

21/00291/OUM

Downfield Farm
Fordham Road
Soham
Ely
Cambridgeshire
CB7 5AH

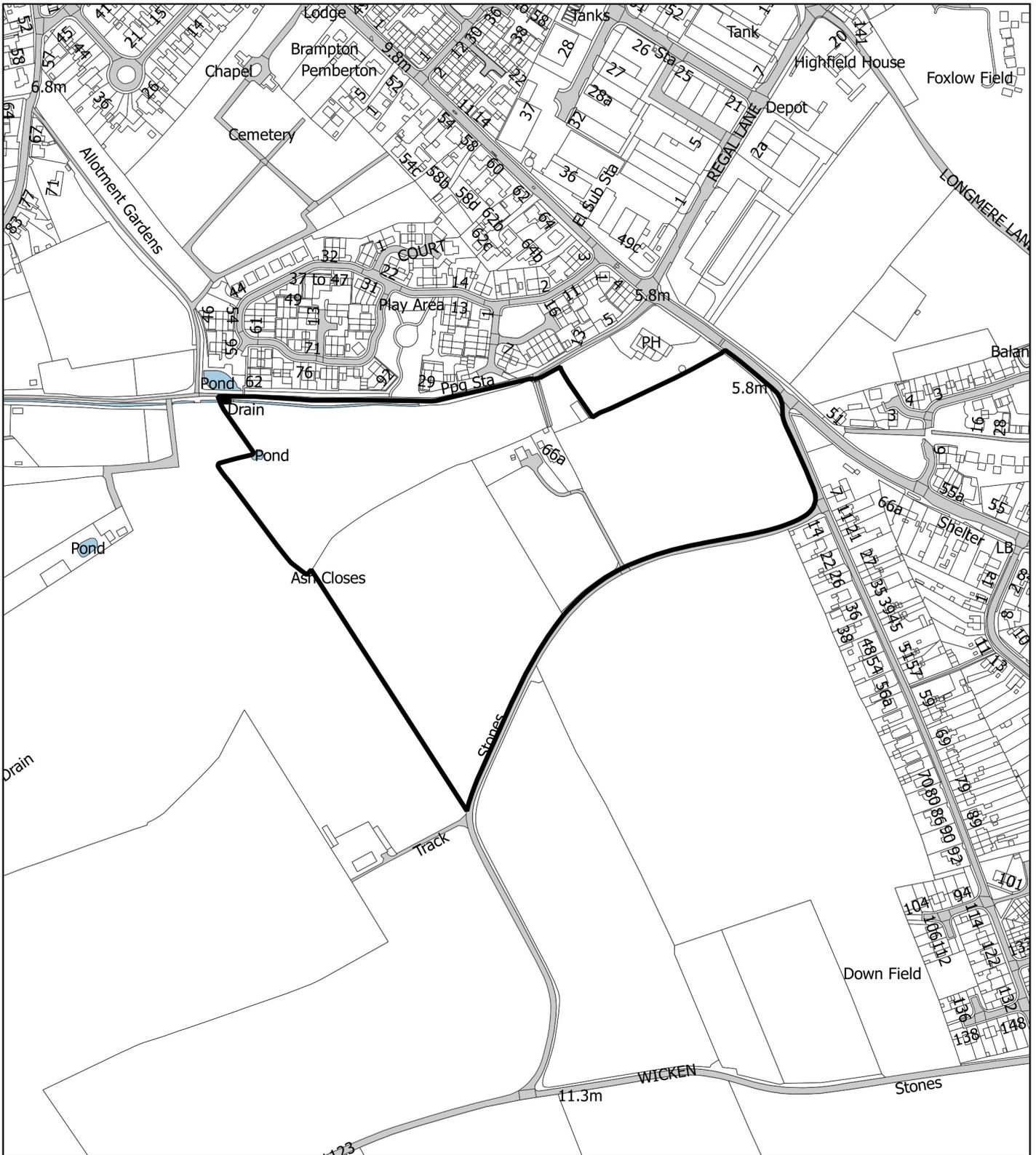
Outline application for the demolition of existing buildings and erection of up to 210 dwellings (including self-build and affordable housing), 1 community building, and associated infrastructure. All matters reserved except access.

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=QOXS3JGGFSF00>



AGENDA ITEM NO 5



21/00291/OUM

Downfield Farm
Fordham Road
Soham



East Cambridgeshire
District Council

Date: 22/08/2022
Scale: 1:5,000



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MAIN CASE

Reference No: 21/00291/OUM

Proposal: Outline application for the demolition of existing buildings and erection of up to 210 dwellings (including self-build and affordable housing), 1 community building, and associated infrastructure. All matters reserved except access.

Site Address: Downfield Farm Fordham Road Soham Ely Cambridgeshire CB7 5AH

Applicant: Vistry

Case Officer: Catherine Looper Planning Team Leader

Parish: Soham

Ward: Soham South
 Ward Councillor/s: Ian Bovingdon
 Dan Schumann

Date Received: 22 February 2021 **Expiry Date:** 28/10/2022
Report Number X44

1.0 **RECOMMENDATION**

1.1 Members are recommended to approve the application subject to the signing of the S106 Legal Agreement and conditions covering the following matters with authority delegated to the Planning Manager and Legal Services Manager to complete the S106 and to issue the planning permission. The recommended planning conditions can be read in full within Appendix 1.

1. Approved plans
2. Time Limit- Approval of reserved matters
3. Time Limit- Approval of details of community building
4. Time Limit- Commencement
5. Biodiversity Method Statement
6. Construction Environmental Management Plan (CEMP)
7. Ground Piling
8. Contamination Investigation
9. Contamination Remediation
10. Contamination Remediation Implementation
11. Management and Maintenance of Streets
12. Energy and Sustainability Strategy
13. Foul Water drainage

14. Phasing Plan
15. Surface Water Drainage
16. Detailed Waste Management and Minimisation Plan
17. Arboricultural Method Statement
18. Unexpected Contamination
19. PD Restriction- Gates, fences and walls across vehicular access
20. Highways- parking and turning
21. Highways- Visibility Splays
22. Highways- Provision of Emergency Access
23. Highways- Travel Plan
24. Fire Hydrants or alternative scheme
25. Construction Times

The S106 Legal Agreement would cover the following matters:

- Affordable Housing
- Lifetime Homes
- Self Build
- Public Open Space
- SuDS
- Community Facility or additional affordable housing
- Soham Commons Contribution
- Upgrade to bus stop and financial contribution
- Financial contribution to A142/Fordham Road/A1123 roundabout
- Education Contributions

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning permission for up to 210 dwellings and 1 community building, together with public open space, landscaped buffer, and attenuation basin and drainage infrastructure. The site area is 10.3 ha (25.4 acres). The application also proposes either 28% or 30% affordable housing (please see section 7.20 – 7.27 of this report for a full explanation of the difference in affordable housing percentages) and 5% self build/custom build plots. All matters are reserved apart from means of access. The proposal is to provide for a single access onto Fordham Road, north of the junction with Orchard Row. A secondary emergency access is also provided to the south boundary of the site. The proposal also includes the potential provision of a community building, dependent on a provider coming forward. This would revert to an increase in affordable housing should the community building not be realised.
- 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 has been brought to Committee in line with the Council's Constitution.

3.0 PLANNING HISTORY

3.1 No relevant on site planning history.

3.2 One application and appeal decision relevant in terms of Principle of Development:

19/00717/OUM Appeal: APP/V0510/W/21/3282449	Proposed erection of up to 175 dwellings and associated infrastructure with access from Broad Piece	Refused 08/03/2021 Appeal Allowed 11/02/2022
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4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located to the south west edge of Soham, adjoining the settlement boundary along its northern and eastern boundaries, so is situated within the countryside as identified within the Local Plan. To the north east corner is the cherry Tree Pub and to the north Cherry Tree Lane Public Right of Way (PROW) and the Hopkins development beyond. To the south and west the site is open, bounded by fields, with a PROW (Footpath 105), running along the western boundary and Orchard Row the southern boundary. The site itself is open agricultural land with the buildings of Downfield Farm set in the middle.

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 website.

Parish - 25 July 2022

The development is outside the envelope. It is essential this large development should have two vehicular accesses to alleviate traffic congestions on Fordham Road. The youth of Soham will be better served by a community building in the centre of town as Soham's town council strategic plan. We have ongoing concerns with the surface water drainage in the town and particularly this site due to the lay of the land and ground conditions.

Parish - 27 September 2021

The community hall, that seems to have been an amenity Benefit promoted by this developer is not advantageous as it is not accessible for all residents due to its location and would be better suited to S106 contributions to create a central hub which the town council is in the process of spearheading.

Due to the fact that the proposed development is outside the development zone there should absolutely be no tolerance or allowance given to the requirement of 30% affordable housing. Continuing concerns of town council with regards to the known surface drainage as well as foul water deficiencies that have been proven at the near Cherrytree Lane development (Hopkins Homes) that will only be exacerbated by further large scale developments in this area.

Concerns raised regarding attenuation basin and its safety to residents on the proposed development.

In principle it is one of the better developments the town council have seen however this does not reflect the fundamental issues that the planning authority have allowed significant large scale housing developments within Soham's development zone which are all approved and only time will tell whether they will be delivered and only at that point should these speculative additional large scale housing developments that clearly fall outside the development zone be considered. On balance the planning committee is not mindful to support this application.

Parish - 31 March 2021

- Outside the development envelope.
- The planning authority has assured the town council that it has an adequate/excess land supply according to the 2015 local Plan
- Access to proposed development onto Fordham Road will contribute to an already congested road, especially at rush hours. Traffic queues on the A142 Downfields roundabout at the southern entrance to the town.
- Concerns that the site only has a single access point for the proposed development.
- Traffic data is spurious and inaccurate/invalid
- The community hall, that seems to have been an amenity benefit promoted by this developer is not advantageous as it is not accessible for all residents due to its location and would be better suited to S106 contributions to create a central hub which the town council is in the process of spearheading.
- Due to the fact that the proposed development is outside the development zone there should absolutely be no tolerance or allowance given to the requirement of 30% affordable housing.
- Continuing concerns of town council with regards to the known surface drainage as well as foul water deficiencies that have been proven at the near Cherrytree lane development (Hopkins Homes) that will only be exacerbated by further large scale developments in this area.
- Concerns raised regarding attenuation basin and its safety to residents on the proposed development.
- In principle it is one of the better developments the town council have seen however this does not reflect the fundamental issues that the planning authority have allowed significant large scale housing developments within Soham's development zone which are all approved and only time will tell whether they will be delivered and only at that point should these speculative additional large scale housing developments that clearly fall outside the development zone be considered.
- On balance the planning committee is not mindful to support this application.

Ward Councillors

Cllr Ian Bovingdon – 15 September 2021

I am writing as District Councillor for Soham South Ward regarding the above site which is the land south of the Cherry Tree at Soham. This is an application submitted by Linden Homes after much consultation with Councillors and taking into consideration our concerns and wishes for better planned developments in the town. I wish to add my support for what appears a well designed scheme with open spaces, better parking arrangements, consideration for surface water drainage and /flooding and the provision of a much needed community facility. It is one of the few sites coming forward there the developer as engaged at an early stage to provide a

development that I can feel would benefit the town. In addition the site provides a final link to bring the Downfields area to the main town which was wanted by locals.

Whilst I appreciate that it falls outside of the 2015 Local Plan, the site was allocated in the more recent proposed plan which was overturned by the inspector. However we need to deliver homes for the area and protect our housing supply as other sites will fail to deliver the required homes on other allocated sites.

Please kindly note my vote of support to this scheme

Cllr Dan Schumann – 15 September 2021

I totally echo the comments made by Cllr Bovingdon- I support this scheme as it appears a well designed scheme with open spaces, better parking arrangements, consideration for surface water drainage and /flooding and the provision of a much needed community facility.

Consultee For Other Wards In Parish - No Comments Received

Environmental Health - 24 August 2021

I have read the Submission Schedule and the Memorandum Noise Assessment documents.

These documents advise that the worst affected plots remain unchanged and mitigation relies on closed windows and trickle ventilation. As previously advised, I am aware that the LPA are unlikely to find this acceptable. My previous recommendations will still be applicable -

"From looking at Figures 7 and 8 I would suggest sensitive rooms are placed on the alternative, quieter facades or dual aspect glazing employed on those facades that allow for it. Alternatively it may be necessary to look to reorient some of the dwellings or changing these house types to bungalows and adding boundary screening."

Environmental Health Scientific Officer- 9 April 2021

I have read the Phase I Geo-Environmental Desk Study report dated January 2021 prepared by BRD and accept the findings. The report identified potential contamination risks and a Phase 2 investigation has been undertaken. I look forward to receiving a copy of the report in due course. I recommend that standard contaminated land conditions 1, 2, 3, and 4 are attached to any planning consent due to the proposed sensitive end use (residential).

Environmental Health - 1 March 2021

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

07:30 - 18:00 each day Monday - Friday
07:30 - 13:00 on Saturdays and
None on Sundays or Bank Holidays

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

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

I have read the Noise Impact Assessment dated the 1st February 2021.

I have no concerns to raise concerning noise levels in external amenity areas.

Figure 7 (p.20) identifies 10 plots/facades to the east of the site which would not meet target internal sound levels with a partially open window during the day. If you find the development necessary and desirable and relax the target levels by 5dB as outlined in the standard then it would appear that only 2 of the plots/facades will exceed the target level during the day. The illustrative masterplan suggests that 1 of these plots may be the proposed community centre so this can potentially be removed from this discussion (leaving 1 plot/facade remaining).

Figure 8 (p.20) identifies 10 plots/facades to the east of the site which would not meet target internal sound levels with a partially open window during the night. If you find the development necessary and desirable and relax the target levels by 5dB as outlined in the standard then it would appear as only 4 of the plots/facades will exceed the target level during the night. The illustrative masterplan suggests that one of these plots may be the proposed community centre so this can potentially be removed from this discussion (leaving 3 plots/facades remaining).

Figure 9 (p.21) outlines the required mitigation to achieve the target internal sound levels. The vast majority of the site will be able to achieve target levels with a partially open window (Specification 2) but Figure 9 outlines 8 plots which would require closed windows and alternative ventilation (Specification 1). I am aware that the LPA are unlikely to find this acceptable and will expect internal levels to be met with a partially open window.

From looking at Figures 7 and 8 I would suggest sensitive rooms are placed on the alternative, quieter facades or dual aspect glazing employed on those facades that allow for it. Alternatively it may be necessary to look to reorient some of the dwellings or changing these house types to bungalows and adding boundary screening.

To summarise, I do not wish to object to this application as the NIA demonstrates it will meet national policy and guidance but I am aware that the LPA will expect further work on some of the eastern plots to achieve acceptable internal levels. I

believe that with sensitive room placement or other mitigation (as discussed above) the site can achieve acceptable sound levels.

Housing Section – 18 August 2022

The Strategic Housing Team acknowledges the amendments made to the above application and the submission of a planning statement addendum providing clarity about the community facility proposed and affordable housing proposal.

We understand that the proposed tenure for affordable homes on this development will be 28% with the possibility of increasing to 30% in the event the community facility is not forthcoming.

We continue to support this application on the basis that:

- The tenure mix for the original 20% affordable provision be 77% rented and 23% intermediate housing as recommended by the most up to date SHMA.
- The remaining affordable units, being the additional 8-10% (dependent on the community facility), will be First Homes and this is approved in accordance with the Council position statement on First Homes as adopted at Finance and Assets Committee.
- The above provisions are to be reflected and secured in the S106 Agreement.

Housing Section - 8 March 2021

The Strategic Housing Team supports the above application in principle, as it will meet Policy HOU 3 of East Cambridgeshire Local Plan 2015 (as amended) to deliver 20% affordable housing on site. The precise number of dwellings is yet to be determined and full details will be agreed at Reserved Matters Stage.

Developers will be encouraged to bring forward proposals which will secure the affordable housing tenure as recommended by the most up to date SHMA at 77% rented and 23% intermediate housing.

Detailed discussions are recommended with the developer prior to submission of the reserved matters application in order to secure an affordable housing mix that meets the housing needs of the area. Early indications suggest that we will be requiring an affordable housing mix of one to four bedroom homes on site.

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG; National Describes Space Standards. Please see link: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard____Final_Web_version.pdf

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

1. That 30% Affordable Housing is secure with the tenure requirement of 77% rented and 23% intermediate housing.
2. That the dwellings will be Affordable Housing in accordance with the definition contained in NPPF.

3. That the dwellings will transfer to a provider of social housing approved by the Council, either a Private Registered Provider or an alternative affordable housing provider (including but not limited to a housing trust or company, a community land trust or an almshouses society).
4. That the tenure of each dwelling will be Affordable Rent, Social Rent or Shared Ownership, and no subsequent alteration will be permitted without the Council's prior approval.
5. That the rent charged for the Affordable Rented properties will not exceed Local Housing Allowance rate for the equivalent property size.
6. That the Affordable Dwellings are constructed to DCLG, National Described Space Standards or as a minimum all new dwellings should meet Building Regulation Part M (Volume 1), Category 2, unless there are exceptional design reasons why this is not possible.
7. The affordable dwellings are not clustered in parcel greater than 15 dwellings. This will ensure we create a balanced and sustainable community.
8. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
9. That occupation will be in accordance with a nomination agreement.
10. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants.

Building Control - East Cambridgeshire District Council - 26 August 2021

For a development of this size, agreements/consents should be in place with the Anglian Water before Building Control could accept the proposals.

Asset Information Definitive Map Team - No Comments Received

Cambridge Ramblers Association - No Comments Received

Local Highways Authority – 09.12.2021

Subject to the following comments and recommendations:

I do not object to this application.

The site access as shown on the drawing F18096/01 Revision A is acceptable for a development of this scale and nature. I dropped kerb crossing on the access will need to be provided but this is a minor detail which I am happy to address during a subsequent S278 Agreement.

Given the scale of development, a secondary emergency vehicle access is needed. The access shown on drawing F18096/06 Revision A is suitable for this purpose and has the additional benefit of providing greater active travel accessibility for the development. Some minor changes to the proposed signs and markings may be required but this is a highways matter that can be picked up with directly with the LHA at a later date.

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

Conditions

HW8A: Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular accesses, as shown on F18096/01 Revision A and F18096/06 Revision A.

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.

HW18A: Prior to the commencement of use visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plans F18096/01 Revision A and F18096/06 Revision A. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

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

Non-standard condition: The emergency vehicular access as shown on the drawing F18096/06 Revision A shall be constructed prior to the occupation of the 100th dwelling.

Informatives

Works in the Public Highway

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

County Highways Transport Team - 30 March 2021

The Highway Authority does not object to the proposals subject to the following – Condition

1. Prior to first occupation of development, the developer shall be responsible for the provision and implementation of a Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of bus taster tickets and/or cycle discount vouchers. The Travel Plan is to be monitored annually, with all measures reviewed to ensure targets are met.

2. Prior to first occupation of the development, the developer shall upgrade the northbound bus stop on Fordham Road to include the provision of a Real Time Passenger Information display unit. Details to be approved by Local Planning Authority and works to be carried out by the developer.

S106

1. Prior to first occupation of any dwelling, the applicant shall pay a S106 payment of £10,500 (ten thousand five hundred pounds) for maintenance of the RTPI unit to be installed at the northbound bus stop on Fordham Road within the vicinity of the site.

2. Prior to first occupation of any dwelling, the applicant shall pay a S106 payment of £183,000 (one hundred and eighty three thousand pounds) for capacity improvement works at the A142/Fordham Road/A1123 roundabout.

Technical Officer Access - 31 March 2021

1) Ramps provided to front doors.

- 2) Accessible parking to be provided (6%), laid out to part M of the building regulations and nearest to the properties. Including dropped kerbs were necessary.
- 3) Firm, level and slip resistant paths and car park, (not gravel).
- 4) There is a moratorium on the use of shared surfaces for vehicles and pedestrians.
- 5) Please ensure accessible parking is provided adjacent to the Community facility, which is fully wheelchair usable.
- 6) Children with disabilities to be considered when designing the play equipment.
- 7) Some BB Parking needed round the amenity space with children's play area (5.32 Design and Access Statement) also cycle parking (5.33)
- 8) If refuse/recycling bin collection is not kerbside extra expense will be incurred by ECDC for collection and return of bins for those who are unable to take their bins to a central collection point. This appears to be designed in extra expense for the local authority.

Cambridgeshire Fire And Rescue Service – 9 March 2021

With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition. The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

Water & Planning Manager
Community Fire Safety Group
Hinchingsbrooke Cottage
Brampton Road
Huntingdon
Cambs
PE29 2NA

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

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

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access. If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

I trust you feel this is reasonable and apply our request to any consent given.

Designing out Crime – 11 March 2021

This office has reviewed the above outline planning application in terms of community safety and reducing vulnerability crime - noted also that all matters reserved except access.

In the last 12 months there have been 48 reports of burglary across the Soham area (14 of which were to business properties, the rest to residential homes). With this information we would expect that any proposed layout will provide a high level of

natural surveillance with pedestrian and vehicle routes aligned together. Permeability limited away from access to rear of properties which should provide high levels of territoriality amongst residents deterring searching/distraction behavior that could target vulnerable or elderly occupants. Vehicle parking is in-curtilage to the front/sides of properties, allowing owners the ability to view their vehicles from inside their home from active windows.

From what I have seen so far in the Masterplan layout I would be happy to support and with the inclusion of a community building which helps encourage more natural surveillance in the local area and also help encourage more use of green space areas. This office is happy to be consulted and there are no further comments at present.

Cambs Wildlife Trust - 15 June 2022

I am content that outstanding matters relating to ecology can be dealt with by way of an appropriately worded planning condition(s), and addressed at the reserved matters stage of the project.

Cambs Wildlife Trust - 26 November 2021

I have reviewed the Ecological Impact Assessment (EclA) dated October 2021. I welcome the submission of this document and have very much appreciated the collaborative approach taken by the applicant's ecologists to work through areas for discussion in this application. I do have a few further comments on the EclA, and look forward to working through these to reach a point of agreement.

Bird and bat box provision seems low; 25 bird boxes and 30 bat boxes on an 'up to 210 dwellings' development seems out of proportion, particularly with a need to demonstrate biodiversity net gain. It is important to remember that Biodiversity Net Gain is not just about the numbers in the matrix spreadsheet, but a wider consideration of how the project can deliver (there are references to best practice guidance on this - British Standards BS 8683, CIEEM & CIRIA, 2016 and CIRA, 2019).

On the subject of hedgerows, there did not appear to be a plan in the EclA report, or reference as to which plan I should view, in order to see which hedgerows will be included within residential properties. The EclA refers only to this as 'a small section' but no indication of how much or where, or the ecological value of these section(s). Suggest perhaps we ask for more information on this aspect?

Regarding reptiles, in earlier correspondence I had with the applicant's ecologist (26.4.21) it was agreed that rather than log piles as compensation, these would be hibernacula but the latest EclA says there will be just one hibernacula and three log piles. Please can this be reviewed in light of earlier agreements. Any hibernacula created should be built in suitable locations and following published design.

Regarding assessment of recreational impacts and the delivery of onsite green space to mitigate against some of this impact, care needs to be taken regarding what the function of the green space is. If it is part of BNG and a habitat area for wildlife, it cannot necessarily also be encouraged for use by eg dogwalkers as the two objectives often don't align. If, as per section 6.1.3 of the EclA, the purpose of

the green or open space on the site is for recreational use, then we need to re-visit the BNG matrix spreadsheet and scores, because it is possible that the post-development value of some of the habitats will need to be downgraded in order to be considered as realistic. All of the proposed new habitats and habitats to be enhanced have been scored as condition Moderate up to Good. Perhaps further discussion / clarification can be had regarding the aims and objectives for the green space within the proposed development so that all are clear what it is for.

Regarding recreational impacts, ECDC will need to negotiate the financial contribution and this needs to be included in the s106 agreement. A trigger point for this payment at a suitable stage of the project should be agreed; we would suggest the contribution should be made prior to occupation of the first dwelling.

Cambs Wildlife Trust - 5 October 2021

I welcome the commitment made to a financial contribution to the Soham Commons Recreation and Biodiversity Enhancement Plan.

I have reviewed the updated BNG calculations and can confirm that I am happy with these and appreciate the supplementary response provided by the applicant's ecologist.

My outstanding comments, having reviewed the Ecological Impact Assessment (EclA) are:

Within the Operational Impacts section, no mention is made of potential for recreational impacts at East Fen Commons CWS. And Country Wildlife Sites are of County value, not Local (unless there is a specific reason for them to be downgraded). Request that the EclA report is amended accordingly - both of these points may have a bearing on future discussions.

I would suggest that a commitment be made at this outline stage as to a minimum number of bird boxes to be included and what designs / what species these intend to provide habitat for (specific locations can be left to reserved matters conditions)

There is no consideration within the Construction Impact Assessment as to the impacts arising from the loss of buildings with bat roosting potential, in particular the building with 'high' potential. This has implications for the numbers of bat boxes to be provided within new houses; bat boxes will be required as compensatory habitat to mitigate for this loss (distinct from those given as enhancement). Section 6.4.5 of the EclA states that no compensation is required (in relation to bats) but this is not accurate as there will be a loss potential roost sites, including a 'high' potential roost. Compensation is therefore required.

The EclA as published commits to a minimum 20 bat boxes and is clear that these are part of the schemes biodiversity enhancement. Additional bat boxes are needed as compensation for the loss of the potential roost sites. The number of boxes to be provided for this needs committed to at this stage.

I also suggest that a commitment be made (or condition set) that a minimum of 50% of the bat boxes provided by the scheme are integrated into the walls of new buildings, in locations suitable for bats to use.

Table 6 refers to 'approximately X trees will be planted' - request that this is clarified.

Please contact me if you would like to discuss further

Cambs Wildlife Trust - 23 March 2021

My overarching comment in relation to the ecology work completed in support of this application is to query why only a Preliminary Ecological Appraisal has been completed, and no Ecological Impact Assessment (EclA). Guidelines from CIEEM, 2017 are clear that to inform a planning application, an EclA is needed, and I would expect a development of this size to complete an EclA.

I would also query the lack of breeding birds surveys, for a site this size, the habitats present and from the species records returned from the datasearch, and would suggest that these should be completed prior to determination.

The PEA says that the buildings on site could support barn owl, but no mention is made of surveys for evidence of barn owls, either in the PEA or the Bat Report.

There is no assessment of potential recreational impacts on nearby designated sites, such as Wicken Fen, other SSSIs and CWSs. For a development of this size, this needs to be explored.

The semi improved grassland in the north of the site is acknowledged in the report as 'an important habitat for wildlife'. The report states that a 2m buffer of this grassland will be retained. What is the impact of the loss of the remainder of this habitat?

I query the approach regarding reptiles. The semi improved grassland, scrub and ruderal habitats sounds suitable. If present, when these habitats are cleared from the site, where are animals expected to move to, given the surrounding habitats are primarily arable? I would expect presence/absence surveys for reptiles to be carried out.

In terms of habitat compensation, assuming for now in the absence of survey data that they are present on the site, I do not feel that the inclusion of three log piles compensates for the loss of large areas of grassland, artificial refuges and dense scrub. As a minimum these should be a more substantial hibernaculum, partly buried, for example built to specifications as set out in English Nature 2001 (GCN Mitigation Guidelines), in order to partly compensate for the loss of dense scrub. Given these are s.41 Species of Principle Importance, the proposals should aim to go further and deliver enhancements for these Priority Species.

Five bird boxes seems a very small number for a development of this size.

The bat report mentions the inclusion of bat boxes on the site but these are not referred to in the PEA.

The Biodiversity Metric is not available to review. The Biodiversity Net Gain of the project should be available at the outline planning stage. In keeping with planning

policy, and ECDC Natural Environment SPD, a development of this size should be aiming for significant gains in post-development biodiversity value.

The landscape / habitat creation proposals in the north-west of the site look good, especially as the SUDS feature will hold water permanently and will be linked to semi-natural and less heavily managed habitats. However, due to the lack of impact assessment and BNG calculations, it is not clear what the predicted outcomes for biodiversity will be on the site.

ECDC Trees Team - 10 May 2022

The indicative master plan in conjunction with the updated Arboricultural information is acceptable at this stage. Going forward any new buildings will need to be located a sufficient distance from retained trees to allow them room to develop in size, it may also be worth looking at the path layout near the attenuation pond to ensure that their routes more closely follow likely desire lines and that the indicated view point contain some seating or even a bird hide could be considered. The attenuation pond planting could also include Willows trees that are native to the locality Crack Willow, White Willow, Goat Willow, Grey Willow and common Osier) this would soften the man made appearance of the pond. Guidance for the design of SUDS states that SUDS including attenuation ponds should look to create new habitats enhancing nature conservation and amenity space. The use of native Willow trees should be considered as part of the design as they have an important ecological role that relates to their affiliation with wetlands such as found in fenland areas. Willows have a high wildlife value, providing rich habitat and food for a diverse range of organisms. There is evidence of up to 450 species of insect associated with Willows. Willows aid fast stabilization of chemically degraded land surfaces and the re-establishment of a biologically active soil can be achieved using Willow species, which possess the major requirements for plant survival in environmentally disrupted areas such as development sites.

Tolerance of soil chemical contamination is an important requirement for survival in many situations and Willow trees potential can be emphasized by the fact that, of the seven most important metal contaminants in soil, Willow has been reported to have tolerance to at least four (cadmium, copper, zinc, lead). Willows ability to sequester heavy metals and other contaminants in their root systems, halting their circulation within the environment, can be of great practical use when dealing with water runoff. Willows dense root system and high transpiration rates provide efficient control of soil water and high filtering capacity for pollutants, along with continuous growth of some species during the whole growing season, create an efficient dehydration plant that locks up the pollutants. The fast growth of willow can sequester more carbon than softwoods within a single growing season which could prove invaluable in the pursuit of being carbon neutral. The size of the tree can be easily managed by pollarding or coppicing. The cutting rotation cycle depends on species and growing conditions, and ranges from 3-5 years. Pollarding/Coppicing, minimizes wind damage, enhances branching appearance of willows and supports a higher density of breeding birds. This could aid the increase in biodiversity on site as well as being inline with Policy SPD.NE9: Landscaping and Biodiversity and guidance in the Natural Environment Supplementary Planning Document 2020.

Recommend approval in relation to trees and landscaping

ECDC Trees Team – 18 March 2021

When considering the future design and layout of this site extra consideration should be given to the retention of existing boundary vegetation as it provides valuable habitats and biodiversity opportunities regardless of the subjective human assessment of its quality and suitability for retention, if removed it would take a significant amount of time for any replacement planting to provide the same benefits if ever. Dead standing as well as fallen trees provide unique and valuable habitats and can be managed allowing their safe retention. It would also be advisable for the hedges to be assessed in line with the 1997 hedgerow regulations to assess their potential importance.

No tree related objections to the potential suitability of development on this site as long as adequate space is allowed for the retention of existing vegetation where suitable to have room to grow with minimal pressures for pruning or removal when the site is inhabited.

Natural England - 26 August 2021

No Objection subject to securing measures. Natural England welcomes that, in addition to on-site accessible green infrastructure, a financial contribution will be provided to assist with the implementation of measures identified in the Soham Common Recreational and Biodiversity Study (Footprint Ecology, 2017) to address recreational pressure impacts to the commons around Soham. These measures include new or replacement infrastructure for grazing, new access infrastructure, new interpretation, waymarking and signage and ecological enhancements. Subject to delivery of these measures being secured through appropriate planning mechanisms Natural England is satisfied that the proposed development is unlikely to have any significant adverse effect on Soham Wet Horse Fen SSSI and has no objection

Natural England - 22 March 2021

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on Soham Wet Horse Fen Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

Consideration of recreational disturbance on Soham Wet Horse Fen SSSI

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Additional Information required

This application is in close proximity to Soham Wet Horse Fen Site of Special Scientific Interest (SSSI). The application, as submitted, does not contain sufficient information to conclude that the development is not likely to damage or destroy the interest features for which Soham Wet Horse Fen SSSI has been notified. Our concerns are set out below.

We disagree with the findings of the Preliminary Ecological Appraisal (PEA) that there is no pathway for impact to nearby statutorily designated sites from a proposed development of this scale and nature, in this location. The proposal has

the potential to have adverse effect, through recreational pressure, on nearby Soham Wet Horse Fen SSSI and locally designated wildlife sites. Potential impacts should be given further consideration. Our advice is that the effects of recreational pressure associated with residential development in Soham should be addressed through delivery of measures identified in the 'Soham Commons Biodiversity and Access Enhancement Study' prepared by Footprint Ecology and available from the Council. This 'strategy' for the Commons identifies measures, to be implemented through residential development and /or financial contributions, to ensure that increased visitor pressure from people and dogs will not have an adverse impact on the Commons and Soham Wet Horse Fen SSSI. The applicant should be requested to address this matter and to update the PEA accordingly.

Your authority should ensure that delivery of all mitigation measures is secured through an appropriate planning mechanism.

Should the application change, or if the applicant submits further information relating to the impact of this proposal on the SSSI, Natural England will be happy to consider it.

If your Authority is minded to grant consent for this application contrary to the advice relating to the SSSI contained in this letter, we refer you to Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended), specifically the duty placed upon your Authority, requiring that your Authority;

- Provide notice to Natural England of the permission, and of its terms, the notice to include a statement of how (if at all) your authority has taken account of Natural England's advice, and

- Shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

Further general advice on the protected species and other natural environment issues is provided at

Annex A.

If you have any queries relating to the advice in this letter please contact me on 020 802 68326.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

Please consult us again once the information requested above, has been provided.

Cadent Gas Ltd - 30 April 2021

We do not object to the proposal in principle.

Please note the presence of a high pressure gas pipeline in close proximity to the proposed development. The pipeline has a 3m building proximity distance (BPD). No buildings including footings and overhangs are permitted within 3m of the pipeline. Landscaping 3m either side of the pipeline is also restricted and must have formal written approval from Cadent Gas before commencing. The developer is to engage with plantprotection@cadentgas.com before commencing any works on site.

Cadent Gas Ltd - 12 March 2021

Thank you for consulting Cadent Gas for this application. We do not object to the proposal in principle.

Cadent Gas Ltd - 10 March 2021

Thank you for your enquiry which was received on 05/03/2021. Please note this response and any attached map(s) are valid for 28 days. An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Environment Agency - 26 October 2021

Environment Agency position

It has no objection to the proposed development and restates previous standard advice.

Environment Agency - 4 May 2021

We have no objection to the proposed development, but we have general comments to make as set out below.

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-landcontamination>

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.

Pollution Prevention

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer. If soakaways are proposed for the disposal of uncontaminated surface water percolation tests should be undertaken, and soakaways designed and constructed in accordance

with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Building Control. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Environment Agency - 22 March 2021

We have reviewed the information provided and have no objection to the proposed development.

Foul Drainage

The Flood Risk Assessment demonstrates that dialogue has taken place with Anglian Water regarding the existing problems with wastewater infrastructure in the

Soham area. Anglian Water appear to have identified a foul drainage solution for the site, and a wider Soham Catchment Strategy in order to address the capacity issues within the sewerage network. The proposed development will only be acceptable if the following condition is attached to any planning permission.

Condition

No occupation of dwellings approved by this permission shall occur until the agreed scheme for improvement and/or extension of the existing sewage system has been completed.

Reasons

- a) There is insufficient capacity within the existing sewerage infrastructure to accommodate additional foul flows from this site.
- b) This development would create and/or exacerbate foul flooding and spills from existing overflows in the absence of improvements to the sewer system.

Advice to LPA

A scheme for improving the sewerage infrastructure in Soham has apparently been identified by Anglian Water. To avoid impacting the water environment negatively, the Anglian Water improvement strategy must be completed and operational before dwellings are occupied in the Soham Eastern Gateway development.

Water Resources

The development lies within the area traditionally supplied by Anglian Water. We note that the applicant has already approached the water company and state that there is capacity within their network but reinforcement works will necessary. The location of developments should take into consideration the relative availability of existing developed water resources. The timing and cost of infrastructure improvements will be a consideration.

The water companies have recently produced water resources management plans (WRMP), which set out how the companies will maintain customer supplies over the period 2020- 2045. The assessments will show which companies have sufficient supplies to meet growth but also any strategic schemes that are needed to achieve this, along with reducing demands and leakage. We recommend that councils consider the long term viability of supplying new developments and how the phasing of growth links to the timings of the planned new strategic schemes.

The Anglian River Basin Management Plan

<https://www.gov.uk/government/publications/anglian-river-basin-district-river-basinmanagement-plan> considered the status of all rivers and aquifers in the Region. This showed many waterbodies did not have the flow required to support the ecology and groundwater units not meeting good status. Given the pressure the Chalk aquifer faces, we cannot rule out future further reductions in the supplies available to water companies to prevent deterioration of the water related ecology. The council should seek the water company's assurance that it can meet the needs of growth without causing deterioration. The Environment Agency determines that current levels of abstraction are causing environmental damage. Any increase in use within existing licenced volumes will increase the pressure on a system that is already failing environmental targets. We recommend any proposed development

considers water resources as a key issue and the council recognises the damage of long term increases in abstraction due to growth.

We recommend this development takes into account the combined effect of growth in the area and the overall increase in demand for water. We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments. All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015. Due to the pressures on local water resources and the potential risk of deterioration as a result of increased levels of abstraction, we would advise that any new development in the area aims for the highest levels of water efficiency. The government allows Local plans to specify optional standards with regards to water efficiency targets in new homes. Building regulations specify a target use of 125 litres per person per day. It is recommend that the optional standard of 110 litres per person per day is adopted with the aspiration for the target to be even lower than this. New developments should not detrimentally affect local water features (including streams, ponds, lakes, ditches or drains) this includes both licensed and unlicensed abstractions. We are not aware of any licensed abstraction within the development boundary. If the applicant intends to abstract more than 20 cubic metres of water per day from a surface water source e.g. a stream or from underground strata (via borehole or well) for any particular purpose (dust suppression) then you will need an abstraction licence from the Environment Agency. Due to the pressure on water resources in the area, there is no guarantee that a licence will be granted.

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-landcontamination>

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.

Pollution Prevention

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes Open gullies should not be uses.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer. If soakaways are proposed for the disposal of uncontaminated surface water percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Building Control. The maximum acceptable depth for soakaways is 2 metres below existing ground level. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Site operators should ensure that

there is no possibility of contaminated water entering and polluting surface or underground waters.

Anglian Water Services Ltd - 7 April 2021

Background

Anglian Water has worked with the applicant through pre-application discussions and will continue to work closely with them throughout the planning and build process.

Anglian Water has defined a foul network catchment strategy for Soham and Fordham to manage additional foul flows from future development sites. The strategy has multiple phases, with phase one under construction on SOH4.

This site, whilst it can be utilised as part of the wider strategy, is not key to it. As detailed below in section 3 the site has a standalone on-site solution to manage the additional flows.

Environment Agency's Comments

We note that the EA has made formal comments on this application and we wish to address some of the points made in their response dated 22 March 2021.

Recommendation is made for a foul drainage strategy to be included. Whilst we have no objection to such a condition the wording should only reference any required on-site works as this site does not directly tie into the wider strategy.

Reference is made under 'Advice to LPA' that the improvement strategy must be completed before dwellings are occupied in the Soham Eastern Gateway development. This comment has no bearing on the application and therefore Anglian Water do not believe it is relevant in this instance.

ASSETS

Section 1- Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991, or in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus., it should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Soham Water Recycling Centre which currently does not have capacity to treat the flows from the development site.

We are aware there are a number of development sites currently forecast in the SOHAST (Soham WRC) catchment and at the current profiling we don't expect to require investment at the WRC until AMP9 (2030-2035).

Anglian Water will work with the EA on future investment plans for Soham WRC. It is not a process the developer can get involved with or has any influence over.

Section 3 - Used Water Network

Our comments are based on the following submitted document:

Flood Risk Assessment January 2021

Anglian Water have undertaken a capacity assessment for the site and the development will lead to an unacceptable risk of flooding downstream.

The applicant has been working with us to ensure a suitable drainage strategy is delivered. As stated in paragraph 6.2 of the Flood Risk Assessment we require the development site to include additional storage at the on-site pumping station with real time control. This will ensure that the flows from the site will be inhibited if the local network becomes surcharged. Flows will be held in the additional storage until the local network is clear. Engagement with the applicant will continue throughout the planning process.

To ensure a suitable strategy and any required mitigation is delivered we recommend a condition requiring phasing plans and an on-site drainage strategy.

Section 4 - Surface Water Disposal

Our response is based on the following document:

Flood Risk Assessment January 2021

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Anglian Water has reviewed the submitted document and note that we may be the adopting body for the attenuation basin. We recommend the applicant reads the Design and Construction Guidance to ensure any such proposal meets our adoptable standards.

The revised National Planning Policy Framework (2019), section 165, requires all major development incorporates Sustainable Drainage Systems unless there is clear evidence that this would be inappropriate. The Lead Local Flood Authority are the statutory consultee and there advice should be followed. Anglian Water will liaise with the Lead Local Flood Authority to ensure they are satisfied that sufficient evidence has been provided in line with the surface water hierarchy.

Section 5 - Suggested Planning Conditions

Anglian Water has no objection to the proposed development subject to the following recommended planning conditions:

Used Water Network

CONDITION: Prior to development commencing a scheme for on-site foul water drainage works, including details of connection point(s), discharge rates and any

required mitigation, shall be submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

REASON: To prevent environmental and amenity problems arising from flooding

CONDITION: Prior to development commencing a Phasing Plan to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan.

REASON: To ensure the development is phased to avoid an adverse impact on drainage infrastructure

Lead Local Flood Authority - 14 September 2021

Having reviewed the revised documentation we can confirm that the LLFA has no further

comments beyond those set down in our response of 28 May 2021 (ref: 201106227). Our

position therefore remains supportive of the development, subject to condition.

Informatives

Lead Local Flood Authority - 28 May 2021

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

Following correspondence with the applicant's drainage consultant, it has been confirmed that source control will be implemented but no details have been provided at this stage. As part of our recommended condition, further details of source control features can be secured.

The above documents demonstrate that surface water from the proposed development can be managed using an attenuation pond with a permanent pool of water restricting surface water discharge to 8.1l/s.

We request the following condition is imposed:

Condition

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

The scheme shall be based upon the principles within the agreed Flood Risk Assessment prepared by iD Ltd & Amazi (ref: AMA742, Rev A) dated January 2021 and shall also include:

a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;

b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;

c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and

- pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
 - e) Site Investigation and test results to confirm infiltration rates;
 - f) Temporary storage facilities if the development is to be phased;
 - g) A timetable for implementation if the development is to be phased;
 - h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
 - i) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
 - j) Full details of the maintenance/adoption of the surface water drainage system;
 - k) Permissions to connect to a receiving watercourse or sewer;
 - l) Measures taken to prevent pollution of the receiving groundwater and/or surface water

Reason

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

Informatives

Consent

This site falls close to the Middle Fen and 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.

Signage

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

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 - 15 March 2021

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

1. Source Control

Section 6.3.7 of the Cambridgeshire Flood and Water SPD states that source control methods must be implemented across sites to provide effective pre-treatment of surface water. The applicant has not demonstrated that source control

methods will be used on site, nor have they provided evidence of why they would be inappropriate.

As outlined in Section 6 of the Flood and Water Supplementary Planning Document the variety of source control techniques available means that virtually any development should be able to include a scheme based around these principles. The presence of low permeability soils, some forms of contamination and flat topography will not be accepted as reasons not to include source control.

Section 6.3.23 states design and layout should seek to manage and convey surface water above-ground, avoiding the use of underground piping as far as possible. This is particularly pertinent in Cambridgeshire due to the flat landscape and areas of high groundwater. Managing surface water runoff at the surface has the benefit of:

- Avoiding concentration and acceleration of surface water into waterways which causes downstream erosion;
- Integrating removal of pollutants by filtering water during conveyance;
- Reducing construction and maintenance requirements and costs;
- Creating habitats;
- Contributing to public amenity by better quality urban and landscape design;
- Increasing residents' awareness of water management; and
- Detecting blockages and obstructions more easily

Informatives

IDB Consent

This site falls close to the Middle Fen and 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.

Signage

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

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

- 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.

- 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.

Cambridgeshire County Council Education - 4 June 2021

Full consultation response is available online. To summarise, no objections are raised but contributions are required- £20,713 for Early Years, £24,013 for Secondary and £36,309 for Libraries and Lifelong Learning (£172.90 per dwelling).

Waste Strategy (ECDC) - 23 March 2021

East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day and this should be made clear to any prospective purchasers in advance, this is especially the case where bins would need to be moved over long distances; the RECAP Waste Management Design Guide defines the maximum distance a resident should have to take a wheeled bin to the collection point as 30 metres (assuming a level smooth surface).

- Under Section 46 of The Environmental Protection Act 1990, East Cambridgeshire District Council as a Waste Collection Authority is permitted to make a charge for the provision of waste collection receptacles, this power being re-enforced in the Local Government Acts of 1972, 2000, and 2003, as well as the Localism Act of 2011.

- Each new property requires two bins; this contribution is currently set at £52 per property.

- Payment must be made in advance of bins being delivered; East Cambs District Council Account Number 43135897, Sort Code 52-41-19, reference should be the planning application number followed by (bins) i.e. 15/012345/FUL (bins) a separate e-mail should also be sent to waste@eastcambs.gov.uk detailing the payment amount and the planning reference number.

Minerals And Waste Development Control Team - 18 March 2021

It is noted that the northern half of the site lies within a sand and gravel mineral safeguarding area as shown on page 145 of Appendix D of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 (MWCS); and that within the illustration in the Design and Access statement this area appears to be shown as containing greenspace, ponds / SUDS and an access. This area is also adjacent to an existing residential area. It is also noted that within the Design and Access Statement the topic of waste management is briefly addressed but acknowledged that this would be addressed as part of a reserve matter.

Policy CS26 Mineral Safeguarding Areas of the MWCS seeks to prevent the unnecessary sterilisation of mineral resources. It contains a number of criteria in which development may be permitted including where there is an overriding need for the development and prior extraction cannot be reasonably undertaken. Given the size of the site and mineral resource, and proximity to the adjoining residential dwelling, the MWPA consider that complete prior extraction is unlikely to be practical. However, the MWPA would encourage the developer to make best use of any sand and gravel incidentally extracted as part of the development, and a criterion to this effect is included in the requested waste management condition below. In the event that the Local Planning Authority (LPA) considers there is an overriding need for the development, this would be in accordance with Policy CS26.

As mentioned previously the Design and Access statement briefly addresses the topic of waste, recognising that it would be dealt with as a reserve matter. In order

to ensure that Policy CS28 Waste Minimisation, Re-use, and Resource Recovery of the MWCS is requested, if the LPA is minded to grant planning permission, then it should be subject to the following condition: Detailed Waste Management and Minimisation Plan Prior to the commencement of development or any reserved matters approval, a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:

- a) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction;
- b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste;
- c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;
- d) measures to ensure best use is made of any mineral resource incidentally extracted;
- e) any other steps to ensure the minimisation of waste during construction;
- f) the location and timing of provision of facilities pursuant to criteria a/b/c/d;
- g) proposed monitoring and timing of submission of monitoring reports;
- h) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development;
- i) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material; and j) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material, access to storage and collection points by users and waste collection vehicles. The Detailed Waste Management and Minimisation Plan shall be implemented in accordance with the agreed details.

Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014

5.2 A site notice was displayed near the site on 25 March 2021 and a press advert was published in the Cambridge Evening News on 11 March 2021.

5.3 Neighbours – A total number of 244 letters were sent to nearby or neighbouring properties. 15 responses were received and the comments are summarised below. A full copy of the responses are available on the Council's website.

- Oppose any further destruction of a once beautiful village and the living areas of birds and wildlife.
- Already overpopulated village.
- Concerns regarding surface water on roads and photos taken during wet weather.
- Concerns regarding cycling routes and the inadequacy of roads.

- The station is within acceptable cycling distance but the cycling infrastructure is inadequate.
- Loss of agricultural land.
- Concerns regarding housing prices.
- Concerns regarding local infrastructure including schools, dental and medical facilities.
- Concerns regarding existing traffic congestion and condition of roads.
- Inadequate public transport.
- Already large developments in the area and further development could compromise quality of life for everyone.
- Soham has a well-established local community which often goes back for many generations. Local community supports itself which takes pressure off services.
- Support for the proposal but requested consideration of drainage, existing trees, and access.
- Support for the proposal for new homes and community facility which would create space for local residents and groups.
- Development needs to make improvements to the mini roundabout.
- Support for the development as much needed housing.
- Boundary vegetation is often overgrown, overhanging the footpath.
- Water table is very close to the surface in this area and there is already potential for flooding parts of the new estate behind 55 to 69 Fordham Road.
- Hard surfacing created by this application could cause serious flooding in spells of wet weather unless surface water is piped beyond the bypass to the river.
- The sewage pumping station will be unable to cope with yet more flow unless Anglian Water install a new pipeline to the treatment plant.
- The character of the lane needs to be kept and continue to be closed to traffic.
- New buildings should not be built too close to the lane or too high so as to lead to a loss of light or privacy to the existing properties that back onto the lane.
- Concerns regarding biodiversity and loss of habitat.
- Residents of dwellings to the north would have views into the plots indicated to be self-build.
- Self-build plots on other development sites have not come forward yet.
- Comments regarding the moving of the self-build plots and extending the green space into this area.
- Concerns regarding loss of views and noise disturbance.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

East Cambridgeshire Local Plan 2015

GROWTH 2 Locational strategy

GROWTH 3 Infrastructure requirements

GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 14	Sites of archaeological interest
COM 4	New Community Facilities
COM 7	Transport impact
COM 8	Parking provision

Supplementary Planning Documents

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

National Planning Policy Framework 2021

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

Other Relevant Policies

Cambridgeshire and Peterborough Minerals and Waste Local Plan

7.0 PLANNING COMMENTS

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

7.2 Community Involvement

7.3 East Cambridgeshire District Council adopted its Statement of Community Involvement in July 2018. The Statement notes that while developer pre-application consultation with the public is not a requirement for a large number of application types, “pre application consultation will enable communities to raise issues with and make suggestions to the developer” which “might reduce local opposition, increase the chances of a timely and positive decision from the planning authority and improve the resulting quality of development.” The Applicant

has carried out independent public consultation prior to the submission of this application. The full details of this consultation exercise can be read within the submitted Statement of Community Involvement dated January 2021. The steps taken include engagement with the local Parish Councils and Councillors, publication of the proposals online, posting information to local residents, an online consultation event, provision of a freephone to allow the public to call and provide feedback.

7.4 Principle of Development

- 7.5 Policy GROWTH 1 identifies the level of growth required within the district over the Local Plan Period. This includes the housing requirement for the district. Policy GROWTH 1 is accepted by the Council as being out-of-date as it uses an out of date housing requirement figure, and consequently this has triggered the preparation of the 'single issue review' of the Local Plan, in order to bring GROWTH 1 back in date. That updating of the policy remains at an emerging stage (with a 'regulation 19' consultation due Spring/Summer 2022), and therefore little weight should be given to its emerging content.
- 7.6 Policy GROWTH 2 of the Local Plan 2015 provides the locational strategy for development within the district and provides a hierarchy for the location of housing development. That hierarchy seeks to focus the majority of development on the market towns of Ely, Soham and Littleport. It provides for more limited development within villages within a defined development envelope. The policy states that outside defined development envelopes, development will be strictly controlled to protect the countryside and the setting of settlements and will be restricted to the exceptions listed within the policy.
- 7.7 The weight to be given to policy GROWTH 2 is a matter of judgement for the decision maker. An important factor is the consideration of whether the Policy is "out of date" and the allied question of whether the policy is consistent with NPPF for the purposes of NPPF 219. Applying national policy, there are three main reasons it could be out of date, as follows:
- (a) If the Council cannot demonstrate a Five Year Land Supply (NPPF 11d, footnote 8). This is not the case. The Council can demonstrate a healthy supply of deliverable homes, well in excess of five years' worth, and this position has persistently been agreed by recent Inspector appeal decisions;
 - (b) If the Council 'fails' the Housing Delivery Test. This is not the case. The Council presently sufficiently 'passes' the Test; or
 - (c) If the Policy is considered 'out of date' on a separate basis. This has been defined by the Courts as "have been overtaken by things that

have happened since it was adopted, either on the ground or in some change in national policy, or for some other reason (Bloor v SSCLG [2014] EWHC 754 (Admin); [2017] PTSR 1283). However the courts have further noted “The acid test in relation to whether or not a policy is out of date is, it will be recalled, the extent to which it is consistent with the Framework.” (Gladman Developments Limited v SSHCLG and Central Bedfordshire [2019] EWHC 127 (Admin), [34]). Datedness will always be a “case-sensitive exercise” (Gladman, [36]) and will “encompass the manner in which a policy operates in relation to the determination of a particular application” (see Ewans v Mid Suffolk District Council [2021] EWHC 511, [47]).

- 7.8 The Council has considered the approach taken in recent appeal decisions, noting that each case must always turn on its specific facts.
- 7.9 In APP/V0510/W/21/3282449 Land to the North East of Broad Piece, Soham (dated 11 February 2022), the Planning Inspector found that policy GROWTH 2 was out-of-date in respect of a proposal for housing on the edge of Soham, a market town identified as a location for growth. That site was also within a broad location for housing (identified in the supporting text to policy GROWTH 4), where housing was anticipated to come forward during the Local Plan period (2011-2031). He concluded that as the housing requirement in GROWTH 1 was out of date and therefore uncertain, it was not clear that adequate housing could be provided in settlements and via allocations. The Inspector found that general objectives of GROWTH 2 “to manage patterns of development and protect the setting of settlement were good ones” and consistent with the NPPF, however in the specific location of the Appeal Site he found that continued strict application of GROWTH 2 was not justified given that the Local Plan anticipated housing in that location and at the market towns. The Inspector also gave weight to the fact that, while outside the development envelope for Soham, the proposal was considered to comply with the development plan as a whole, including the location of the development at one of the three market towns, consistent with GROWTH 2. It is important to appreciate that this was a case where no other development plan conflicts were identified, including notably in respect of landscape. The Inspector therefore did not have to consider these specific wider considerations in assessing the datedness of the policy and its consequent consistency with NPPF.
- 7.10 Elsewhere recent Inspectors have found policy GROWTH 2 up-to-date, albeit in respect of proposals for housing on the edge of villages (i.e. not market towns) with such settlements falling lower down the locational strategy hierarchy detailed within GROWTH 2.
- 7.11 Turning to the facts of this particular application, the proposal is located outside of the development envelope, and is not one of the exceptions listed in GROWTH 2. On the face of it, therefore, it is contrary to GROWTH 2. However, the proposal is

located at one of the three market towns, where growth is directed to by GROWTH 2.

- 7.12 The Council has carefully considered whether the circumstances are similar to those in the recent appeal decision in Soham (in respect of the precise nature of the conflict), and for the purpose of reaching a decision on this case alone, it is considered that GROWTH 2 is considered out of date, and consequently the development envelope around the settlement of Soham is presently 'out of date'.
- 7.13 The Council have further identified that there is no other basis to consider GROWTH 2 up-to-date, noting the absence of any unacceptable harms in landscape terms, which is discussed within section 7.39 – 7.47 of this report.
- 7.14 Therefore, on the question of the principle, it is considered that the principle of development in this location, on the edge of one of the market towns, is acceptable, because the development envelope in this location is out of date and should not be strictly applied in the way GROWTH 2 intends.
- 7.15 The Council's position on all settlements other than market towns is distinct from this, and all decisions are reached on a case by case basis.
- 7.16 Community Building
- 7.17 Paragraph 93 of the NPPF is clear that planning policies and decisions should plan positively for the provision and use of community facilities to enhance the sustainability of communities and residential environments. Paragraph 7.5.1 of the East Cambridgeshire Local Plan 2015 highlights the importance of community facilities for the social wellbeing of communities and identifies that there is likely to be a need for new community facilities over the Plan period as populations expand. It sets out that such facilities will be directed toward town centres depending on their scale and the area which would be served, or as part of new residential developments. Policy COM4 of the Local Plan 2015 sets out that proposals for new community facilities should:
- Be well located and accessible to its catchment population (including by foot and cycle).
 - Not have a significant adverse impact (itself or cumulatively) in terms of the scale or nature of traffic generated.
 - Not have a significant adverse impact on the character of the locality, or the amenity of nearby properties.
 - Demonstrate that opportunities to maximise shared use have been explored; and
 - Be designed to facilitate future adaptation for alternative community uses or shared use.
- 7.18 Policy GROWTH3 sets out that development proposal will be “expected to provide or contribute towards the cost of providing infrastructure and community facilities made necessary by the development”.
- 7.19 The principle of the provision of a community facility in this location is therefore considered to be acceptable and in accordance with policies GROWTH3 and

COM4 of the Local Plan 2015. There has been some debate between consultees as to whether a community building is required in this location and whether it will realistically be brought forward. Given the uncertainty, the applicant has proposed that in the event that the community building is not realised, an increased provision of affordable housing is provided. This proposal is considered to be acceptable in either scenario. It is considered appropriate to condition that the use class of the community building is restricted to a community use falling within Class E(d), E(e), and E(f) to prevent this from coming forward as a retail unit or office.

7.20 **Affordable Housing**

7.21 The proposed development seeks outline consent for the construction of up to 210 dwellings.

7.22 Policy HOU3 of the Local Plan 2015 sets out that all new open market housing developments which incorporate more than 10 dwellings will be required to make appropriate provision for an element of affordable housing; A minimum of 30% of the total number of dwellings to be provided will be sought in the north of the district, and the policy explains that Soham, for the purpose of the policy, is within the north. The policy also sets out that the proportion and type of affordable housing will be the subject of negotiation with applicants. The precise mix in terms of tenure and house sizes of affordable housing within a scheme will be determined by local circumstances at the time of planning permission, including latest national policy requirements, housing need, development costs and the availability of subsidy.

7.23 The application is slightly unusual in that it proposes an either-or situation regarding affordable housing, based on whether a provider for the community building is found. There are two scenarios:

Scenario A	Scenario B
<p>In the event that the community building use <u>is</u> brought forward: -28% affordable housing is proposed -equating to 59 affordable units based on 210 dwellings being proposed at Reserved Matters stage -20 % will be subject to the standard 77% rented /23% shared ownership split -8% being for any tenure that meets affordable housing standards.</p>	<p>In the event that the community building use <u>is not</u> brought forward -30% affordable housing proposed -equating to 63 affordable units based on 210 dwellings being proposed at Reserved Matters stage 20 % will be subject to the standard 77% rented /23% shared ownership split -10% being for any tenure that meets affordable housing standards.</p>

7.24 The proposed affordable housing tenure split would be subject to final negotiations between Council Officers and the applicant, and the detail of this would be secured

by way of the Section 106 agreement. That split is likely a mix of affordable rent and shared ownership, with precise products and % split to be agreed.

- 7.25 Scenario A would not fully comply with policy HOU3 as it would provide 2% less than the 30% required by the policy. This slight failure to be policy compliant therefore weighs against the proposal, but not significantly so. In addition, the Council recognises through its Viability Assessment Information report prepared by Dixon-Searle Partnership in April 2019 which sets out (para 3.3.25) that in respect of Soham, it is considered “appropriate that the targets should be challenging but for the towns of Littleport and Soham a 20% headline (potentially subject to potential revision upwards with starter homes or similar included) would represent an appropriate amended scenario.” With this in mind, Scenario A would be considered consistent with the Council’s own evidence, as it would provide for 28% affordable housing. This reduces further any negative weight associated with not quite meeting a policy compliant 30% level. Scenario B would, of course, be fully compliant with policy HOU3.
- 7.26 The proposal under either scenario is therefore considered to be at, or at least very close to, compliance with policy HOU3 of the Local Plan 2015, with just minor weight applied against Scenario A due to its very slight non-policy compliant position. Such negative weight is reduced further to very minor weight by virtue of the Council’s own viability evidence. That said, for both scenarios, the provision of a significant number of affordable housing units (59 or 63) is, as a matter of principle, a considerable benefit of the scheme, and that is applied significant positive weight.
- 7.27 Under policy HOU1 of the Local Plan 2015 developments of 50 or more dwellings will be expected to provide a proportion of dwellings that are suitable or easily adaptable for occupation by the elderly or people with disabilities (Lifetime Homes standard or equivalent). This can be secured by way of the S106 agreement.
- 7.28 Self Build**
- 7.29 Policy HOU 1 sets out that developments of 100 or more dwellings will be expected to provide a minimum of 5% self build properties. The inclusion of self build properties on smaller sites will also be encouraged. The S106 will ensure that that 5% of the total number of dwellings will be marketed/offered as self build plots in line with the Custom and Self-Build Housing SPD.
- 7.30 Education Contributions**
- 7.31 Cambridgeshire County Council have reviewed the application and have set out the education contributions required for the application. These are set out in full within their response dated 1st June 2021 and can be accessed via the Council’s public access system. In summary, this requires £20,713 for Early Years, £24,013 for Secondary and £36,309 for Libraries and Lifelong Learning (£172.90 per dwelling). The Applicant accepts these contributions and these can be secured by way of a S106 Legal Agreement.

7.32 Residential Amenity

- 7.33 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 occupiers of new buildings, especially dwellings, and that future occupiers enjoy high standards of amenity.
- 7.34 The application site is separated from adjacent residential dwellings by Cherry Tree Lane to the north, Fordham Road to the east, Orchard Row to southeast and the unnamed road to the south of the site. The change of use of the site to residential development will cause changes to the area in terms of outlook and they may also experience some impact from increased noise and traffic movement from the site. However, this is not considered to be significant such that planning permission should be refused on that basis.
- 7.35 . It is considered that any impact on residential amenity could be adequately mitigated with adequate separation distances to existing properties and appropriate heights of the proposed dwellings, in line with the requirements of the Design Guide. Particular attention to the garden sizes, scale of properties, separation distances and plot orientations will be required to ensure no adverse impacts in relation to overlooking, overshadowing, and buildings being overbearing. Impacts such as noise and disturbance from construction works could be controlled through the inclusion of conditions which restrict the construction hours, and the requirement for a Construction Environmental Management Plan (CEMP) to be submitted prior to any development commencing on site. Comments have been received regarding loss of views, however this is not a material planning consideration. The impact on upon the character of the area is discussed under the Visual Impact section of this report.
- 7.36 A Noise Impact Assessment (NIA) has been submitted with the application. The report identifies noise predominantly from Fordham Road which runs along the east boundary of the site. The report has been reviewed by Environmental Health who advise that the vast majority of the site will be able to achieve target levels with a partially open window but that there are shown 8 potential plots along the eastern edge which would require closed windows and alternative ventilation to achieve acceptable internal noise levels. They do not object to the application but note that options such as the reorientation of dwellings, dual aspect glazing, reorganisation of sensitive rooms and the house-types should be considered. The application is in outline form with all matters reserved apart from access, and therefore the illustrative layout only provides an indication of how the development can be accommodated. It is considered that a scheme with an appropriate layout and design could be achieved which overcomes the noise sources identified within the NIA. Such a layout will need to provide for acceptable internal noise levels with a partially open window in order to provide a good standard of amenity for future occupiers, as the Council does not support alternative methods of ventilation being proposed as the only method of providing fresh air.

- 7.37 It is considered that future occupiers of the site would have a good standard of amenity in terms of the site's position in relation to the services and facilities available within Soham.
- 7.38 While the details of this application (appearance, layout, scale and landscaping) would be considered at a reserved matters stage, it is considered that an appropriately designed scheme could be brought forward which prevents detrimental impacts to the amenity of neighbouring occupiers and ensures high standards of amenity for future occupiers, in accordance with policy ENV2 of the Local Plan 2015 and the NPPF.
- 7.39 Visual Amenity**
- 7.40 Paragraph 130 and 134 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history. The NPPF makes it clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 7.41 Policy HOU2 of the East Cambridgeshire Local Plan 2015 requires new development to have respect for and be informed by the character and density of the surrounding area, and take account of on-site constraints, including landscape features, neighbouring properties, availability of car parking and any heritage assets that may influence how or if a site should be developed.
- 7.42 Policy ENV 1 requires applications to ensure that they provide a complementary relationship with existing development, and conserve, preserve and where possible enhance the distinctive and traditional landscapes, and key views in and out of settlements. The policy sets out that development proposals should respect the pattern of distinctive historic and traditional landscape features such as watercourses, characteristic vegetation, individual and woodland trees, field patterns, hedgerows and walls, and their function as ecological corridors for wildlife dispersal. The policy requires proposals to take account of settlement edges, the space between settlements, and the wider landscape setting, as well as the visually sensitive natural skylines of the area. The policy also requires proposals to take account of the unspoilt nature and tranquillity of the area and the nocturnal character.
- 7.43 Policy ENV 2 requires applications to ensure that their location, layout, form, scale, massing and materials are sympathetic to the surrounding area by making efficient use of land and respecting the density, urban and village character, public spaces, landscape and biodiversity of the surrounding area. This policy seeks to retain existing important landscaping and natural and historic features, and expects proposals to include landscape enhancement schemes.
- 7.44 The application site is generally flat and ranges from grassland to agricultural land. There is some boundary vegetation between the parcels of land which is generally mature. The site is bordered to the north by Cherrytree Lane, the east by Fordham Road and Orchard Row, and the south by an unnamed road. To the north and south-east of the site is urban built form of Soham. To the north-east corner of the site the Cherry Tree public house is located. The Conservation Area of Soham is

located approximately 200m to the north of the site and is physically separate from the application site by virtue of the intervening built form of Soham.

- 7.45 Although the application is in outline form with all matters reserved apart from access, the visual impact of the development of potentially 210 dwellings, must be assessed in principle. The applicant has submitted an illustrative masterplan for the site which indicates how the proposal could be accommodated at the site. The indicative masterplan shows large areas of open space and landscaped buffers to sensitive site boundaries. The plan indicates that dwellings could be set away from the site boundaries to help assimilate the development into its surroundings. The gross density of the site is 21dph. The illustrative masterplan indicates large areas of open space, which means that the developable area of the site would have a density of between 35-40dph, however the density is not set and would be dependent on the detailed design, which would come forward at reserved matters stage; it may be that certain areas of the site have a lower density than others depending on how this is laid out. The application is for **up** to 210 dwellings and it would need to be satisfactorily demonstrated at reserved matters stage that this number of dwellings could be appropriately achieved, with good quality design. However, the illustrative masterplan broadly demonstrates that approximately 210 dwellings could be accommodated on site. The applicant has recognised within email correspondence that to achieve 210 units there would need to be a predominant number of smaller units such as cluster homes, apartments or semi-detached dwellings. The final number of dwellings will be designed at the reserved matters stage and this will be informed by all material considerations and planning policies, including ensuring good design and open space.
- 7.46 The applicant has submitted a Landscape Visual Impact Assessment (LVIA) which assesses the existing landscape and visual receptors. The LVIA sets out that the visual impacts from the private rights of way network (PROW) are not considered to be significant when considered overall and in the context of the settlement edge. The report notes that views from adjacent neighbours and the road network could be screened and filtered through soft landscaping to reduce the visible mass of the development. The LVIA discusses that views of the site will be possible from the recently constructed dwellings to the north (Morello Chase) however it notes that the development is indicated to be set back from the northern boundary which will reduce the visual impact. The LVIA notes that there will be direct views of the proposed development from the local road network depending on the absence or presence of intervening vegetation. The LVIA concludes that the development would result in limited impacts at localised levels and that these impacts would likely be limited to the site area and immediate context. The LVIA sets out that the views of the development can be filtered through the use of soft landscaping and would be seen against the existing settlement edge. The LVIA notes that the landscape and visual impacts would be limited and considers that the proposed development is acceptable.
- 7.47 It is considered that the illustrative masterplan submitted indicates that sufficient space could be provided in order to accommodate high quality soft landscaping within the site, as well as to the site edges which could help to assimilate the development into its surroundings and soften the built form of the development. It is considered that at the detailed design stage an appropriate high-quality scheme

could be submitted. The outline proposal is therefore considered to comply with policies HOU2, ENV1 and ENV2 of the Local Plan 2015, and the NPPF.

7.48 Highways

7.49 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.”

7.50 The application proposes a primary vehicular access onto Fordham Road and a secondary emergency access from the unnamed road to the south of the site. The emergency access would be secured with collapsible bollards. The proposed number of car and cycle parking spaces in accordance with Policy COM8 would be assessed as part of any reserved matters application and does not form part of the assessment of this application, as the detailed design elements are not being considered as part of the outline application. However, based on the illustrative masterplan submitted, it is considered that the required parking could be accommodated on site, in accordance with Policy COM8. Alongside the application a Transport Assessment has been submitted which concludes that “proposed residents would have opportunities to travel by sustainable modes, a safe and suitable access arrangement can be provided, and that the development will have no significant or severe off-site impact”.

7.51 The Local Highways Authority has reviewed the access proposals and confirms in their response dated 9th December 2021 that they raise no objection to the proposals. They note that some works such as the lowering of kerbs and adjustments to highways signs would be dealt with directly with the Local Highways Authority at a later date. They have requested that some conditions are appended to any grant of permission. The proposals have also been considered by the Cambridgeshire County Council Transport Assessment Team. The Transport Assessment Team note that there are a number of key facilities within Soham which are within acceptable walking and cycling distance from the application site. They advise that footways are present on both sides of the road which provide access to the town centre, and that public rights of way will be maintained as part of the proposal. The Transport Assessment Team raise no objection to the proposals and request that the S106 Legal Agreement secures the following:

- Upgrade the existing northbound bus stop on Fordham Road within the vicinity of the site to comprise Real Time Passenger Information (RTPI) and maintenance fee for RTPI.

- S106 monetary contribution of £183,000 towards capacity improvements at the A142/Fordham Road/A1123 roundabout.

7.52 All of the Transport Assessment Team's requirements would need to be secured by S106 legal agreement and planning conditions. Subject to this, the proposal complies with the requirements of Policy ENV2, COM 7 and COM8 of the Local Plan 2015.

7.53 Flood Risk and Drainage

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

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

7.55 The site is located within Flood Zone 1 and the applicant has provided an up to date Flood Risk Assessment (FRA). The FRA notes that there are two watercourses in the vicinity of the site along the north boundary and the northern end of the west boundary. The application proposes sustainable drainage systems (SuDS) to control surface water runoff. Rainwater would be dealt with via a piped drainage system that would outfall into an elongated wet attenuation pond which would also act as a swale in low flow conditions. This would outflow into the existing watercourse to the north of the site with a restricted outflow of 8.1 l/s which is less than the 1:1 year return period greenfield runoff from the development area. The FRA sets out that in the worst case scenario 1:100 year plus 40% climate change storm event is 4,655m³. The Lead Local Flood Authority (LLFA) have reviewed the information submitted and have removed their initial objections to the scheme following correspondence with the Applicant's drainage consultants. They have requested that a condition is imposed on any grant of planning permission which requires a detailed design of the surface water drainage for the site and have set out specific criteria which would need to be included in this strategy.

7.56 The Environment Agency have also reviewed the proposals and raise no objection to the development but have made general comments in relation to groundwater and contamination, and pollution prevention. Anglian Water have reviewed the proposals and the Environment Agency's comments and addressed these comments within their response. They advise that:

“We note that the EA has made formal comments on this application and we wish to address some of the points made in their response dated 22 March 2021.

Recommendation is made for a foul drainage strategy to be included. Whilst we have no objection to such a condition the wording should only reference any required on-site works as this site does not directly tie into the wider strategy.

Reference is made under 'Advice to LPA' that the improvement strategy must be completed before dwellings are occupied in the Soham Eastern Gateway development. This comment has no bearing on the application and therefore Anglian Water do not believe it is relevant in this instance.” (*Anglian Water consultation response dated 7th April 2021*).

7.57 The response from Anglian Water notes that the foul drainage from the development would be within the catchment of Soham Water Recycling Centre (SWRC). They note that the SWRC currently does not have capacity to treat the flows from the development site however there are a number of development sites forecast and at the current profiling don't expect to require investment at the WRC until 2030-2035. They note that this process is not something the developer can get involved with or have any influence over. The Water Industry Act does not allow for developer contributions towards WRC upgrades. Anglian Water have no objection to the proposed development and have not sought financial contributions. It has requested conditions be appended to any grant of permission relating to site phasing and foul water network.

7.58 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.

7.59 Ecology

7.60 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.

- 7.61 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.
- 7.62 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, such as wetland areas, 'insect hotels' and log piles.
- 7.63 The applicant has submitted an Ecological Impact Assessment which sets out the impacts of the proposed development in terms of ecology and biodiversity. The report concludes that the main body of the site is arable habitat of negligible ecological value, with habitats of local value being located to the boundaries of the site (hedgerows and trees) and an area of semi-improved grassland to the north. The report sets out that the site is considered to support birds and hedgehogs, and act as commuting/foraging land for bats along the site boundaries. The report also notes that there is potential for small populations of common reptiles around the site boundaries and grassland. The report indicates that the majority of boundary habitats could be retained as part of the proposals, and that compensation can be applied where any small losses occur.
- 7.64 The applicant has also submitted a biodiversity net gain metric. The Wildlife Trust has reviewed the information provided and has provided a number of comments in relation to achieving net gain on site, however as the detailed design of the site would be submitted at a reserved matters stage it is not appropriate at this stage to require detailed information which relies on the layout and landscaping elements of the site design, however it is concluded from the information submitted that a 10% net gain could be achieved. Following discussions with the Wildlife Trust it is considered appropriate to append conditions to any grant of permission which require a comprehensive scheme of biodiversity enhancements to be submitted as part of any reserved matters application in accordance with policy ENV7 of the Local Plan 2015, the Natural Environment SPD and the NPPF. The application will also be required to contribute toward the Soham Commons, however this can be secured through the S106 agreement.

7.65 Climate Change

- 7.66 Policy ENV4 of the Local Plan 2015 sets out that all proposals for new development “should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable”. The policy requires that developments for 5 or more dwellings “are required to achieve Code for Sustainable Homes Level 4 (or its replacement pending implementation of the zero carbon homes requirement)”.
- 7.67 The Council’s Climate Change SPD sets out that applicants could demonstrate their approach to the following:
- a. Minimising demand for energy through design;
 - b. Maximising energy efficiency through design;
 - c. Carbon dioxide reduction achieved through items a and b above, and through incorporation of renewable and low carbon energy sources;
 - d. Water efficiency (including whether, for residential development, the design intends to voluntarily incorporate the Part G Building Regulations option of estimated water consumption set at no more than 110 litres per person per day, rather than the standard 125l/p/d);
 - e. Site waste management;
 - f. Use of materials (such as low carbon-embodied materials); and
 - g. Adaptability of the building, as the climate continues to change.
- 7.68 The applicant has submitted an Energy Statement which seeks to establish the indicative approach to sustainable construction and energy demand for the development. The Energy Statement seeks to demonstrate that a number of the key considerations would be addressed through the application of Building Regulations standards and developer responsibility. The report notes that a fabric first approach to sustainable construction is proposed including methods of insulation, reductions in thermal bridging and air leakage. The report also notes that energy demand can be minimised through a fabric first approach. However the Local Planning Authority will ensure that any scheme that comes forward will demonstrate energy efficiency improvements 20% above present (as at Jan 2021) Building Regulations. It is noted that as Building Regulations improve this may result in even further carbon reductions based on when the development is commenced.
- 7.69 Based on the information submitted at outline stage, it is considered that an appropriate scheme could be submitted at detailed design stage which maximises energy efficiency and incorporates renewable or low carbon energy sources. It is considered to append a condition to any grant of permission which requires that prior to the commencement of development, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority.

7.70 Other Material Matters

7.71 *Contamination*

7.72 The application includes the submission of a Phase I Geo-Environmental Desk Study report dated January 2021 prepared by BRD. The Council's Scientific Officer has reviewed this report and accepts the findings. The report sets out that a Phase II investigation is carried out. The Council's Scientific Officer has requested that conditions are appended to any grant of permission in relation to contamination investigation, the submission of a remediation scheme, the implementation of any remediation, and the reporting of any unexpected contamination. This is considered to be appropriate and with the imposition of these conditions the proposal is considered to be compliant with policy ENV9 of the Local Plan 2015 which seeks to ensure that "development proposals should minimise, and where possible, reduce all emissions and other forms of pollution".

7.73 Planning Balance

7.74 It is considered that the principle of development in this location, on the edge of one of the market towns, is acceptable, because the development envelope in this location is out of date and should not be strictly applied in the way GROWTH 2 intends. Policies GROWTH3 and COM4 of the East Cambridgeshire Local Plan 2015 and paragraph 93 of the NPPF support the provision of community facilities to enhance the sustainability of residential environments. The application would provide either 28% affordable housing and the provision of a community building, or 30% affordable housing if the community building is not realised. The proposal is considered to be in compliance, or at least very close to, with policy HOU3 of the Local Plan 2015, and the provision of a significant number of affordable housing units represents a benefit of the scheme which is applied significant positive weight.

7.75 It is considered that at a reserved matters stage an appropriately designed scheme could be brought forward which prevents detrimental impacts on the amenity of neighbouring occupiers and ensures a high standard of amenity for future users in accordance with policy ENV2 of the Local Plan 2015 and the NPPF. It is also considered that a high-quality scheme could be brought forward which prevents significantly detrimental impact on visual amenity, in accordance with policies HOU2, ENV1 and ENV2 of the Local Plan 2015, and the NPPF. The application proposes appropriate access arrangements and would secure the upgrading of a nearby bus stop and financial contributions to local road infrastructure, and the proposal is considered at this stage to be compliant with policies ENV2, COM7 and COM8 of the Local Plan 2015. With regard to flood risk and drainage, the proposals have been reviewed by the relevant statutory consultees who confirm that there are no objections, and the proposal is therefore considered at this stage to be compliant with policy ENV8 of the East Cambridgeshire Local Plan 2015, the Cambridgeshire Flood and Water SPD, and Chapter 14 of the NPPF. The Wildlife Trust are content that the outstanding matters relating to ecology can be dealt with by way of an appropriately worded planning condition, and addressed at the reserved matters stage of the project.

7.76 On balance, the proposal is considered to be broadly compliant with the relevant planning policies and that there will be no significant adverse impacts that would weigh against the proposal. The application is therefore recommended for approval.

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:

- Principle of development as defined by Planning Inspectorate Decision APP/V0510/W/21/3282449 Land to the North East of Broad Piece
- No statutory objections.

9.0 APPENDICES

Appendix 1- Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
21/00291/OUM	Catherine Looper Room No. 011 The Grange Ely	Catherine Looper Planning Team Leader 01353 665555 catherine.looper@eastcambs.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

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

Appendix 1- Recommended Conditions.

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

<u>Plan Reference</u>	<u>Version No</u>	<u>Date Received</u>
F18096/06	A	7th December 2021
P19-2275_12	A	22nd February 2021
F18096/01	A	22nd February 2021

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the layout, scale, landscaping and appearance (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 2 years of the date of this permission.
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 Approval of the details of the site of the community building (Use Class E(d), E(e), and E(f)) shall be obtained from the Local Planning Authority in writing before any development is commenced, and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 3 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 4 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters relating to that phase.
- 4 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 5 As part of any reserved matters application, a Biodiversity Method Statement including a 5 Year Management Plan and a scheme of biodiversity and habitat retention, mitigation, protection and / or enhancement, shall be submitted to the Local Planning Authority for approval. The Statement shall include but not be limited to the details set out in the Ecological Impact Assessment dated October 2021 and the biodiversity net gain assessment submitted with the outline application. The development shall thereafter be carried out in accordance with the agreed details.
- 5 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. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 6 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.

- 6 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.
- 7 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.
- 7 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.
- 8 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).

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

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

ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 10 Prior to the commencement of any development, the remediation scheme approved in Condition 9 above shall be implemented in accordance with the agreed timetable of works and to the agreed specification. The Local Planning Authority must be given two weeks written notification of commencement of any remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
- 10 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 11 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 11 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 12 Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 12 Reason: The application has been assessed as acceptable and complying with policy ENV4 of the East Cambridgeshire Local Plan 2015 on this basis.
- 13 Prior to development commencing a scheme for on-site foul water drainage works, including details of connection point(s), discharge rates and any required mitigation, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
- 13 Reason: To reduce the impacts of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.
- 14 Prior to development commencing a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan.
- 14 Reason: To ensure the development is phased to avoid an adverse impact on drainage infrastructure in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.

- 15 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 prepared by iD Ltd & Amazi (ref: AMA742, Rev A) dated January 2021 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
 - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
 - c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
 - d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
 - e) Site Investigation and test results to confirm infiltration rates;
 - f) Temporary storage facilities if the development is to be phased;
 - g) A timetable for implementation if the development is to be phased;
 - h) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
 - i) Demonstration that the surface water drainage of the site is in accordance with DEFRA nonstatutory technical standards for sustainable drainage systems;
 - j) Full details of the maintenance/adoption of the surface water drainage system;
 - k) Permissions to connect to a receiving watercourse or sewer;
 - l) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- 15 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.
- 16 Prior to the commencement of development, a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:
- a) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction;
 - b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste;
 - c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;
 - d) measures to ensure best use is made of any mineral resource incidentally extracted;
 - e) any other steps to ensure the minimisation of waste during construction;
 - f) the location and timing of provision of facilities pursuant to criteria a/b/c/d;
 - g) proposed monitoring and timing of submission of monitoring reports;

h) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development;

i) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material; and j) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material, access to storage and collection points by users and waste collection vehicles. The Detailed Waste Management and Minimisation Plan shall be implemented in accordance with the agreed details.

- 16 Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014, and ENV2 of the Local Plan 2015.
- 17 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.
- 17 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.
- 18 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 18 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 19 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates, fences or walls shall be erected across the approved vehicular access, as shown on F18096/01 Rev A and F18096/06 Rev A.

- 19 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 20 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.
- 20 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 21 Prior to commencement of use visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan F18096/01 Revision A and F18096/06 Revision A. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 21 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 22 The emergency vehicular access as shown on the drawing F18096/06 Revision A shall be constructed prior to the occupation of the 100th dwelling.
- 22 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 23 Prior to first occupation of development, the developer shall be responsible for the provision and implementation of a Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of bus taster tickets and/or cycle discount vouchers. The Travel Plan is to be monitored annually, with all measures reviewed to ensure targets are met.
- 23 Reason: In the interests of sustainable transport and highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 24 No above ground construction shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service or alternative scheme has been submitted to and approved in writing by the Local Planning Authority. The hydrants or alternative scheme shall be installed and completed in accordance with the approved details prior to the occupation of any part of the development.
- 24 Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 95 of the NPPF.
- 25 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.
- 25 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.