necessary vegetation clearance, the land can be formally adopted as highway maintainable at public expense under S228 of the Highway Act 1980 – while any landowner can object, based on the information available to me I consider such an objection very unlikely.</p> <p>“3.2.10 Stantec also recommend that the existing street lighting is extended past the proposed site access, as part of the detailed design process.”</p> <p>CCC Response: Agreed as above.</p> <p>“3.2.14 As queues of these levels could affect the ability for vehicles to exit and enter the Proposed Development at peak times, Stantec recommends that ‘KEEP CLEAR’ road markings are provided across the site access frontage during the detailed design stage, to maintain access in / out of the site at peak times.”</p> <p>CCC Response: Agreed. Such items would normally be considered during the S278 agreement process and / or Stage 2 Road Safety Audits.</p> <p>“4.2.5 The proposed pedestrian refuge island would be within the existing network of street lighting on the A10. However, it is recommended that the street lighting is extended past the proposed site access.”</p> <p>CCC Response: Agreed as above.</p> <p>“4.4.20 It is therefore recommended that the Applicant and ECDC liaise further with CCC Highways on this matter.” – this is in reference to the form of pedestrian crossing.”</p> <p>CCC Response: On balance, I consider the uncontrolled pedestrian crossing with central refuge island to be acceptable. However, that does not mean that a signal-controlled crossing isn’t acceptable, merely that this option has not been put forward by the applicant for consideration. Should the applicant wish to propose a signal-controlled crossing, it will be considered, provided an acceptable Stage 1 Road Safety Audit of the option is undertaken. It is worth noting that a highly visible village gateway to the south of the site and measures to change the character of the road may support the acceptability of a signal-controlled crossing.</p> <p>I would also highlight that the A10 crossing example referred to in paragraph 4.4.19 is not comparable. The signal-controlled crossing of the A10 at Cambridge Research Park connects Waterbeach New Town to a significant local employment site.</p> |
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|  |  | <p>“4.6.2 It is recommended that the levels of Fear and Intimidation experienced along the footway be reduced by either:</p> <ul style="list-style-type: none"><li>• Seeking the introduction of a service margin strip to separate the footway from the road (0.5m - 1m wide); or</li><li>• By re-routing the widened footway through the site, only emerging at the carriageway at the location of the pedestrian crossing.”</li></ul> <p>CCC Response: While neither recommendation has been proposed by the applicant, neither are objectionable. However, service margins as described above will need to be hard paved as 0.5m grassed strips do not offer a suitable environment for vegetation growth once the highway sub-surface structure is taken into account. Any grassed strip would need to be in excess of 1m.</p> <p>On the point of highway boundary, it might be worth having a quick discussion regarding impact to the garage. The current proposals widen the carriageway / footway into what is now perceived to be part of the garage forecourt impacting how the business operates, but we believe to be highway land. This will clearly be locally contentious so has the garage been consulted on this or the original application? In the background we have been interrogating our highway records as we anticipate a dispute and unfortunately such detailed records are maintained by National Highways as the A10 was formerly a trunk road. National Highways are unable to find these records so while we’re still investigating the records and understand the green hatched area to be broadly correct, there is some risk of challenge.”</p> <p>Letter received from Future Planning and Development on 3<sup>rd</sup> June – please see attached.</p> |
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1810/04-240601

3 June 2024

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Dear Mr Morren

**23/01338/OUM**

**OUTLINE PLANNING APPLICATION – LAND AT CAMBRIDGE ROAD, STRETHAM, CB6 3LW**

Our application is on the agenda for Planning Committee on 5 June with an officer recommendation for deferral in order to allow additional time for *“the submission, formal consultation, and presentation of an acceptable highways scheme at Planning Committee”*.

While the Applicant is in agreement with the recommendation for deferral, it is important to put on record why that is so, and to point out various unfortunate misunderstandings set out in the officer report about the Stantec paper. Accordingly, I formally request that this letter is put before members in advance of the meeting and/or reported to members by way of the update sheet.

The re-presentation of this application to Committee follows the receipt of a report prepared by Stantec, which was commissioned by the Council as a third party review of the transport and access matters relating to this Outline planning application. The Stantec report raises no fundamental concerns in respect of the transport and access elements of the scheme and makes five recommendations including suggesting there be the opportunity for further discussions with the Local Highway Authority (LHA) in respect of a signalised pedestrian crossing and otherwise relating to minor (readily addressable) matters concerning the detailed design of the highway access.

However, the update report to Committee, while recommending the deferral of the application, does not accurately reflect the conclusions of the Stantec report, suggesting that: *“the current highways scheme does not appropriately support the proposed development and therefore introduces highway safety concerns of significant weight and potential new transport considerations of any revised highway scheme.”* (officer report. Para. 6.4). This is incorrect, and a mis-understanding of the Stantec report.

It is our position that the officers have not correctly reported the points made in the Stantec report. Accordingly, we would be grateful if officers could in particular make it

clear to the members of the Planning Committee that the Stantec report does **not** conclude that the current scheme is unacceptable in terms of either highway safety or pedestrian safety.

The report concludes that the impact of the proposals on the surrounding highway network would be imperceptible; that the proposed site access and pedestrian refuge have been designed to the appropriate standards; and suggests that a controlled pedestrian crossing might be "*more suitable*" and merits further investigation. The Stantec report nowhere states that the pedestrian refuge proposal is unsuitable. Nor does it suggest that the other matters about which recommendations are made are anything other than matters capable of being addressed by condition and/or minor amendments and/or at the detailed design stage.

The LHA have also reviewed the Stantec report and have responded to the Council to confirm that they remain of the view that the current scheme is acceptable. We would be grateful if you could also update the Committee on the LHA's response.

The above having been said, as we have already indicated to officers, we remain willing to address all of the recommendations in the Stantec report, including the provision of a signalised pedestrian crossing if the LHA are willing to accept it following a review of the detailed design of such a scheme, and we are currently in dialogue with the County Council on this matter.

All of the recommendations raised in the Stantec report are capable of being addressed by either minor amendments to the scheme, or by Grampian condition, or as part of the detailed design of the junction under the S278 agreement. These matters can all be addressed under the current application or, if necessary, as part of a planning appeal. But it would be extremely disappointing if a fully affordable housing scheme were put through the additional costs and delay of a planning appeal to deal with matters that could be readily dealt with under the current application. We remind you of your own reference in the officer report to costs - if they are unreasonably incurred in an appeal.

We therefore agree to the deferral of this application and will continue to work with the LHA on the option of a signalised pedestrian crossing, as well as the other points raised in Stantec's report. As we have already confirmed, if the LHA can be satisfied we will be happy to provide a signalised crossing as part of the proposals. The recommendations are not extensive and we do not believe that anything close to a 6-month extension will be necessary to address the points raised. We currently have an extension of time agreed to 12 August and anticipate being able to address and resolve these highway matters in time for the August planning committee.

I would be grateful if you could confirm that this letter is put before members in advance of the meeting.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Chris Frost". The signature is stylized and cursive.

Chris Frost – MRTPI  
Director

cc. Andrew Tabachnik, KC

