

**AGENDA ITEM NO 4**

**TITLE: 19/01600/ESO**

Committee: Planning Committee

Date: 13 August 2024

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Report No: Z48

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**Site Address: Land West of A142 Between East Fen Common and Qua Fen Common, And East of Brewhouse Lane Soham Cambridgeshire**

**Proposal: Outline planning application for up to 540 dwellings, a medical centre (E(e) use class), and up to 1,600 sqm GIA of use classes: E (a)(b)(c)(e)(f)(g) sui generis (r) hot food takeaway, F1, and F2 and associated highways and infrastructure works, drainage, open space and landscaping, with all matters reserved save for Phase 1 and 3B including landscaping, drainage, infrastructure works and open space, and access (including highways and infrastructure works) via a new roundabout to the A142, and new access points to the NE boundary of Staploe Medical Centre, the former garden centre, and to the boundary of land between East Fen Common and Cornwell Close.**

**Applicant: This Land Development Limited**

**Parish: Soham**

**Ward: Soham South**

Ward Councillor/s: Ian Bovingdon  
Lucius Vellacott

**Date Received: 21 November 2019**

**Expiry Date: 19 August 2024**

**1.0 RECOMMENDATION**

- 1.1. Members are recommended to approve the application subject to the signing of the S106 Agreement, extension of time to cover the period in which the S106 is finalised, and the following draft conditions, with authority delegated to the Planning Manager and Legal Services Manager to make minor changes to the wording of the proposed conditions; to complete the S106; and to issue the planning permission.
- 1.2. The S106 agreement will secure the following:

#### Housing

- Minimum 20% affordable housing provision, with review mechanism with each Residential Reserved Matters application (RRMA)
- Affordable Housing Scheme, including details of tenure mix, accessible homes, clustering and minimum provision within each RRMA
- Minimum 5% of the total number of homes to be provide as self-build across the site

#### Ecology

- Habitat Management and Monitoring Plan (HMMP), containing as a minimum a detailed plan that outlines how the land will be managed over at least 30 years to create and enhance habitats for biodiversity net gain (BNG); and to manage and monitor the BNG
- Mitigation for predation from pets against protected and notable species
- Financial contributions of £125 per dwelling towards the restoration, management, and enhancement of the Qua Fen Common and the East Fen Common and Soham Wet Horse Fen SSSI and Soham Commons County Wildlife Sites in line with the Soham Commons Recreational and Biodiversity Enhancement Study

#### SuDS and Open Spaces

- Public open space specification and provision
- SuDS specification and provision
- Contribution to the Ely Group of Internal Drainage Board towards future maintenance of the Board's Main Drain network and pumping station

#### Sports

- Financial contribution of £220,000 towards provision or improvements of sports facilities in Soham

#### Education

- On-site provision of nursery
- Indicative financial contributions of £1,010,708 towards early years education; £3,502,626 towards primary education; £3,008,250 towards secondary education; and £79,650 towards libraries provision. The education contribution figures are 'indicative' figures, based on the County Council's 'general multipliers' for pupil yield. The proposed s106 agreement will include formula-based calculations based on the County Council's 'detailed multipliers' for pupil yield. This is standard practice and will enable the education contributions to be accurately calculated based on reserved matters applications.

#### Community facilities

- On-site provision of a community meeting space of a minimum of 140 square metres (1,507 square foot)

#### Healthcare facilities

- Safeguarding of the medical centre land
- Submission of reserved matters applications RMA(s) covering the medical centre land and the access roads from the Primary Movement Route (the Boulevard) and from Brewhouse Lane within 30 days from outline permission granted
- Access from the Primary Movement Route (the Boulevard) and from Brewhouse Lane to be implemented prior to new medical centre becoming operational and to first occupation of dwellings, whichever is the earliest
- Transfer of the serviced land to the operators of the Staploe medical centre
- Final acceptance of the serviced land conditioned to approval of the Full Business Plan by the operators of the medical centre
- Financial contributions of £736,869 *in lieu* of the land, in the event the land is not timely transferred or not accepted for any reason

#### Highways and transport

- Safeguarding access to remaining parts of SOH3 allocation site
- Delivery of road links to remaining parts of the SOH3 allocation site, as development in the application site progresses
- Safeguarding of land from the junction with the Primary Movement Route (the Boulevard) to the access point with the garden centre land, to re-develop the link road to accommodate commercial or industrial traffic, if required in the future
- Financial contribution of £337,000 towards improvements to the A142 roundabout junctions with The Shade; A1123 / Fordham Road; and Station Road / B1102
- Walking and cycling access to the proposed medical centre from Brewhouse Lane
- Travel Plan
- Obligation for the applicants to meet the costs of any new or amended signage that may be required due to any legal changes to the Public Rights of Way (PROW) network
- Improvements to PROWs 54, 58 and 60

#### Waste

- Financial contributions of £57 per dwelling, towards bins in a timely manner so they are in place prior to the dwelling occupation
- Private collection of waste until roads are adopted and on roads which will remain private

1.3. The recommended conditions are the following:

#### General:

1. Time Limit – Haul Road
2. Time Limit – Outline Permission
3. Approval of Reserved Matters
4. Approved drawings
5. Compliance with Environmental Statement

6. Quantum of development

Details to be included with reserved matters applications:

7. Strategic Surface Water Drainage Strategy
8. Surface Water Strategy
9. Noise impact assessment
10. Sustainable development
11. Parking Standards
12. Preliminary Ground Levels
13. Landscape and Visual Impact Assessment (LVIA)
14. Residential Visual Amenity Assessment (RVAA)
15. Ecological surveys
16. Reptile survey

Pre-commencement conditions (construction):

17. Tree Protection Scheme
18. Construction Method Statement
19. Tree protection
20. Construction Soil Management Plan (CSMP)
21. Construction Traffic Management Plan (CTMP)
22. Construction Water Run-off

Pre-commencement conditions (site-wide):

23. Hedgerow and Woodland Management and Creation Scheme (HWMCS)
24. Landscape Management Plan
25. Air Quality Assessment
26. Ground contamination
27. Detailed Waste Management and Minimisation Plan (DWMMP)
28. Archaeology
29. Drainage Assets Plan
30. PROWs Plan

Pre-commencement conditions (phase, parcel or zone of development):

31. Construction Environmental Management & Monitoring Plan (CEMP)
32. Biodiversity Improvements
33. Surface Water Infrastructure Works
34. Detailed Surface Water Drainage Scheme
35. Flood Risk
36. Management and Maintenance of Streets
37. Ground pilling

Later conditions:

38. Used Water Sewerage Network
39. Hard Landscaping Scheme – Phases 1 and 3b
40. Soft Landscaping Scheme – Phases 1 and 3b
41. Fire Protection
42. BREEAM
43. Brewhouse Lane footway
44. Paddock Street crossing
45. PROW 60
46. PROW 58

47. PROW 54
48. Lighting Design Strategy
49. Maintenance of Roads – Phases 1 and 3b
50. Tree protection – site supervision and monitoring
51. Surface Water System – Survey and Report
52. Long-term Maintenance – Surface Water Drainage System
53. Construction of Roads

Compliance conditions:

54. Reporting of Unexpected Contamination
55. No Lights
56. Construction and Deliveries Hours
57. Harvest Mouse mitigation

The conditions can be read in full on the attached Appendix 1.

## **2.0 SUMMARY OF APPLICATION**

- 2.1 The application is for outline planning permission for up to 540 dwellings, a medical centre (E(e) use class), and up to 1,600 square metres (17,222 square foot) of gross internal area (GIA) of use classes: E (a)(b)(c)(e)(f)(g) sui generis (r) hot food takeaway, F1, and F2 and associated highways and infrastructure works, drainage, open space and landscaping. The application seeks all matters be reserved save for phases/ parcels 1 and 3b including landscaping, drainage, infrastructure works and open space, and access (including highways and infrastructure works) via a new roundabout to the A142, and new access points to the northeast boundary of Staploe Medical Centre, the former garden centre, and to the boundary of land between East Fen Common and Cornwell Close.
- 2.2 The application is accompanied by an illustrative masterplan showing how the dwellings and the mixed-use areas could be accommodated on the site, alongside 6.4 hectares (16 acres) of ponds and green spaces. As part of this structure, two corridors of open space are proposed to link the Qua Fen Common to the north and the East Fen Common to the south of the site, one crossing the site in the central-most area, and the other link crossing the site along its frontage. The ponds proposed in these green corridors are part of the sustainable drainage system (SuDS) of the site. Access to the site will be given from the A142 and the roundabout access to be delivered with the development, and the Primary Movement Route entering the site, shaping the Eastern Gateway envisaged for Soham. These elements of the infrastructure are detailed in this submission, however the resulting developable area will be detailed in future planning stages, when more information regarding flood risk and noise impact will be made available.
- 2.3 Details of phases 1 and 3b have been submitted for approval with this outline application. Phase 1 includes the landscaped frontage of the site, the landscaped buffer along the southern boundary of the site and the open spaces along the site frontage and the centre of the site, linking the East Fen and Qua Fen commons. Phase 1 also includes the access roundabout as well as the road and landscaped areas around the Primary Movement Route, in its section between the roundabout and the central open space. Phase 3b includes the landscaped buffer along the northern boundary of the site, between the landscaped frontage and the central open

space across the site. The phases are indicative at this stage in terms of the sequencing of construction, and 'phases' 1 and 3b effectively relate to different parcels within the wider application site. For the purposes of this assessment, officers have considered the boundaries of phases 1 and 3b as shown on the General Arrangement Plan – Phases 1 & 3b (drawing 758-FH-XX-01-L-101 Rev P4).

- 2.4 The Staploe Medical Centre, off Brewhouse Lane to the south-western corner of the site is excluded from the application site. The medical centre is proposed to be re-located within the scheme, which will be secured by means of planning obligations in relation to the outline permission, if granted. A motor vehicular, pedestrian and cyclist's road link is proposed from the site towards Brewhouse Lane, which is dependent on the redevelopment of the current Staploe Medical Centre site being fully implemented. Notwithstanding this, the impact from the proposed development has been fully assessed considering the implementation of this link and the transport impacts on Brewhouse Lane and the wider highways network. Improvements to roads and junctions in the area, as well as improvements to PROWs are proposed with the development, to enable a gateway into Soham town centre for motor vehicles, cyclists, and pedestrians.
- 2.5 The delivery of housing including affordable housing and self-build plots, the provision of community and recreation facilities and wider landscape areas, are some of the further benefits provided with the development of this Eastern Gateway site. Other direct benefits to be provided through the development are the construction employment opportunities, alongside the permanent opportunities in the proposed neighbourhood centre. These are considered along this report and will be weighed in favour of the proposed development, as discussed later in the conclusion of this assessment.
- 2.6 The application is also accompanied by an Environmental Impact Assessment due to the scale and nature of the environmental effects. Four addenda have been prepared (April 2021, May 2022, September 2023 and June 2024), following comments from officers and consultees. The likely significant environmental effects are identified and assessed in the Environmental Statement (ES), for both the construction and operational parcels. Where relevant, mitigation measures are proposed to prevent, reduce, and offset significant adverse effects on the environment. These measures are recommended to be secured by way of conditions and/ or planning obligations in relation to this application. Development parameters have been identified to fix those aspects of the proposed development which can give rise to significant environmental effects. These are fixed in the proposed conditions and approved plans, regarding the location and types of land use, the movement and access structure, the green infrastructure, the maximum quantum of development and the maximum heights of buildings.
- 2.7 The development parameters are defined on the following drawings:
- Building Heights Parameter Plan
  - Access and Movement Parameter Plan
  - Land Use Parameter Plan
  - Green Infrastructure Parameter Plan
- 2.8 Phases 1 and 3b are detailed on the following drawings:

- Landscape and tree planting drawings for phases/ parcels 1 and 3b
- Road engineering drawings for the access roundabout and Primary Movement Route for parcel 1
- Drainage details for parcels 1 and 3b

2.9 The submission also includes details of the proposed haul road, which is meant to be temporarily on the site to allow for construction access.

2.10 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/>.

### **3.0 PLANNING HISTORY**

3.1 The relevant history relating with the application site is the following:

**24/00146/FUM:** Development of a new health care facility of 1,895m<sup>2</sup> (GIA) and pharmacy of 120m<sup>2</sup> (GIA) (Use Class E(e)), associated car parking, lighting, landscaping, public realm and utilities, demolition of existing Staploe Medical Centre, pharmacy, and 59 Brewhouse Lane (and associated structures), and utilisation of existing access on to Brewhouse Lane. (Adjoining site at Land Rear of Health Centre Brewhouse Lane, Soham) – Pending determination.

**17/01167/ESO:** Outline planning application consisting of: residential development comprising 553 dwellings (subject to detailed design); detailed design for the provision of a new roundabout onto the A142 and internal access road into the site; re-provision of allotments; land for a new medical centre; land for primary school playing fields, land for employment (B1) and retail (A1 - A5) uses; hard and soft landscaping works; ancillary and associated facilities and site infrastructures – Withdrawn.

**16/01709/SCOPE:** Scoping Opinion: Proposed Development at Soham Eastern Gateway – Opinion Issued.

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

4.1 The site comprises 22.65 hectares (56 acres) located on the eastern edge of Soham, on land between the Qua Fen Common and the East Fen Common, with the A142 running along the east of the site. Immediately to the west are residences along Cornwell Close, the Weatheralls Allotments with the Weatheralls Primary School, the Bluebell Nursery and Pratt Street beyond. To the west/ southwest of the site there are also further residential areas along Brewhouse Lane and the Staploe Medical Centre and Pharmacy. The Soham town centre is approximately 600 metres (0.37 miles) from the centre of the application site.

4.2 The site currently consists of open fields with footpaths designated PROWs 52, 60, 61, 63, 66, sitting alongside it and crossing the site, with PROW 52 bisecting the site and directly linking the two Commons. PROW 60 runs perpendicular to PROW 52 from the centre of the site, towards Kents Lane and the allotments to the west. PROW

63 crosses the site diagonally from Qua Fen Common towards the A142 and fields beyond, via PROW 66. PROW 61 also enters the site from a crossing point further north on the A142, linking to PROWs 52 and 60 within the site.

- 4.3 There are established residential areas to the northwest, southwest, and further west of the application site, with small terraces of residential development within and adjacent to the common land to the north and south. When measured from the centre of the site, St Andrews Church and the Highstreet are at approximately 750 metres (0.47 mile) to the west of the site. Further to the south is a vacant site and garden centre, with access off Paddock Street.
- 4.4 A small wet area/ pond is identified in the north-central portion of the site. Hedgerows and a ditch run along the southern boundary and other fragmented hedgerows are along the west and part of the northern boundary, except for when it meets the Qua Fen Common, where it is a continuous and established hedgerow. Other ditches can be found along the eastern boundary with the A142 and centrally to the site.
- 4.5 The Environment Agency' Flood map for planning shows the site is in Flood Risk Zone (FRZ) 3, with a high probability of flooding from rivers. The map shows that most of the application site area is covered by FRZ1, however a large portion (approximately 25%-30% of the application site) in the eastern most area of the site, lies within FRZ 2 and 3, which explains the location generally identified as FRZ3 in terms of overall risk of flooding. There is also a risk of flooding from surface water at this site, with small areas of medium and high risk near the north-eastern boundary with the A142 and at the central part of the northern boundary, adjacent to the boundary with Qua Fen Common and the small pond area.
- 4.6 Both commons – the East Fen Common (and The Wash), as well as the Qua Fen Common are registered County Wildlife Sites (CWS). The nearest Site of Special Scientific Interest (SSSI) is the Soham Wet Horse Fen, which is approximately 1.4 kilometres (0.87 mile) from the site.
- 4.7 The nearest listed buildings are located approximately 300 metres (0.19 mile) to the west of the site, the closest being along Paddock Street, including the Grade II listed nos. 33 and 35. Several others are found along this same street as well as along the High Street and Pratt Street, all of which are Grade II listed, except for the Manor House, a Grade II\* listed and St Andrews Church, designated Grade I listed. All buildings are encompassed by the Soham Conservation Area, which extends along the High Street, Sand Street and Fordham Road to the southwest of the site, and Pratt Street and Hall Street to the northwest of the site.
- 4.8 The application site forms part of the wider site allocation within the Local Plan Policy SOH3 for housing led/mixed use development. It is noted that the vacant/ garden centre site; the Weatheralls Allotments site; and an area of land comprising approximately 3.4 hectares (8.6 acres) to the north of the site (identified as land between East Fen Common and Cornwell Close) form part of the Policy SOH3 allocation site but are excluded from this application.
- 4.9 It should also be noted that the site allocation for Policy SOH 11: Employment allocation site of 11 hectares (27 acres), is situated immediately to the east of the site on the opposite side of the A142.



## **5.0 RESPONSES FROM CONSULTEES**

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

### **Active Travel England – 24 October 2023**

- 5.2 No comments. The application was made valid by the local planning authority (LPA) before 1st June 2023. Provide standing advice on assessing the application.

### **Anglian Water Services Ltd – last updated 7 June 2024**

- 5.3 No objection. Reiterated the existence of AW assets and the pumping station within or close to the development boundary, providing similar advice as previous responses. Confirms that the foul drainage from the development is in the catchment of Soham Water Recycling Centre that will have available capacity for those flows.
- 5.4 Confirms AW sewerage system at present has available capacity for the flows as presented on the reviewed documents Soham Eastern Gateway Drainage Strategy 1026142-RP-C-05-0002 Revision F dated 23 May 2024 and Planning General Arrangement-Phase 1 drawing SOH-CDL-XX-00 DR-C-0019. Requires informative relating to the topic, as per previous responses and recommends conditions.

### **Previous Comments**

- 5.5 Initially stated to be unable to comment on the application until AW were able to review the model on which the Flood Risk Assessment (FRA) is based and the review of the hydraulic modelling, noting the information was incomplete.
- 5.6 Noted 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. Recommends informative and indicates that it is their preference that the site layout accommodates those assets within either prospectively adoptable highways or public open space. Further comments also noted the development site is within 15 metres of a sewage pumping station, which requires access for maintenance and will have sewerage infrastructure leading to it. Dwellings located within 15 metres of the pumping station would be at risk of nuisance from noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station, and the site layout should take this into account and ensure no development that is potentially sensitive to noise is not in this area to avoid disturbance and ensure future amenity issues are not created.
- 5.7 Advises the foul drainage from this development is in the catchment of Soham Water Recycling Centre that will have available capacity for these flows, noting that in the Water Recycling Long Term Plan Anglian Water have highlighted some investment may be necessary in the catchment area. Further comments updated the information indicating that the Recycling Centre will no longer have capacity; however Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity in this being the case.

- 5.8 Had initially noted no foul water strategy documents were submitted with the application and request a condition requiring phasing plan and/or on-site drainage strategy be submitted and informative. The company had later confirmed that the sewerage system at present has available capacity for used water flows, and that if the developer wishes to connect to Anglian Water's sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. They will then advise them of the most suitable point of connection. Confirms acceptance of the Soham Eastern Gateway Drainage Strategy dated 18th February 2024-reference 1026142-RP-C-05-0002 Revision C, requiring the documents be listed as approved plans/documents if permission is granted.
- 5.9 Noted that the preferred method of surface water disposal would be to a sustainable drainage system (SuDS), quoting Building Regulations (part H) on Drainage and Waste Disposal. The regulations include 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. Further noted that the proposed method of surface water management does not relate to Anglian Water operated assets and will not to provide comments on the suitability of the surface water management. The Lead Local Flood Authority (LLFA) or the Internal Drainage Board should be consulted, as well as the Environment Agency, if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, requires to be reconsulted.
- 5.10 On further correspondence, advised that in case the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed, and recommends pre-application discussions with the organisation. Reiterates that the LLFA should be consulted to ensure the proposed drainage system meets with minimum operational standards. Advises on SuDS as a sustainable and natural way of controlling surface water run-off.
- 5.11 More recent correspondence reiterated that a 12-inch (30.48 centimetres) water supply rising main pipe crosses the development site and may be affected by the proposal, highlighting that Anglian Water does not permit this asset to be located within the curtilage of a dwelling. Reiterates that this asset should be in areas of public open space and/or adoptable highways to ensure ongoing maintenance, strongly recommending that the site layout takes account of the location of the asset, which should be referred on plans submitted in the next planning stages. Recommend a condition regarding asset protection.

**Cadent Gas Ltd** - No Comments Received

**Cambridge Ramblers Association** - No Comments Received

**Cambridgeshire Fire and Rescue Service** – last updated 16 October 2023

- 5.12 The Fire Authority require provision be made for fire hydrants by way of Section 106 agreement or a planning condition, with costs of fire hydrants recovered from

developer. Advise that the position of fire hydrants is generally agreed upon when the Water Authority submits plans to the Community Fire Safety Group.

- 5.13 Advise on requirements for number and location of fire hydrants, access and facilities for the fire service, and buildings that are over 11 metres in height (excluding blocks of flats). Further consultation responses included other Building Regulations to be observed in terms of access and specification for the fire brigade equipment and vehicles.

**Cambridgeshire Wildlife Trust** – last updated 2 November 2023  
(Acting on behalf of ECDC as technical advisor)

- 5.14 Noted the application is now accompanied by an Ecological Impact Assessment (EclA), covering the relevant ecological information and provides appropriate mitigation and enhancement recommendations between paragraphs of the report. Recommends these be secured through planning conditions. Advises on the need for the applicant to enter a S106 agreement to provide contribution towards the implementation of the mitigation and enhancement measures identified in the Soham Commons Recreational and Biodiversity Enhancement Study (2017), without which the impacts on the adjacent County Wildlife Sites would be unacceptable, and the application should therefore be refused. Noted that despite the good levels of green infrastructure provision within the current application, this will not be sufficient to meet the increased recreational needs of the new residents.

- 5.15 Further noted that the application is also accompanied by a Biodiversity Net Gain (BNG) Assessment using the latest version of the Defra Biodiversity Metric 4.0. This appears to accurately categorise the baseline habitats and hedgerows and make reasonable predictions for the types and condition of post development habitats. States that the predicted BNG is acceptable; however, a BNG Habitat Management and Monitoring Plan will be required to ensure the gain is achieved. The Plan is expected to cover a minimum period of 30 years and can be integrated into the site Landscape and Ecology Management Plan, included in the applicant's proposal.

#### Previous comments

- 5.16 States to be satisfied with the avoidance and mitigation measures summarised in table 6.6 of the Environmental Statement, regarding impacts on protected species. Accepts the conclusion that most nearby designated sites will not be likely to experience significant indirect effects from increased visitor pressure, noting this is partially due to suitable closer alternatives, including Qua Fen Common and East Fen Common and the Wash County Wildlife Sites, and Soham Wet Horse Fen SSSI. Notes these will be attractive areas for recreation for new residents of the proposed development and therefore there will be impacts from increased visitor pressure on these sites, suggesting a contribution is provided by the development towards the restoration, management, and enhancement of these sites in line with the Soham Commons Recreational and Biodiversity Enhancement Study. Notes these adjacent County Wildlife Sites will require mitigation during the construction phase.
- 5.17 Required further information in relation to impacts on habitats and whether the proposals can deliver a measurable net gain in biodiversity. A biodiversity audit using a recognised accounting method should be completed and submitted to ECDC before

this application is determined. Later confirmed that amendments submitted were an acceptable assessment of the biodiversity net gain and address comments on this matter.

- 5.18 Have later welcomed the proposal for a Construction Environment Management Plan (CEMP) and an Ecology and Habitat Management Plan (EHMP) to be prepared, covering construction and operational phases respectively, and that these should be secured with any permission. Noted the proposal is for the EHMP to address net gains in biodiversity and advises that once the above-mentioned assessment is carried out, the EHMP is expected to reference the assessment, and demonstrate that the proposed biodiversity gains have been achieved. The net gain assessment will need to be reviewed periodically as detailed designs for the development are refined and the EHMP updated accordingly. Suggests that full details of proposed habitat creation and planting can be agreed at a later stage and form part of the EHMP, however anticipates that inappropriate species are proposed for areas of semi-natural habitat.
- 5.19 Further comments raised concerns related to the timing of the provision of the proposed green infrastructure suggesting that, to prevent damage to the Commons, the proposed contributions to the Soham Commons Biodiversity Enhancement and Access Management Strategy, are available (at least in part) prior to the first residents moving in. Noted discrepancies in plans including the landscape strategy plan (758-FH-01-00-DP-L-002 Landscaping Strategy) and noted many of the original ecological surveys were out of date and would need to be updated in the preparation of the various management plans (CEMP and EHMP).
- 5.20 Further correspondence confirms the updated Great Crested Newt (GCN) report is satisfactory. The report recommends that the applicants enter the Natural England District Licencing Scheme (DLL) for Great Crested Newts, which is acceptable approach as no breeding ponds will be lost and the impacts on foraging habitat have been categorised as neutral. The applicants will need to go down the traditional licencing route and the original GCN mitigation proposals will need to be enacted and incorporated into the scheme design otherwise. The Trust had no comments on the Statement of Compliance with ECDC Natural Environment SPD.
- 5.21 The Wildlife Trust would support retention (and enhancement) of the existing hedgerows as part of the site green infrastructure scheme, on the principle that avoidance of impacts is the first stage of the mitigation hierarchy. Noted discrepancy in the hedgerow report and loss of 60 metres of hedgerow H4, which would be excessive and unjustified, as well as the loss of part of H6 and lack of provision for future management and protection of this hedgerow would be unacceptable.

**CCC Archaeology** – last updated 5 January 2022

- 5.22 No objection. Confirm that an archaeological evaluation was undertaken over most of the application area, with areas omitted owing to land access. Despite the evidence from reported metal detection activity and other archaeological evidence noted on the Cambridgeshire Historic Environment Record from within the area, the evaluation programme yielded very little of archaeological significance. However, the Medieval field pattern was established, this lasting into the 17th/18th centuries, comprising ditched narrow field strips within Calfe Fenn Closes as shown on the Extract from the

map of Soham and Fordham manors (1656) in Fig 3 of Oxford Archaeology East's Evaluation Report (Report no 2186) and as Vol. 2 Appendix - 5.1 Archaeology Part 3 Environmental. This is notable evidence of water management necessary within the Common and Closes land, which by the 19th century was collectively known as The Weatheralls, indicates both the very low-lying position of the application site at Soham's eastern fen edge and area and the high groundwater levels that have historically persisted in the locality.

- 5.23 Localised archaeological evidence relating to Saxon and early Medieval activity occurs in Phase 4 and straddling the southwest end of Phase 2/3 as shown in P17-3004\_37 REV B Phasing Plan. Additionally, components of the Late Bronze Age/Iron Age enclosure to the southwest of the application area (MCB16872) were found within the Phase 2 area. Recommend therefore a condition to secure a scheme of archaeological work to conserve the interest of the archaeological evidence by record, noting that it would not be appropriate to separate the areas of archaeological site evidence by phase, but to ensure they are excavated as discrete entities at a suitable time ahead of development.
- 5.24 More recent correspondence has raised the presence of ancient hedgerows within the site, which should be retained to enable the historic character of the development to inform the new layout. Further advice to be provided by ECDC's Ecologist. Noted comments from the Environment Agency and local residents regarding the high-water conditions of the site, reiterating the need to tightly manage groundwater tables and surface water. Advise on references to the water presence within the archaeological evaluation submitted with the application, noting that issues were recorded during fieldwork of saturated ground conditions and standing water experienced during the evaluation in January and February 2018.
- 5.25 Highlights that multiple phases of land drainage ditches and drains were seen, evidence which is useful for consideration of the resilience of future houses and built spaces to flooding once a mass of hard surfaces are in place. Advises that swales and land drainage will alleviate the issues but combined with the low-lying aspect of the development area and the character of the local substrate of low permeability, recommends that floor heights and elevated, noting also that robust surfaces of access routes are essential for sustainable development.

#### **CCC Asset Information Definitive Map Team – 24 July 2024**

- 5.26 Holding objection. Following review of the PROW proposed plan, the team have pointed out that a few inconsistencies on the proposals, requiring clarification mostly on the status of the proposed paths, bridleways and other PROWs. The team requests that once these are resolved, they would like to receive an updated plan of the proposed diverted perimeter route for the Public Path Order Application, to reflect the improved alignment.

#### Previous Comments

- 5.27 The Definitive Map team had previously noted that Soham Public Footpaths [PROWs] 52,60,61,62,63, and 66, are affected by the proposals and advised on information available regarding their location. Informed that the Definitive Map Team received a Public Path Order application from the developer to stop up footpaths 52,60,61,62

and 63, to create a perimeter bridleway around the site, and to upgrade Soham Footpath 66 to a bridleway. Noted inconsistencies on the Design and Access Statement in terms of the placement of the stopped up and created PROW applied for, predominantly at the east of the site towards the entrance to the development and seek clarification on this regard.

- 5.28 Reminded applicants that it is an offence under section 137 of the Highways Act 1980 to obstruct a public highway, advising that construction cannot begin on the site until the legal process to divert a PROW has been completed, highlighting no alteration are permitted without the LHA consent, without which to damage the surface of a public footpath would incur on an offence under section 1 of the Criminal Damage Act 1971.
- 5.29 Further reminded landowners that it is their responsibility to maintain boundaries, including trees, hedges, and fences adjacent to PROWs, and that any transfer of land should account for any such boundaries, considering section 154 of the Highways Act 1980. Further note that the granting of planning permission does not entitle a developer to obstruct a PROW and that the applicant will be required to meet the costs of any new or amended signage that may be required because of any legal changes to the PROW network.

#### **CCC Growth & Development** – last updated 15 May 2024

- 5.30 No objection. Provided supporting statement updating the contributions towards early years, primary and secondary education, as well as libraries. Provided further details on the on-site provision of a nursery, and how it relates to the required financial contributions for the same purpose.

#### Previous comments

- 5.31 Provided supporting statement to justify for the education, library and/or strategic waste mitigation measures necessary to be included within a planning obligation, noting that Cambridgeshire County Council requires in its role as Local Children's Services Authority, Library Authority and Waste Planning Authority. Explains the methodology used and summarises the requirements, which include financial contributions towards Early Years; Primary and Secondary Education; Libraries; and a monitoring fee. The triggers are yet to be confirmed.
- 5.32 Further expands on existing developments and the calculated contribution to each of them; the approach to assessing education contributions; libraries and lifelong learning provision; indexation and security; and monitoring, with respective appendices, all of which giving further explanation and background to the required contributions.
- 5.33 Further correspondence updated the applied figures and suggested that, given the likely complexity of the S106, the County Legal/ LGSS was provided with an undertaking to have an input in the process, in the event permission is likely to be granted. Further noted the development will have a significant impact on the services of the 1 x General Practitioner practice, Staploe Medical Centre (SMC), currently without capacity for any additional growth. To meet the health needs of the development and to future proof the practice against further planned growth planned,

a new health centre would need to be delivered. Notes on-going discussions between the partners of SMC and the applicants, who have agreed to allocate SMC a single, contiguous plot of 0.9 hectares (2.22 acres) in the mixed-use hub for the new medical centre.

- 5.34 Confirmed that the Primary Care Commissioning Committee has approved in principle a scheme for the relocation of SMC into a new build facility and that other options available to the practice to accommodate the level of growth anticipated from the development are not feasible or viable. Raise issues regarding the proposed development and the delivery of the new medical centre, including: (i) late phase for delivery of the new health care facility and the need to have the practice in place at first phase or before any dwelling occupation; (ii) plans do not reflect the land allocation for the new SMC; (iii) new access road bisecting the area, which is not viable for reasons including patient safety and accessibility; (iv) the draft S106 does not reference the size of the plot for the new medical centre, the delivery at a later phase with insufficient space for the plot of land, and reference to future extension of SMC; and (v) the lack of a second point of access to the new SMC through Brewhouse Lane.

**CCC Highway Development Management – last updated 26 July 2024**

- 5.35 No objection, subject to recommended conditions and the exclusion of specific drawings from the approved plans list. Required applicants to address points needing attention and to submit further information, as follows:
- 5.36 A142 Access – in principle acceptable subject to minor refinement. The stage 1 Road Safety Audit (RSA) which has been carried out will need to be included as part of the planning application submission. The length of internal road is broadly acceptable, noting low speed restriction on adopted road and the proposed traffic calming design elements. Noted that these however will prohibit bus routing through the site, advising of criteria to be met otherwise. Seeks clarity on the servicing of the proposed pumping station and advises on how the street design should accommodate vehicular access and turning manoeuvres. Advises on design changes in the event the internal road is to conform with CCC's adoptable standards.
- 5.37 Brewhouse Lane Secondary Vehicular Access and Local Plan Compliance – noted the LPA and local policy requirement for a link to be provided from the roundabout through to Pratt Street. Noted the design of the proposed road and footpath fronting the application boundary near to Brewhouse Lane, and the Access and Movement Parameter Plan showing an approximate alignment of the road through the site. States that the cross section and alignment are appropriate for a highway connection, but in absence of its extension to the existing highway, Highways are unable to advise that the link is implementable in engineering terms. Deferred to the LPA to consider how this relates to compliance with Local Plan policy. Noted however that the connecting road [the link to Brewhouse Lane] as shared surface street would not be acceptable due to the anticipated volume of traffic would need to cater for.
- 5.38 Notes that local policy also requires contributions towards safety improvements of the junctions of Northfield Road, Qua Fen Common and Paddock Street on the A142. Highlights that whilst these junctions are not currently designated as accident cluster sites, the length of highway in general has a poor safety performance, with the

Northfield Road and Paddock Street junctions being key offenders. Despite evidence in the submitted Transport Assessment that physical works are not required at either junction on network capacity grounds, recommends the applicant undertake a safety study and consider proportionate highway safety measures along the A142 Soham bypass and these junctions. This is due to substantial intensification of the traffic flows through both junctions, caused by the development.

- 5.39 Pedestrian Connectivity – notes proposals for enhancement works along various PROWs (54, 58 and 60) via S278 Agreements, and advise the requirements for definitive boundary be set for each PROW. Further to this, notes the proposal to widen [PROW] 60, advising in case the footpath is to be used as a cycleway, including that a Public Path Order will need to be granted prior to determination of the application.
- 5.40 Construction Access and Traffic Management – advised on requirements for the construction access to have restrictions at the junction with the A142.
- 5.41 Parameter Plans – no objection to the alignment of movement corridors in the parameter plans; however, offer recommendation on the design of the highway links to the remainder of the [SOH3 site] allocations to facilitate and encourage cycling throughout the entire allocation.
- 5.42 Adoption – requires that drawing SOH-CDL-XX-00-DR-C-0041 is not approved as showing the extent of proposed highway adoption, which is governed by legislation outside of the planning system. While the areas shown on the drawing are in principle acceptable, the drawing and any planning permission will have no bearing on a future adoption process. Further advises that engineering details will only be reviewed as part of any future S278 or S38 agreement, noting that any comments made on this application are done without prejudice to any future agreements under the remit of the Highways Act.
- 5.43 Advises on the adoption of swales, highlighting that the arrangement in the drainage strategy for the access road to drain the carriageway via road gullies into an adjacent swale is only acceptable to the Local Highway Authority (LHA) if the swales are adopted by the District Council, the Town Council, Anglian Water or another statutory undertaker. Noted the LHA will not adopt the swales and offer alternative solution for the drainage of the highway water, noting that otherwise, the LHA will be unable to adopt the internal roads.

#### Previous comments

- 5.44 Provided advice on several design aspects of the proposed highway network. Stated that the revised roundabout layout is broadly acceptable, subject to refinement during the S278 process and recommended changes relating to kerb-to-kerb distance; pedestrian crossings; inclusion of footway to connect with PROW 66. Requested Stage 1 Road Safety Audit and designer's response be made available prior to determination of the application.
- 5.45 In relation to the Boulevard/ Primary Route, reiterated previous comments relating to the design for adoption by the LHA, with additional comments relating to footways and connectivity of the proposed network. Further advises on residential areas and



how to create low-speed environments using street design features. Advises on newly adopted CCC policy for new estate road to be restricted to 20 miles per hour (32.19 kilometres per hour) speeds.

- 5.46 Reiterated recommendation that an indicative access route for all modes, between the site access on the A142 and the remaining parcels within the allocation be included on the Access and Movement Parameter Plan. In addition to previous comments relating to drainage, which remain valid, provided comment on the 'Typical Section through Footpath & Ditch' shown on drawing 619587-MLM-ZZ-XX-DR-C-0110 Revision P10 and the depth of the water filled ditch and associated fall risks, in relation to the level verge at the back of footway, noting a timber post and rail fence may be required.
- 5.47 Later the LHA summarised their position in relation to the several routes proposed, including the A142 roundabout access, to which they required that the RSA report, the response, and a suitably revised roundabout design need be submitted to the LPA for consideration. Required that the application was not determined until the design issues have been addressed, noting that the RSA comments seem easily achieved. No objection to the initial length of the Boulevard / Primary Route, however required changes so its adoption can be considered by the LHA.
- 5.48 Recommended that the Access and Movement Parameter Plan (drawing P17-3004\_18) be amended to provide an indicative access route, for all modes, between the site access on the A142 and the remaining parcels within the allocation, so any permission does not prejudice the remainder of the allocation from being delivered. The route should fully extend to the application boundary, and an appropriate trigger be included within a condition so that the route is constructed to the application boundary in accordance with the site phasing strategy. Advised on issues related to the A142 roundabout drainage via SuDS systems, and adoption by the LHA, and on infiltration devices along carriageways. Also advised on the road's adoption process and its relation to any planning approval obtained.

**CCC Highways Transport Assessment Team – last updated 13 July 2024**

- 5.49 No objection, following submission and review of the Transport Note P08 dated 13/03/2024, written by Cundal. This is provided the recommended planning obligations/ conditions are secured.

Previous comments

- 5.50 The Transport Assessment (TA) team had initially objected the application as it did not include sufficient information to properly determine the highway impact of the proposed development. The TA team noted the Staploe Medical Centre (SMC) was not part of the application red line boundary and that access to the site was proposed by a new roundabout onto the A142 to be provided with the development. Further noted that a second point of access could be delivered onto Brewhouse Lane, requiring access be agreed at the outline planning stage.
- 5.51 They had noted a series of street speed restrictions and design aspects were proposed to manage vehicular movements. Any traffic regulation order (TRO) for a weight restriction will need to take into consideration refuse and servicing vehicles.

Noted there are several public rights of way (PROWs) on the site, and any temporary or permanent diversion of a (PROW) will need to be agreed with the respective team. An upgrade the Pratt Street bus stops is proposed, with no details provided.

- 5.52 Parking is to be provided in accordance with ECDC parking standards. Indicated that the figures displaying cycle and pedestrian catchment areas are acceptable for use, noting the site is located within walking distance of several local facilities. Noted that the nearest bus stops are 800 metres (0.5 mile) from the centre of the site, which is twice the recommended distance, and that the frequency of the buses serving these stops is hourly. Concluded that this was not a well-connected, sustainable development. There was no train station in Soham, at the time of the comments being written.
- 5.53 Stated that the description of the existing highway network was acceptable; however, the accident data needs to be updated. In terms of background traffic flows and junction modelling, noted that the Highway Authority does not accept traffic data over 3 years old, therefore the 2016 counts were not acceptable for use. This was the reason why the base year junction capacity assessment has not been confirmed. The study area was acceptable for use. Queue length data was not confirmed. The additional count data obtained on Brewhouse Lane and the parking survey for this road were acceptable.
- 5.54 Noted the proposed improvements along Kents Lane in the form of street lighting and widening and that more information regarding its boundary needs to be provided. Noted the route to/from Weatheralls School proposed as PROW is not suitable as unsurfaced, not illuminated and not appropriate for use by wheelchair or on wetter/darker days. Details need to be provided of actual routes to the school which are surfaced and illuminated for their entire length.
- 5.55 Confirmed agreement over the use of the Trip End Model Presentation Programme (TEMPro) for the forecast growth, noting the 2016 growth rates were not acceptable as the survey data was out of date. Required inclusion of vehicular impact from 16/01662/OUM; 17/01042/OUM; and 19/000717/OUM committed developments. Agreed with the use of the Trip Rate Information Computer System (TRICS) modal split for non-residential uses, and the use of actual data from the existing medical centre to determine proposed trips, however required information on the output area. The trip generation for each use had not been checked. Clarification was required to justify the vehicle trip distribution noted within the TA and use of Brewhouse Lane. Further response by the TA team suggested that 3.5% of development traffic using the proposed access onto Brewhouse Lane seemed underestimated and propose that a minimum of 10% of total vehicle trips should be assessed at the Brewhouse Lane access. A capacity assessment of the Brewhouse Lane junction with Paddock Street should subsequently be undertaken, noting there may also be a need for additional capacity testing at other junctions.
- 5.56 Further comments stated that the development would be highly dependent on car usage, which is contrary to the NPPF. Noted the proposed sustainable link into Soham is outside the desire line and makes considerations to its proposed surface material. Stated that the development would be perceived as separated from the rest of Soham, with only a single walking/cycling route into the site which does not provide an efficient route for pedestrians and cyclists to access the town's school and local

facilities. Highlights that high quality links to local facilities are a key driver to achieving an acceptable development in this location. Reiterates that the application as submitted does not include sufficient information to properly determine the highway impact of the proposed development.

- 5.57 More recent comments partially reiterated the assessment, with some updates and additional assessment. In terms of access to town centre and education facilities, noted East Fen Common PROW is an unmade track, its northern section is not lit, and it is not a shared use route, therefore not suitable to serve a new development of 540 dwellings. Where East Fen Common joins Paddock Street, there are no footways for around 200 metres (0.12 miles). PROW 77 is a narrow connection between Paddock Street and Brook Dam Lane, it runs behind adjacent dwellings and is lined by mature trees and tall fences. It is not lit in section and no assessment of width has been provided.
- 5.58 The northern access to the town centre is via PROW 60 to Kents Lane, which is also unlit and unmade, as well as narrow and not a shared use route. Although there are raised tables to aid pedestrians crossing Paddock Street and Churchgate Street, it is noted that cars have priority over pedestrians as they are not controlled crossings. Its section between PROW 64 and 58 is not suitable to serve the school access needs from the development. PROW 58 and PROW 54 provide rear and northern access to the nearest school but are also unmade and unlit. The applicants are proposing links to the existing PROWs, however these are not adequate to the size of the proposed development. No details of these links have been provided.
- 5.59 Noted plans for a new railway station in Soham, which will be 1,000 metres (0.62 mile) from the closest point of the proposed development and 1,500 metres (0.93 mile) from the furthest part of the development. Noted the applicants have contacted the local bus operator who has confirmed they would not wish to divert the current service and enter the site, highlighting that it was still unclear how the site would comply with national and local policy on reducing the reliance on the private motor car.
- 5.60 Further agreed to the use of a gravity model to determine trip distribution, and to the inclusion of committed development assessment. Acknowledged that due to Covid it was not possible to obtain new traffic count data, therefore secondary data has been used. Described the methodology and confirmed it was acceptable. Accepted the assessment years and the TEMPro growth factors. Accepted the study area used for junction assessment; however, required clarification, further detail and further mitigation on the assessment. Noted the A142 / Northfield Road Priority; A142 / Qua Fen Common / Hasse Road Priority; and A142 / Paddock Street / East Fen Drove Priority junctions are expected to operate within capacity in all scenarios. The A142 / Fordham Road / A1123 Military Road roundabout; and the A142 / B1102 Ness Road / B1102 Station Road roundabout were shown to be operating over capacity in the base years, then getting worse in all future years, noting that the proposed development exacerbates the problem. Required financial mitigations for a strategic solution shared with other developments coming forward. Noted the A142 / Development Access junction would operate within capacity in all scenarios, however, required clarification on specific matters.

- 5.61 Noted that the LHA have carried out a comprehensive review of the existing walking and cycling routes from the site to the town centre and the school and invited the applicants to discuss potential improvements to be delivered through the development. Further noted that a technical note was submitted by the applicants in September 2021, with proposals for improvements to the walking and cycling network, including the provision of the missing section of footway in Brewhouse Lane, to link to proposed site to the town centre. Widening and lighting of PROW 60, widening of PROW 58 and construction of a path along PROW 54 to connect Weatheralls Close with the proposed site have also been proposed. The proposal also included mitigation to the developments' impact on the road network, towards highway works.
- 5.62 In conclusion to the review of the updated technical noted dated of November 2022, the LHA stated that they did not wish to object to the proposal, noting the updated technical note only considers access to the medical centre via the proposed new roundabout junction onto the A142, and it did not in that occasion consider access taken via Brewhouse Lane. Details will need to be provided on pedestrian and cycle access to the medical centre via Brewhouse Lane.
- 5.63 Noted TRICS has been used to determine the trips associated with a medical centre. And the number of vehicular trips at peak hours. Revised capacity assessments have been undertaken for the study area to determine what impact, if any the medical centre will have on the junctions and the highway network. The LHA required that the applicant to use the junction's assessments without the theoretical mitigation. The LHA disagreed with the statement that not all the vehicular trips generated by this development will be external to the site, acknowledging the difficulties to quantify [the vehicular trips which would not be external to the site]. Acknowledges the medical centre will just relocate its transport impact, including vehicular trips and impacts on junctions, concluding the proposals to relocate the medical centre within the site would not have a severe impact on the highway network.
- 5.64 Required information on walking and cycling access to the medical centre, showing how access will be achieved to the medical centre from Brewhouse Lane, which suggests is secured by condition. Other conditions were required in the occasion, including for improvements to PROWS 54, 58 and 60; footway along Brewhouse Lane; and pedestrian crossing. Requires financial contributions towards improvements to three junctions of the A142 roundabout.

**CCC Minerals and Waste Development Control Team** – last updated 29 October 2021

- 5.65 No objection. Noted the application is for part full and part outline planning permission, and that the site is located within a Sand and Gravel Mineral Safeguarding Area as depicted on page 125 of Appendix D of the adopted Cambridgeshire and Peterborough Minerals and Waste Development Plan Document (2012). The submission includes a Geo-environmental Assessment, which identifies that the site is located on sand and gravel at approximately 1.3 metre [4.26 feet] in depth, and a Waste Management Strategy, which incorporates a completed Recap Waste Management Toolkit for the entire development.

- 5.66 Noted that given the size of the site and its proximity to existing residential dwellings it is unlikely that extraction can be reasonably undertaken prior to development taking place, and the land allocation within the district Local Plan, which would imply that there is an overriding need for the development. This would satisfy Policy CS24 Mineral Safeguarding Areas of the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) (MWCS).
- 5.67 However, given the principle underlying MWCS Policy CS24 and Policy CS28 (Waste Minimisation, Re-use, and Resource Recovery), requires consideration be given to the reuse of any sand and gravel incidentally extracted because of development. This matter could be considered through a waste management strategy for the development, to be secured by condition. Further note that the Waste Management Strategy and RECAP Toolkit submitted with the application fulfils some of the requirements of Policy CS28 but does not address the topic of construction and demolition waste.

**Consultee for Other Wards in Parish - No Comments Received**

**Design Out Crime Officers – last updated 12 October 2023**

- 5.68 No objection. Had initially identified Soham as an area of medium risk to the vulnerability to crime at the last 12 months of the response date, listing the number of incidents relating to crimes in the area. Further responses included analysis of a 2-year period concluding Soham would be considered an area of low risk to the vulnerability to crime. Provided comments in relation to crime prevention and fear of crime on the residential phase previously detailed (previous Phase 1). Recommends that all adopted and un-adopted roads, private roads, shared drives, footpaths and parking areas, are lit to standards and requests to see an external lighting plan. Further advises on the locking of private gates. Request to be consulted as other phases progress and invites the applicant to discuss Secured by Design accreditation.
- 5.69 Provided additional comments on further correspondence, enquiring the security measures to be installed within the medical centre and advising on standard requirements. In terms of external lighting recommended that access roads and footpaths, car and cycle parking and loading areas be lit by columns designed to BS5489-1:2020 or BS EN 12464-2:2014. There should be LED dusk to dawn wall mounted lights above each entrance and around the building line, noting that bollard lighting is only appropriate for wayfinding. Requests to see the lighting plan when available including lux levels and calculations.
- 5.70 Recommends that staff and visitor parking for the [medical] centre be overlooked by reception and active windows to provide good surveillance. Recommends fitting a barrier which can be closed overnight for darker hours, advising that vehicle nuisance and boy racer gatherings to be a significant problem in open car parks across the county. Cycle parking should be in view of office windows, be well-lit and covered by CCTV. Stands should be secured into the ground and not bolted down, as per Secured by Design guidelines. If this is not possible, then cycle parking for residents should be within view of active windows. Further advised on the minimum requirements for cycle parking design and installation.

5.71 Further consultation responses stated that the layout and general appearance seemed acceptable in relation to crime prevention and the fear of crime providing reasonable levels of natural surveillance from neighbour's properties with many homes facing each other, the majority have been provided with back-to-back protected rear gardens which reduces the risk and vulnerability to crime, and most properties have some defensible space to their front. Vehicle parking in-curtilage between and to the sides of properties, vehicular and pedestrian routes are aligned which should encourage natural surveillance on this development. Reiterated previous comments made.

**ECDC Building Control - No Comments Received**

**ECDC Community and Leisure Services – last updated 16 July 2024**

5.72 No objection. On discussions with officers, Community and Leisure Services have confirmed that the Ross Peers Leisure Centre is within the development's area and could benefit from improvements funded through the S106 contributions previously agreed and no longer required for the 3G pitch project. Further officers' correspondence updated the financial contributions figure, in accordance with the Council's Developer Contributions SPD.

Previous comments

5.73 Upon further correspondence with officers had reiterated the preference for the sport provision on site, considering the proposed off-site contributions will no longer be required. Advised on the Council's decision to fund the 3G pitch project via CIL payments. Community and Leisure officers have explained that the Football Foundation would require the funding for the project available ahead (or soon after) their funding decision in April 2024.

5.74 The team had previously confirmed that the 3G pitch would be available for community use, with the proposal for the pitch to be utilised by the school during daytime, and by the community during evenings and weekends, including local clubs and community organisations.

5.75 Noted in their initial comments that sports pitch provision in Soham is currently somewhat dispersed, highlighting most of the sites are somewhat unsatisfactory either because tenure is insecure, or the pitches are over-used in relation to their playing capacity. Noted that adding a new site would add capacity, but also make provision even more fragmented.

5.76 Advised on the draft Local Football Facilities Plan (commissioned by the Football Association and building on ECDC's Playing Pitch Strategy) identifies Soham as a location for a new 3G artificial pitch, which would more effectively mitigate the over-use of the grass sites; and that fits well with the Sport England endorsement of off-site provision with a financial contribution. Highlighted that football informal activity probably outweighs formal sport in terms of participation, and the new housing development will presumably still increase the demand for open space and advises on alternative guidance from the Fields in Trust.

**ECDC Economic Development - 8 January 2020**

No objection.

**ECDC Ecologist** – last updated 30 July 2024

- 5.77 Following the submission of the updated BNG metric 4.0 version 10 (July 2024). Previous issues regarding BNG have been resolved and show more than 10% gain. Note that the main outstanding concern is the potential impact of pets on sensitive species, highlighting the Natural Environment SPD and the Council's Biodiversity Duty under Section 41 of the Natural Environment and Rural Communities Act (2006). Recommends that a condition and/or s106 agreement puts in place a clear requirement that measures are agreed with the local planning authority prior to development commencing which ensure that protected species, as defined by law. Agrees with the habitats as set out in this version of the metric, highlighting that the site is expected to be significant for BNG and does require a S106 to secure management and monitoring of the habitats for a minimum of 30 years.

Previous comments

- 5.78 Previous objection has raised concerns about the BNG metric, not approving the baseline information. Further comments following amendments were detailed in terms of species and habitats. Noted veteran trees are irreplaceable habitats and must be retained. Great Crested Newt license has expired, and another is required and would be supported as mitigation to the development. Noted the bat survey is out-of-date however the 2023 site walkover has confirmed loss of a veteran tree and less opportunities for bats, confirming opportunities to enhance habitats for bats and a suitable lighting strategy would be supported as mitigation from development.
- 5.79 Much of the site is unsuitable for reptiles, therefore confirm resurvey can be carried out in 2026, with mitigation on latest environment report to be followed. For birds, the impact to local breeding linnets from the application site would be significant at a local level, therefore suitable hedgerow must be retained/enhanced or compensated for to mitigate impacts and should be conditioned, alongside other bird mitigation set out in the latest ecological report.
- 5.80 Noted Harvest Mice are nesting onsite and are a species of principle importance, and mitigation to create mosaic of habitats to allow harvest mice and water voles to adopt natural avoidance from predators from pets has been suggested, however not including a plan for review as to how this would work or how it would be implemented. Confirms water vole surveys are updated and are acceptable. Notes the potential cumulative impacts with other developments could have a significant impact of the local population of water voles, and that mitigation and licences would be essential. Confirms that if carried out well onsite enhancements could provide excellent habitat for water voles and reiterates the need for details on the mitigation.
- 5.81 An impact assessment relating to the recreational pressure to the SSSIs has been submitted, which has been discussed. Noted the development includes additional recreational features onsite for the new residence. Confirmed the proposed Biodiversity Enhancements on section 238 [paragraph 238 of the ES Appendix 6.2 – Ecology Report and Mitigation Strategy] are acceptable and should be included on all subsequent developments.

- 5.82 Noted the Ecological report suggests planting of native trees, in keeping with the landscape of the area, and suitable for protected species mitigation, however, the tree planting schedule shows nonnative trees which are unsuitable to the ecological requirements to the area or for the mitigation for protected and locally important species, which is unacceptable.
- 5.83 Confirmed to be satisfied that the pond feature is to be retained and enhanced, noting it is an important local ecological landscape feature and has scope to become an important biodiversity feature in the future.
- 5.84 Noted mitigation and licencing would be required for each subsequent individual development for protected species which are known to be onsite and nearby priority habitats. Dependant on timescales, additional species surveys would be required as well as licences and mitigation to ensure no harm or disturbance is caused to protected species covered under various UK and European legislations.
- 5.85 Further noted this is a pre BNG mandatory application and comments have already been submitted regarding local policy requirements.
- 5.86 Officers have previously highlighted the lack of evidence to show a 10% Biodiversity Net Gain (BNG), advising on issues to be addressed before [further] consideration. Noted there will be an unacceptable loss of 0.71 units Watercourse Biodiversity Units, which could potentially be achieved onsite, advising how address the matter. Advises on that the Soham grasslands commons (fenland/floodplain grassland) are identified as a locally significant strategic habitat area, requiring this be used when calculating BNG.
- 5.87 Noted different reports submitted in support of the application present conflicting numbers and facts, which refrains from adequate technical judgement. Locally important features have been missed and large areas of wetland/fenland/species rich habitat created shown on landscape plans as part of a green corridor for wildlife and water storage however are not reflected in the BNG metric or the BNG environmental report. Advises that planting non-native species should be removed, as reduces the BNG score and are harmful to the native biodiversity.
- 5.88 Noted that the temporary seasonal pond (mapped as wet area on the topographic map, next to the proposed pumping station) has been missed from all reports. Further noted the pond is currently in a poor condition, needing conserving and restoring, which would increase biodiversity units and enhance the landscape and natural features in the area. Suggests the relocation of the pumping station from the pond area, given the impact it would have, particularly the grassland landscape and the water flows to the other seasonal ponds in the adjacent field.
- 5.89 Further noted that historical species hedgerow has been underscored and inappropriately recorded. There is a historically irreplaceable species rich hedgerow, which has been on the site since the 1600's. The proposal to build a pumping station next to it requires mitigation to protect the hedgerow, especially the roots.
- 5.90 Noted if the applicants are making habitat improvements, these should be included in the BNG. Suggest this is used for missing watercourse units, advising that in case



applicants cannot complete them onsite, a long-term management plan for the receptor site needs to be submitted, to ensure the survival of the species being moved. Suggests the BNG 30-year monitoring and habitat management plan is included in the BNG metric, and that the mitigation plans are costed into the project. Requires that the applicants do not use their own BNG calculations in reports as they will not be considered.

- 5.91 Advises that surveys including 2019 data need to be revised and licences will need to be obtained from Natural England, advising to follow their advice provided [in response to consultation]. A suitable receptor site for protected species is required, and the applicants may wish to include the receptor site as part of the BNG habitat compensation. Enquire about the breeding bird impact and lack of mitigation, noting there are several farmland ground nesting bird species using this area, and that there are red and amber data book species using this site.
- 5.92 Sets out that mitigation for the SSSI, adjacent priority commons and County Wildlife Sites (CWS) will need to be agreed with the Wildlife Trust who manage the SSSI, alongside Natural England and potentially the landowner of the Commons. This could be set up as a S106, noting the developer will need to agree a mitigation that is acceptable to Natural England. Points out that pets and extra footfall will negatively impact these habitats and must be addressed.
- 5.93 The concern pointed out in the submitted report with habitat fragmentation from the road through the site cutting off the commons and the habitats within the development itself has not been addressed in the redesign [of the scheme]. Provides ideas to help with habitat fragmentation.

**ECDC Environmental Health (Land and Air Quality) – last updated 22 March 2024**

- 5.94 No objection, following the review of the submitted documents. Noted in terms of land quality the site appears to generally represent a very low contamination risk, except for an area in the north-east corner of the site where elevated lead levels were detected in borehole WS3. Further investigation work is recommended, alongside standard contaminated land conditions.
- 5.95 The team had previously reviewed the submitted reports concluding that the sites are generally at low risk from contamination except for an area in the northeast of the land adjacent to Cornwell Close which has been impacted by fly tipping and where an elevated concentration of lead has been found. The same standard conditions were recommended on their initial response.
- 5.96 Regarding air quality, quoted updated legislation and policies requiring the improvement of local environmental conditions including air quality, as well as planning reforms are to be introduced to deliver on air quality. Local authorities are required to exercise their functions in a way which improves and maintains air quality. Noted the submitted Environmental Statement refers to the Scoping Opinion dated 18 January 2017 stating that as the potential air quality impacts would be associated with increases in traffic levels, air quality would be addressed in conjunction with transport matters, information not yet identified. Further noted that air quality considerations are wider than traffic issues.

- 5.97 Advised that ambient air quality in Soham is relatively good but there is the potential for air quality to be significantly impacted bearing in mind the scale of the development and other permitted in the area, and the Local Plan requirements for development to minimise and where possible reduce emissions and ensure no deterioration in air quality. Welcomed the provision of a travel plan to promote active travel and public transport and reduce car use; however, advised consideration to be given to the application of good design and good practice measures, including low emission building design, property insulation and EV charging infrastructure provision.
- 5.98 Recommends condition to secure air quality impact assessment to ensure that emissions are minimised and that there is no deterioration in air quality in the future development stages. Later correspondence confirms the Air Quality Technical Note dated of February 2024 has an acceptable methodology for the proposed air quality assessment.

**ECDC Environmental Health (Noise) – last updated 12 July May 2024**

- 5.99 No objection, following technical review submitted by the applicants dated 12 April 2024, advising that the noise impact assessments to date have been to inform an indicative site layout and that further reports will be submitted at any future detailed design stages. Confirmed that the points raised by the external review instructed by the Council of the updated assessment can be incorporated into these future noise assessment(s).
- 5.100 Reiterated that there have been other residential developments near this section of the A142 which were able to overcome noise concerns through various methods (such as acoustic bund/barrier, sensitive room placement, dual aspect glazing). The Council's Environmental Health is of the view that development is possible at this location, if these measures are accepted and where there is potential for the site layout to change, as well as the potential to accept closed windows and an alternative form of ventilation.
- 5.101 Clarify that there will be a need for assessing the residential internal noise levels with each reserved matters application, including noise from mechanical ventilation, where applicable, and recommended a condition requiring the recommendations on the Council's external review are addressed in future noise impact assessment(s).
- 5.102 On later correspondence, officers have indicated their preference that the Addendum Report to the September 2023 Environmental Statement dated June 2024 acknowledged that further noise surveys would be undertaken at the detailed design stage, considering the outcome of the external review instructed by the Council.

Previous comments

- 5.103 Officers have initially objected the proposal requiring a revised noise impact assessment (NIA) and noting that it would possibly be necessary to redesign the site layout to achieve acceptable sound levels. Notes that a substantial noise barrier was installed at a nearby site (17/00893/FUM).

- 5.104 Noted similar same measurement data in the previous (withdrawn) application 17/01167/ESO was used in the assessment and that the dwellings seemed to be much closer to the A142 in comparison to the previous application. Further notes that the Planning Statement indicates the dwellings will include standard double glazing and acoustically treated ventilation to mitigate the impact of traffic noise. Stated that at this [outline] stage acceptable internal sound levels would need to be met with a partially open window, and that closed windows and alternative methods of ventilation were unlikely to be deemed appropriate.
- 5.105 Recommended construction hours to be within 07:30 and 18:00 each day Monday – Friday; 07:30 - 13:00 on Saturdays; and None on Sundays or Bank Holidays. A condition is recommended for a ground piling method statement to be agreed with the LPA., in case development requires ground piling.
- 5.106 On further noise information submitted, officers note further/ persistent issues related to the assessment, including potential inaccuracies; proposed mitigations not accepted by the LPA; and lack of modelling for the external amenity areas. Further comments reiterated later that issued relating with the noise impact and proposed layout can ultimately be overcome as it has been on nearby developments, reason why officers do not wish to object to this development in principle. Reiterated requirement for a revised NIA, CEMP, construction times, piling method statement (if required), limit commercial delivery times, details of external mechanical plant and details of external lighting will still be relevant to this application.
- 5.107 Upon submission and review of the NIA in March 2021, noted that in applying 'relaxed' target levels (i.e. using partially open windows) all dwellings would achieve acceptable internal levels. However, the conclusion on the NIA is that facades of potential dwellings fronting the A142 could be subjected to noise levels of 45 decibels during the daytime and nighttime period. Noted that the scheme will provide an acoustic screen as part of the landscape fronting the site; however, an acoustic barrier is the preferred option. There are no concerns with the external areas. Welcomes the proposal for standard mitigations for the B1, B2 and B8 uses outside the red boundary (within the wider allocation site). Concludes that for the residential element, mitigations may not be required if the 'relaxed' noise target levels are applied.

#### **ECDC Housing Strategy and Enabling – last updated 4 July 2024**

- 5.108 No objection. Endorsed and requested the inclusion of a review mechanism, as outlined and recommended within the independent review of the viability report. Noted that the Royal Institute of Chartered Surveyors (RICS) advises review mechanisms should be carried out prior to the implementation of individual phases on a large scheme such as the proposed. Recommended as an alternative that a review is submitted with each RRMA, so that we can assess related aspects of the proposal, such as layout/clustering/tenure and size split.

#### Previous comments

- 5.109 The Housing team had previously expressed support for the application meeting Policy HOU3 of East Cambridgeshire Local Plan 2015 (as amended) to deliver 20% of affordable housing on the site. Encouraged at that time developers to secure the

affordable housing tenure as recommended by the most up to date SHMA at 77% rented and 23% intermediate housing. Noted the housing size and tenure mix within the Planning Statement, which is supported for the initial phase, however further noted that a wider range of affordable dwellings sizes is expected to be brought forward across the remaining phases of development, including 1-to-5-bedroom homes. Further comments have discussed the suitability of amended housing mix and required each phase of development to deliver the proposed 20% affordable housing to ensure continuous delivery and that the affordable housing is not clustered in a single parcel.

- 5.110 Recommends that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the Nationally Described Space Standards (NDSS). Detailed discussions are also recommended prior to submission of the reserved matters applications 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 1-to-5-bedroom homes on site.
- 5.111 Requests S106 provisions be included with any permission, to account for: 77% rented and 23% intermediate housing tenure mix; dwellings to be Affordable Housing in accordance with the definition contained in NPPF; dwellings to be transferred to a provider of social housing approved by the Council; tenures not to be changed without prior approval by the Council; rent not exceeding Local Housing Allowance rate for the equivalent property size; the affordable housing to be delivered proportionately across all residential phase; affordable dwellings to be constructed to NDSS as a minimum and all dwellings meeting Building Regulation Part M (Volume 1), Category 2; clusters not to be of more than 15 affordable homes; provider not to dispose of any dwelling by outright sale; occupation to be in accordance with a nomination agreement; and the affordable housing covenants to be binding on successors in title, with exceptions for mortgagees in possession and protected tenants. No further comments on the amendments submitted in 2022.

**ECDC Parks And Open Space - No Comments Received**

**ECDC Technical Officer Access – 9 January 2020**

- 5.112 No objection, however, advises that detailed attention should be given to the following major concerns raised relating to shared access; wheelie bins blocking footpath; visitor parking; ramps; lack of pedestrian crossings on site; depth of water in swales; street lighting. Offer advice on the issues raised.

**ECDC Trees Team – last updated 12 July 2024**

- 5.113 No objection, however noting ongoing concerns regarding the hedgerow mentioned in previous comments. The use of non-native trees for the margins of the site are unjustified, and locally native trees should be used in the sites' green margins and larger open spaces with ornamental species and cultivars limited to locations in proximity to the habitable areas.
- 5.114 The indicated lighting scheme should fit in with the soft landscaping, as trees located near a lighting column would not be functional and it would require regular pruning or removal to prevent it obscuring the light. The location of new planting must consider

the locations of existing vegetation on and off site to make establishment of new trees more likely to succeed.

- 5.115 Any accesses to adjoining sites must be located with consideration for existing landscape features such as large groups of trees and hedges and make use of any existing gaps or areas of lower density to reduce the potential impacts. The construction of new surfaces in proximity must consider the impacts on tree roots and their future growth with them being constructed using no dig techniques, being porous and able to deform via root growth without leading to trip hazards.

Previous comments

- 5.116 Officers had previously noted the submitted hedgerow survey may have omitted a section of hedge, and that hedge H2 is recorded as not complying with criteria 8 of the 1997 Hedgerow Regulations. Advises H2 is adjacent to a public footpath therefore fulfils criteria 8(a) of the Regulations [for determining 'important' hedgerows]. Advised on proposed pedestrian links and potential ownership issues alongside tree removal issues, noting these were not fully assessed in the submitted report.
- 5.117 Noted tree T20 is proposed to be removed however it classifies as a veteran tree, therefore should be retained and protected. Highlights NPPF and standing advice from Natural England and the Forestry Commission states that development affecting veteran trees should be refused unless justification is wholly exceptional. Advise on correct category for the tree and measures for protection and use for biodiversity enhancement. Further noted the age of the survey and inconsistencies between this and the layout plans/ [indicative] masterplan. The submitted Biodiversity Impact Assessment does not appear to include the loss of T20 as a veteran tree and associated Ivy coverage that provides additional biodiversity benefits and habitat opportunities. The Preliminary Ecological Appraisal resulting Bat Survey is from 2016 should be updated to avoid destruction of bat roosts and need for re-design of the scheme to allow the retention of this tree.
- 5.118 Noted the intensification in use of the footpath adjacent to the allotments leading to Kents Lane and its use as a cycleway, will require lighting and paving improvements, which should be mindful of the tree rooting. This needs to be considered in the tree report. States that the soft landscaping scheme is now generally suitable and acceptable; however, noting existing trees which were not assessed as part of the tree report and their impact on the proposed new planting in this area. Is disappointed with the lack of meaningful soft landscape proposed along the existing and retained footpath across the site linking the Commons.
- 5.119 Tree officers had initially stated not to have objections. They had noted the site is not within the Conservation Area and not subject to any Tree Preservation Orders. As the site is agricultural/paddock land most of the treed vegetation is within the boundaries of the site, with tree T20 being the only exception as partially on the site. Note the proposal for removing four trees (T20 - T23) and two groups of trees within the two groups (G21 & G22) to facilitate development. The removal of the other trees identified is acceptable as they would not be considered for a Tree Preservation Order and therefore should not prevent development.

- 5.120 Further note that due to the nature of the site there is scope for a robust and dynamic landscaping proposal to provide diverse selection of trees across the site in terms of height and characteristics. Later stated that the indicative landscaping plans appear good however as no details are provided this part of the application is not fully assessed.
- 5.121 In later correspondence, officers had objected to the soft landscaping proposals, noting specific trees species proposed, which would have an impact on the draining of the soil, potentially causing the land to 'shrink'. Noted the willows that currently grow along the A142 Soham bypass are the locally native Crack Willow and they would offer a better link to the existing landscape as well as a better habitat potential to local species. Advised on the management of these species. Noted other species not in keeping with the area and advised reviewing the proposal. Welcomed the use of native species proposed to be planted within the drainage swales noting exceptions and advising on structural matters and more suitable species. Noted species which could have an impact on the housing given their area of influence extending to 30 or 40 metres (98.42 or 131.23 feet).
- 5.122 Advised that the inclusion of geotextile on the tree planting pits should be reviewed due to the long-term impact on tree root development, given the reduction in the soil's porosity and over saturation of the soil. Added that the introduction of plastic products into the soil is not considered environmentally responsible, noting that the requirement to add a layer of gravel to the base of the pit indicates an intent to plant trees that are unsuitable for the site's conditions. This can also result in a water filled void that will not be benefit the trees establishment as it can remove soil bourn water from where the tree can access it especially during the growing season when rain fall is limited. Advised that the tree pits would best be backfilled with the existing soils on site to match the existing soil profiles, providing further technical details on the matter.

**ECDC Waste Strategy – last updated 1 February 2024**

- 5.123 No objection. Noted the District Council will not enter private property to collect waste or recycling, recommending this be made clear to any prospective purchasers in advance. Noted 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). Advise on collection service to private and unadopted roads, including until the moment roads are adopted.
- 5.124 Further consultation response has acknowledged the submission of a Waste Strategy (October 2023) based on consultations with the Waste Team in 2019 and on the Recap Waste Management and Design Guide. Noted however that the service will undergo changes to comply with the legislative requirements of Simpler Recycling, which should be considered for the design of adequate bin storage and presentation (three wheeled bins per property and separate food waste collections, with the additional provision of food waste caddies).
- 5.125 The response updated the requirement for a set of receptacles to each dwelling; the contribution is currently £57 per set. Advise on payment noting this should be made in advance of bins being delivered and recommends the developer to make the contribution on behalf of the residents, noting that the bins remain the property of ECDC.

## **The Ely Group of Internal Drainage Board – last updated 13 June 2024**

- 5.126 No objection. Following the latest update on the Drainage Strategy (version F), the Board has confirmed the document considers their comments made previously. Suggests the outline proposals limits the discharge from the development to 8.22 litres per second (l/s), which will need to be confirmed at each phase, as development progresses. Previous comments, including the 9 metres (29.52 feet) maintenance zone, remain valid. Reiterates the requirement for development to obtain the Board's Byelaw consent before commencing.

### Previous comments

- 5.127 Had previously noted the site to be within the Middle Fen and Mere Internal Drainage District and part of the site is adjacent to the Board's East Fen Main Drain. In further correspondence had reiterated previous comments made, and that the limiting of discharge rate at 1.1 litre per second per hectare aligns with IDB's requirements. However, noted issues in the calculations of the discharge for the development, which need to be rectified in an updated drainage strategy.
- 5.128 The Board had initially raised concern about the extensive changes proposed to the public rights of way (PROW) without clarity on the exact rights of way to be diverted, created or extinguished and designation of the 'activity' paths for cycling/walking. Welcomed the proposed public open space (Commons) adjacent to the A142. Requires all new footpaths and cycleways be designated as PROWs. All proposed joint use cycling/walking routes must be of a width where cyclists can pass or overtake without any danger to pedestrians; suggesting some separation could be valuable. Requests that links to both Qua Fen and East Fen Commons are retained, as well as links to the two existing footpath crossing points over the A142 and the southwest links to the town centre.
- 5.129 Later the Board acknowledged that the Flood Risk Assessment (FRA) for the site uses the Board's greenfield run-off rate, noting that any discharge into their drainage district will require the consent of this Board under its Byelaws, before any works start on site. Advise on information requirements for the consent, and that a maintenance plan is to be put in place for the future maintenance of any surface water features on site. Further advises that consent from the Board will also be required for any works to ordinary watercourses that are on the site, highlighting their concern that the proposed site and roundabout will have an impact on its Middle Fen Drain. Highlighted that the Middle Fen Drain is vital to the drainage of the area, as well as a passage for water to allow irrigation in the fens. Advises that no works can take place or structures erected within nine metres of a Board's Main Drain without the prior consent of the Board.
- 5.130 On further correspondence, noted some of the drawings appear to show planting adjacent to the Board's Main Drain and advised that the Board will not allow any planting within 9 metres (29.52 feet) of the Main Drain, so their access to maintain the watercourse is protected. Highlighted that the exceedance flows from the proposed balancing ponds must remain on site and not allowed to overflow into the Boards Main Drain. Requires contribution for future maintenance of the Board's Main Drain network and pumping station that will receive the water from this site.

**Environment Agency** – last updated 5 June 2024

- 5.131 No objection, subject to a condition to secure information be provided before the start of each phase of development, demonstrating: (i) the area at risk of flooding due to the failure of the flood defences, or any other mechanism; (ii) that all feasible measures have been taken to avoid development within areas of flood risk; (iii) that appropriate resistance measures have been incorporated into any dwellings identified as being at risk; and that (iv) the proposed resistance measures will not increase the risk to third parties. No further comments on the latest consultation.
- 5.132 Had previously explained the main three scenarios provided by the Agency and the applicants, where the site would be defended from flood; undefended from flood; and where a breach to the defences could occur. Further explained that the defended scenario is idealised and represents the current situation, where the defences are in place and operating as designed. Over the lifetime of the development, the modelling indicates that the defences will overtop in the event of climate change impacting flood. Furthermore, there is no guarantee that the standard of protection of the defences will be maintained to keep up with the impacts of climate change. Confirmed the proposed development site is located within the defended flood zone 3 (of highest risk).
- 5.133 Noted that the Flood Risk Assessment (FRA) submitted with the application did not include an undefended model run so the Agency cannot be certain what impact an improved representation of the watercourse adjacent to the site would have on their flood map for planning. However, it will likely follow the pattern of the breach modelling undertaken, which results in significantly more water entering the floodplain, overwhelming the capacity of the perimeter watercourse to divert the flow around the site, resulting in part of the site becoming inundated.
- 5.134 Further noted that the area of inundation in the breach scenario is currently proposed for residential development. Previous iterations of the FRA recommended that the finished floor levels of those dwellings are raised above the estimated flood level, to reduce the risk of internal inundation of those houses but noted there will still be an impact to those properties and their occupiers if this is pursued. For this reason, reiterated the NPPF and PPG recommendation that areas of flood risk are avoided, and only when that is not achievable, mitigation should be considered.
- 5.135 Added advice on reservoir safety, noting that the site is located within the Wet Day reservoir flood map for the East Fen Farm reservoir. By developing within the flood extent, the applicants may change the classification of the reservoir and the operator may be required to improve or update emergency procedures for the reservoir. Noted that the applicant in this case is required to ensure that appropriate financial contributions are provided to the reservoir operator to make these changes, and that the FRA is not clear as to whether this engagement has occurred.
- 5.136 Further advises on Sequential Test and Exception Test, acknowledging that allocated sites are not normally required to demonstrate that the sequential test can be passed as this exercise has been carried out during the allocation process. Noted however that the PPG in Paragraph 027 supports this approach with the caveat that, among other aspects, there have been no significant changes to the known level of flood risk



to the site, now or in the future which would have affected the outcome of the test. Given the age of the sequential test assessment carried out in the original version of the current ECDC Local Plan, there have been numerous policy and evidence changes since the sequential test, and that ECDC will determine whether the sequential test should be carried out again. The subsequent planning application for the allocation site would still be expected to demonstrate that the specific proposals pass the exception test.

#### Previous comments

- 5.137 The original response from the Agency was to object the application, in the absence of an updated hydraulic model to answer the issues raised in their review of the submitted MLM model. Key issues to be addressed are the following: to fix the mass balance error to be within acceptable tolerances; and to provide sensitivity testing and a proper slope in line with local topography for the downstream boundary. Noted that until the modelling is resubmitted and approved, they are unable to comment further on the proposals.
- 5.138 The Agency had later removed their objection, whilst making remarks regarding the requirement for a Sequential Test and stating the consultation response assumes this was carried out and that the site has passed the test. The Agency have also stated that the hydraulic models has been reviewed and a few issues identified. The Agency has later objected the application based on unacceptable Flood Risk Assessment (FRA) and hydraulic model and on the basis that the proposed masterplan showed residential development within an area at residual risk from flooding, without a justification on the FRA. Requests that an updated hydraulic model is submitted to overcome their objection, and that where dwellings cannot be outside areas of highest risk, that the finished floor levels of these properties are raised. The LPA needs to be satisfied with the access and egress from the site are safe.
- 5.139 Following review of the amended model submission in August 2021, stated to be satisfied that the improvements to the model were addressed and are acceptable. Notwithstanding this, maintains objection as the indicative masterplan for the proposed development shows a section of residential development within an area that is at residual risk, without justification in the FRA. Reiterates points made previously, adding that the main access point is located within the area shown to be at risk of flooding as well, and dry pedestrian and vehicle access in such an event is not discussed in the FRA but may be able to be achieved elsewhere on site.
- 5.140 Following officers' correspondence had previously reiterated the NPPF requirements for a Sequential Test to be applied. Upon review of the design response, note that the mitigation to the residual risk of flooding by raising the ground levels in the area at risk will result in the flood flows during a breach to be diverted, likely to the east, increasing the impact off site. This is unacceptable and a feasible alternative has been discussed with the applicants. The mitigation requires the careful design of the area at residual risk to ensure that the existing flow paths are maintained.
- 5.141 The Agency had stated that it would be essential to resolve this issue as the proposed development is reliant upon the defences through Soham, but it will not support their maintenance. There may be future uncertainties over the funding of maintenance and replacement of the defences. The preferred method would ideally be an outcome of

the outline permission being granted, however noted that remaining issues can be resolved during the reserved matters stage, if a condition is placed on the permission requiring its resolution.

- 5.142 Following discussions, the Agency submitted updated comments pointing out that Phases 1, 2 and 4 would be affected if a breach in the Soham Lode defences occurs. Further noted Phase 2 is a residential phase and that the authors of the FRA should be able to provide the exact number of houses affected. Highlights that the applicants are proposing to mitigate the risk of internal flooding by raising floor levels to 3.75 metres (12.30 feet) Above Ordnance Datum, which means raising the levels roughly between 300 millimetres (11.81 inch) and 750 millimetres (29.53 inch) above the existing ground levels.
- 5.143 In this instance the Agency had then pointed out that this would result in the flood waters being diverted onto third party land, with unknown exact impact as the modelling had not assessed this scenario. Highlighted however that by stopping water from entering the site with the proposed mitigation, water will be diverted offsite, increasing local flood levels and extents. Recommended that ground level raising is restricted within the area shown to be at risk of flooding in the event of a breach and to the buildings themselves, leaving garages, gardens, roads, and parks to flood in the event of a breach.
- 5.144 Further noted that if the LPA considers inappropriate to raise the floor levels of the buildings, then other resistance and resilience measures should be considered, and the applicant must submit details of alternative mitigation measures to maintain the flow path across the site. Recommends that when carrying out the sequential and exception tests, the residual risk of flooding illustrated be considered when determining whether this site is sustainable.
- 5.145 Further comments reiterated the modelling to be acceptable, and confirmed the conclusion that the site is not at risk if the defences were overtopped but would flood if the defence fail, noting these are residual risks which should still be considered when dealing with major developments. Highlights that the probability of the defence failing is low but the impact if it does can be significant. Other factors can increase the probability of failure including the impacts of climate change, reduce ability to maintain the defence, the affordability to replace structures at the end of their usable lifespan. Therefore, reiterates recommendation for consideration of safety of the houses located in areas reliant upon defences.
- 5.146 Noted the remaining issues focus on whether the proposed mitigation measures are compatible with the other planning requirements and constraints. If the current proposed mitigation measures (raised floor levels) are unacceptable then the Agency requires to be reconsulted on this application/any alternative measures proposed. Further notes that by raising the ground levels, the flood water from a breach in the defences would be diverted offsite, which has not been discussed within the summary note but this may be because the mitigation referred to as being raised floor levels rather than raised ground levels.
- 5.147 Later in 2023 following new amendments to the application and to the submitted Environmental Statement, the Agency reiterated not to object to the proposals, subject to a condition dealing with flood risk. Noted the proposal was supported by a

FRA that includes an updated flood model for the Soham Lode, demonstrating that with the defences in place, the site would not flood from the local watercourses or the Soham Lode during a design event. Highlights the site will remain partially in Flood Zone 3a and 2 if the defences were not present or the defences fail, noting the site would partially flood to a maximum depth of 300 millimetres (11.81 inches).

- 5.148 They have reiterated in the same correspondence that ideally the sequential approach should be taken to the site layout, and there should be no built development within the areas of residual flood risk. Recommend that no ground raising occurs in areas at risk of flooding to maintain the flow paths through the site, otherwise there will be an increased risk of flooding to the adjacent third-party homes. Therefore, if built development was necessary in the risk areas, then the finished floor levels of the properties will need to be raised without increasing the surrounding ground levels. Further recommends the bungalows and self-contained ground floor flats are avoided in the areas at risk of flooding as they are particularly vulnerable.
- 5.149 States that although satisfied at that stage that the proposed development could be allowed in principle, the Agency required the applicant to provide further information to ensure that the proposed development could go ahead without posing an unacceptable flood risk to the properties adjacent to the site in Soham.
- 5.150 Offered further Wastewater and Water Resources comments and advice to applicants in 2021. No comments on the amendments submitted in 2022.

**Strategic Planning – No Comments Received**

**Health and Safety Executive – 10 October 2023**

- 5.151 No comments. This application does not fall within the Consultation Distance Zones of either a Major Hazard Site or Major Accident Hazard Pipeline.

**Historic England – last updated 19 March 2024**

- 5.152 No comments. Advise the LPA to seek the views of your specialist conservation and archaeological advisers, as relevant.

**Lead Local Flood Authority (LLFA) – last updated 4 June 2024**

- 5.153 No objection. Stated that the latest version of the Drainage Strategy (version F) demonstrates that surface water from the proposed development can be managed using swales and attenuation basins, which is supported. Surface water will then be discharged into the IDB drain on the south-eastern boundary of the site at a rate of 1.1 litres per second per hectare. Noted that in addition to controlling the rate of surface water leaving the site they also provide water quality treatment, reiterating this to be of particular importance when discharging into a watercourse.
- 5.154 Noted the is at very low risk to surface water flooding, except for a localised area in the central north-western part of the site, which has been designated for Attenuation Basin 3, therefore housing development will not take place in the area.

5.155 Noted the Environment Agency's flooding map zone and that the Agency should confirm acceptability of the modelling concluding that the site will remain dry during a 1 in 100-year fluvial event. Requires conditions and informative be applied to any permission granted.

Previous comments

5.156 Throughout the assessment of the application, the LLFA had different positions in relation to the proposal, based on the level and quality of information provided.

5.157 The Authority had previously objected to the proposal for reasons relating to the hydraulic calculations, which were not legible, and due to the interception source control not being sufficiently detailed within the maintenance and management plans, and there is no indication on the extent of use of the permeable paving within the scheme. The Authority had previously noted the absence of the appendices for the hydraulic calculations in the updated report, when reviewed in November 2023, advising on technical matters relating to the hydraulic modelling.

5.158 The LLFA had previously expressed support in principle in relation to the swales and attenuation basin on site to manage surface water flows. Noted however that the proposals should look to manage surface water on a local level, intercepting rainfall where it lands, which could be done by using systems such as permeable paving, rain gardens or bioretention. Acknowledged the restricted level of detail for an outline application, however noted that the principles of interception source control should be clearly set out in the submitted report.

5.159 The LLFA had initially objected to the proposal due to the design of the swales, which were not acceptable and not justified by special site and/or safety arrangements. They have removed this objection, following the submission of the Flood Risk Assessment (FRA) and Drainage Strategy, dated of November 2019; and the respective section of the submitted Environmental Statement. The documents demonstrate that surface water from the proposed development can be managed using swales and attenuation basins. Surface water will then be discharged into the Internal Drainage Board (IDB) drain on the south-eastern boundary of the site at a rate of 1.1 litres per second per hectare during all events up to and including a 1 in 100-year event plus a 40% allowance for climate change. Supports the use of swales and attenuation basins, as in addition to controlling the rate of surface water leaving the site they also provide water quality treatment, which is of particular importance when discharging into a watercourse.

5.160 Noted that most of the site is at very low risk to surface water flooding, except for a localised area in the central north-western part of the site, which will be designated attenuation basin. Noted that the Environment Agency flood zone mapping shows that part of the site lies in Flood Zone 2 and 3; however, updated modelling has been performed concluding that the site will remain dry during a 1 in 100-year fluvial event. Confirmed water quality has been adequately addressed in the documents. Further noted in later correspondence that additional fluvial flood risk modelling has been submitted in response to the Environment Agency's comments, recommending that the strategy and additional flood risk modelling is reviewed and agreed by the Agency.

- 5.161 The LLFA raised another objection to the application, noting the Addendum 02 to Environmental Statement supporting amendments to the scheme, including changes to the location of the medical centre and indicative masterplan did not include the documents it referred to. Upon submission and review of the documents, the LLFA removed their objection as the submission once again demonstrated that surface water from the proposed development can be managed using swales and attenuation basins. Reiterated comments above regarding surface water management and flooding. In addition, noted that most of the site would be at very low risk to surface water flooding, except for a localised area in the central north-western part of the site, further noting this has been designated for Attenuation Basin 3 and housing development will not take place in this area.
- 5.162 Noted as well in the occasion that water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the Construction Industry Research and Information Association (CIRIA) SuDS Manual. Requested conditions relating to surface water management; surface water run-off; and post-completion survey and report. Suggested/ reiterated informative regarding low flow channel design, IDB consent and pollution control.

**National Highways** – last updated 11 October 2023

- 5.163 No objection. Due to the location of the proposed development, it is considered unlikely to have a material impact on the Strategic Road Network.

**Natural England** – last updated 20 October 2023

- 5.164 No objection. Welcomes the commitment in Chapter 6 Ecology of the Environmental Statement to deliver mitigation measures to address recreational pressure impacts to Soham Wet Horse Fen Site of Special Scientific Interest (SSSI) and Soham Commons County Wildlife Sites in accordance with the recommendations of the Soham Commons Recreational and Biodiversity Enhancement Study (Footprint Ecology, 9 October 2017). Request that the LPA secures agreement through an appropriate strategy and delivery of details of these measures, including long-term management and funding. Advises the LPA to seek the views of the Wildlife Trust on the current application and the detailed mitigation strategy.
- 5.165 Advises on when to consult Natural England and their SSSI Impact Risk Zones dataset and provides further general advice on the consideration of protected species and other natural environment issues. Further responses confirmed the proposed amendments to the original application were unlikely to have significantly different impacts on the natural environment than the original proposal.

**Planning Casework Unit** – No Comments Received

**Soham Town Council** – last updated 11 July 2024

- 5.166 Objects to the proposal, in consideration of the outdated and inaccurate representation of the PROWs; the inadequacy of the tree planting proposals; lack of sufficient screening between houses; and difficulty to deliver biodiversity net gain with the development. Highlights draft policies in the Soham and Barway Neighbourhood Plan, in relation to minimum of 20% biodiversity net gain and the protection of the

Soham Commons. Further objects based on the inadequacy of access point from Cornwall Close and the old garden centre on the A142, indicating a new transport analysis needs to be undertaken before permission for these access routes is considered. Suggests risk to livestock and other animals in the Commons due to increase in traffic. Questions whether the recommendation to undertake a safety study and consider proportionate highway safety measures along the A142 Soham bypass and the junctions with Northfield Road and Paddock Street has been addressed in the application.

#### Previous comments

- 5.167 Previous objection was made on the grounds of a single access being provided, which is insufficient for the scale of development, unsafe and does not constitute a gateway [into Soham]. Agrees with the finding of the report submitted in November 2023 citing poor safety record at the junctions of Northfield Road, Qua Fen Common and East Fen Common with the A142. The Town Council is supportive of the recommendation for a safety study to be carried out prior to determination, and consideration is given to proportionate highway safety measures along the A142 Soham bypass and these junctions, or justification for their absence.
- 5.168 The Town Council noted that the Middle Fen & Mere IDB has said that water exceedance must remain on the site within balancing ponds and must not be allowed to flow into their Main Drain, and raised concerns that the ponds within the development will be a danger to those living and moving through the development, especially to children. Enquires how the exceedance flows will be mitigated.
- 5.169 Further requests a thorough Ecology report be carried out regarding the development regarding trees, bat boxes, swift bricks etc. to be satisfied that the development will meet and exceed Biodiversity Net Gain targets. States that there will be a significant negative effect of the development on the two Commons and requests reassurance that this has been considered and the developer will propose measures to mitigate the negative effect.
- 5.170 Strongly objects to any new pedestrian access paths from the site onto the adjacent Commons, to protect the flora and fauna of the Commons. Requires that the Town Council be involved in S106 negotiations and in the finer details of the outlay of the site with regards to the position of footpaths and street furniture, including the location of litter and dog waste bins.
- 5.171 The Town Council had previously objected to the application raising concerns regarding future link through Brewhouse Lane; children's play areas in relation to SuDS; affordable housing provision; damage to the Commons by increased footfall; and illegal access from new homes onto the Commons. Reiterated concerns raised by the Highways Transport Assessment team, noted NHS CCG comments and lack of clarity/ agreement regarding the delivery of the medical centre through the development; reiterated the high demand for affordable housing in Soham and the requirements of Policy GROWTH3, in supporting physical, social, and green infrastructure being delivered through new development.
- 5.172 Further objections related to the absence of a vehicular link from the development into Soham and impacts on the economic benefits; lack of medical centre provision;

development being adversely uncharacteristic with the surrounding area, detracting from the rural character of the locality, edge of Soham, and the wider landscape setting. Further objects due to the introduction of residential development close to the A142, which is a busy single carriageway relief road and exposing future occupiers to an unacceptable level of noise, which could only be mitigated through the permanent closure of windows and other openings, restricting natural ventilation into their homes, and significantly reducing their reasonable level of amenity.

- 5.173 Noted the significant demand for social rented housing in Soham and the aspiration to provide 20% affordable properties. Also noted the development will be expected to contribute to the Community Infrastructure Levy (CIL) or to have secured through S106, listing the Local Plan's infrastructure requirements detailed in Policy GROWTH 3. Further correspondence noted the lack of a direct access for vehicular traffic from development into town; the proposal for an 18 metres (59.06 feet) high building being disproportionate in relation to the parish church and out of character. Noted the lack of clarification regarding the access to the potential new medical centre, and that it is critical that the potential new medical centre can service its patients for the next 30 years. Noted that the land that borders the proposed development and that may be developed later has not been included in any traffic assessment, and that the landowner of East Fen and Qua Fen Common has not been notified of the proposed development. Further noted in this regard that the boundary line is shown on the wrong side of the commons, and that existing hedges must not be removed without the permission of the landowner of East Fen and Qua Fen Common. Enquire about the management of the swales and request that the developer provides a considerable amount of money for protection and maintenance of the commons that surround it. Further noted that the existing statutory allotments are retained by Soham Town Council, requesting that any maps reflected this.
- 5.174 Further comments reiterate concerns requesting these were addressed by amendments to the scheme; conditions to be applied to any permission; or outright refusal of permission on the grounds of biodiversity, Commons access and protection, inadequacy of traffic assessments, contradictory and emphasis on using said commons especially East Fen Common for access uses. Further details the Parish's concerns in relation to access and site accessibility; proposed health care facility; traffic assessment. Noted requests for contributions to improve the sewer network, lack of consultation with the Lord of the Manor; lack of contributions to the help protect the Commons. States the proposals do not meet the Local Plan, highlighting policy COM7 and requirements within the allocation policy SOH3, particularly in relation to housing, local facilities, extension to the medical centre, extension to the primary school, allotments, public open spaces and Commons land, updating the 2015 masterplan, affordable housing and self-build, scale of development, vehicular connection with Soham, flood risk, and sewage treatment, to which the Town Council objects or raises concerns. Consideration has been given to the financial viability of the applicants and the potential successful delivery of the site. Suggests that District councillors sitting in the Planning Committee as well as representing CCC declare any personal/ prejudicial interest by association and does not take part on debate and decision regarding the application.
- 5.175 Later correspondence reiterated the objection, expanding on their concerns in relation to the proposed building heights parameters, stating that the 16 metres (52.49 feet) height building will dominate the Fen landscape and will be out of character.

Note that for drainage purposes the soil will be raised a further 2 metres (6.56 feet) and for this reason request a revised drainage plan. Request further information and clarification in relation to the proposed roundabout.

- 5.176 Further correspondence reiterated objection, stating the most concerning point regarding the proposal is the lack of a viable vehicular route to and from the town centre except through the roundabout on the A142. Highlights the potential isolation of the newly created community and economic impacts on Soham. Supportive of the building phasing starting from the A142 to avoid heavy traffic across the town centre, noting however that the first residents will not have access into town except by car and therefore without incentive to interact with loyal businesses.
- 5.177 Raises queries regarding adoption and maintenance of the cycle paths, roads and pavements, as well as green spaces. Requires clarity on the building phase for the medical centre, pointing out the historical aim to have the current facility relocated to a larger site within the development, giving space for a road link to be created. This is not mentioned on the plans. Points out that initially the new residents of the development will only be able to access the medical centre by car, which ultimately will increase road access from the A142. Highlights points made by the Transport Assessment [team] regarding PROWS; street lighting; poor treatment of cycle ways; improvements to Kent's Lane and the use of this route in taking pedestrians and cyclists away from the town centre; public transport; and routes to the school.
- 5.178 More recently and in response to officers' correspondence, the Town Council confirmed their agreement that the Weatheralls Allotments in Soham will not form part of the Eastern Gateway development but will continue to be a statutory allotments site.

**Sport England** – last updated 8 March 2024

- 5.179 No objection, following the proposal for a S106 financial contribution of £125,000 towards off-site facilities for sport, which would be in line with Sport England Planning Objective 3 to provide new facilities for sport and physical activity. Noted that both the East Cambridgeshire Playing Pitch Strategy (PPS) (2020) and the East Cambridgeshire Local Football Facilities Plan (2020) identify the need for 3G provision in the Soham area. Cambridgeshire Football Association to contact Soham clubs and Soham College regarding the idea of a full size 3G be provided at the College site.
- 5.180 Sport England had initially objected to the proposal, given the lack of evidence of any exceptional circumstances, and noting the proposals did not include provision or referred to contributions to off-site provision for formal sport. They had confirmed that new development would generate demand for sporting provision and that they should therefore contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as updated Sports Facilities Strategy, the PPS, or other relevant needs assessment. Noted that ECDC were producing a PPS for the district to be completed in June 2020.
- 5.181 Further comments have highlighted a 3G pitch in Soham to support both Soham United and Soham Town Football Clubs. Noted Soham Village College is the



preferred site for a facility, however, there were questions around match funding and community access, requiring further discussions exploring this option. Should the College not be forthcoming, an alternative site in the town will need to be identified.

- 5.182 Highlighted that they have produced in conjunction with Public Health England the 'Active Design' (October 2015) guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing, advising on the topic.

**Staploe Medical Centre** – last updated 01 August 2024

(Mereside Medical operating the facility, in conjunction with NHS ICB for Cambridgeshire and Peterborough)

- 5.183 No objection, following the applicant's response to the objection, as set out in This Land's letter dated 31 July 2024. Noted the importance of securing appropriately timed triggers for the fallback cash contribution if required.

Previous comments

- 5.184 Mereside Medical as operators of the Staploe Medical Centre (SMC), in conjunction with the National Health System (NHS) Integrated Care Board (ICB) for Cambridgeshire and Peterborough had previously objected the application, reiterating the request for access to be provided to the new medical centre land from the A142 and from Brewhouse Lane, at early stages of development. Other requirements included the NHS's Full Business Case approval as requirement to the land transfer, with alternative scenario in the event the medical centre land is accepted but not taken up, triggering S106 financial contributions. The SMC also required that the reserved matters for the medical centre land was submitted with the reserved matters covering the link road towards Brewhouse Lane [to the extent that it falls within the outline boundary]. In more recent comments, the SMC have advised to be in discussions with the applicants, in relation to the S106 and provision of the new medical centre, specifying requirements in terms of triggers to transfer of the land, servicing requirements, access requirements and alternative solutions in the event the transfer does not occur.
- 5.185 Later objections related to the uncertainty in relation to the phasing of the overall development and delivery of the new medical centre land, and to the fact that the provision did not constitute a contiguous plot of land. Concerns have also been raised in relation to inconsistent phasing for the implementation of the access via the Primary Route and the new medical centre being operational. Reiterated the medical centre needs vehicular access from the day it becomes operational and acknowledged that the (secondary) access via Brewhouse Lane depends on the redevelopment of the existing medical centre land. Confirms the SMC does not prefer access is given from either option, provided this is a two-way traffic for all vehicles associated with the typical medical centre operation. Requires view of the draft S106 agreement.
- 5.186 Further correspondence indicated the unsuitability of the current SMC premises to accommodate existing demand, and that additional demand would exacerbate issues already existing capacity issues. To address this, propose land to be allocated in the proposed development for a new, large and fit-for-purpose medical centre to be occupied by SMC, highlighting that the new medical centre needs to be constructed

before an increase in patients. Noted they have been working closely with the applicants to bring forward the new medical centre at early stages of development, with a proposal for the applicants to submit a separate application for the new medical centre only. Raises concerns about the drafting of a S106, which would need to resolve issues regarding the delivery of the access route to the new medical centre prior to its operation, the offer period for the new medical centre land, and the need for an alternative off-site financial contribution in the event the land is not accepted by the SMC.

- 5.187 The initial concerns raised by the SMC highlighted the inadequacy of the proposed 0.43-hectare land for the new medical centre, 'landlocked' with no opportunity to future proof the site with a future expansion. Highlights that BREEAM excellent rating needs to be achieved for the new building, which should be able to accommodate a sustainable transport strategy, including parking spaces, patient drop-off, ambulance access, deliveries, cycle parking, waste and clinical waste storage. This would require an approximately 0.8-.0.9 hectare plot, as demonstrated in the 2017 application.
- 5.188 Furthermore, the location of the proposed 0.43-hectare plot separated from the current medical centre is not viable. Further explains and justifies why a split expansion of the SMC is not possible. Reiterates that the current SMC building is not fit for accommodating the levels of current demand and offers that the land is part of the application site so and agreement can be reached [in terms of developing both sites]. Further argues for the inclusion of the existing SMC land into the application site, also for reasons relating to the delivery of the Brewhouse Lane access from the site into Soham. Previous correspondence further reiterated the lack of capacity of the existing medical centre to accommodate additional patient demand from the development, highlighting that the draft HoTs does not include provision for the medical centre.
- 5.189 The initial concerns have been reiterated on later correspondence in the same year and the following, highlighting and expanding in the lack of capacity at the current SMC for any additional demand, and the new for a new continuous land of 0.9 hectare in the mixed-use area of the proposed development, to accommodate the new medical centre required to cater for the existing and the community generated by the development.
- 5.190 Further concerns reiterated the need for an updated phasing to ensure delivery of the new medical centre prior to occupation of the new dwellings, and to ensure the consistent safeguarding of the land. Noted that the planning documents did not reflect the positive dialogue with the applicants to date. This included the draft HoTs and issues regarding the size of the plot, the timing for its delivery and the outdated reference to the extension of the existing SMC, instead of the agreed new plot of 0.9 hectare on the mixed-use hub.
- 5.191 The correspondence also reiterated that a second vehicular access point alternative to the Primary Route would benefit community connectivity as well as access to emergency vehicles and oversized diagnostic trucks, indicating a preference of a secondary access via Brewhouse Lane.

**Ward Councillors - No Comments Received**

- 5.192 A site notice was displayed near the site on 28 May 2020 and several press adverts were published, including the latest in the Cambridge Evening News on 11 July 2024.
- 5.193 In addition, letters to neighbours and interested third parties were sent in consultation on several occasions, including the latest on 24 June 2024. In total, 445 neighbouring properties and third parties were notified and a total of 289 letters in response were received, 282 of them objecting the proposal, and the remaining providing comments.
- 5.194 The responses received, and concerns raised are summarised below, separated by key stages of amendments to the proposal. A full copy of the responses is available on the Council's website.

#### Comments following final amended version of the proposals – June 2024

##### Planning Policy/ Allocation

- Reference to previous ECDC Local Plan and protection of the commons
- Loss of agricultural land
- Loss of grazing area
- Loss of a coherent vision [for the area]
- Excessive housing developments in Soham
- Inadequate location between two commons in Soham
- Development is contrary to policy
- Loss of public amenity
- Long-term negative effect [in general] in Soham
- Excessive and unnecessary new homes
- Soham needs jobs/ support for local business

##### Transport, highways and connectivity

- Increase in traffic congestion in Soham, on the A142 and the proposed roundabout
- Development will attract too many cars
- Lack of employment opportunities in Soham will generate need for more commuting
- Impact on Soham residents who are A14 and A142 commuters
- Concerns over highways safety
- Inadequacy of surrounding highway network to accommodate increased traffic and larger/ heavier vehicles
- Inadequate access to the site for pedestrians
- Development affects rights of way
- Inadequacy of existing PROWs and signage to accommodate increased capacity
- Inadequacy of the proposed PROWs around the development, including for disabled, children, and those pushing prams and buggies
- No adequate solution for/ lack of road connection into Soham town centre
- Inadequacy/ lack of viability of access to/from Cornwell Road and East Fen and Qua Fen commons roads
- Insecure/ questionable provision of Brewhouse Lane access into Soham
- Risk to highway safety on the A142 and local road network

- Negative impact on parking
- Negative impact on transport [in general]
- Inadequate access to the development from the A142
- Excessive number of cars from development impacting wildlife and residents
- The A142 will fail to meet its purpose of enabling the safe bypass of Soham
- Access to garden centre land leads to vacant site
- Inadequacy of Brewhouse Lane for the increased traffic
- Junction from Brewhouse Lane to Paddock Street is inadequate and unsafe
- Lack of clarity about closure of PROWs during construction
- The development will be a giant cul-de-sac
- The development having one access only is unsafe
- Access to the new health centre via Paddock Street is unsuitable

#### Ecology and Trees

- Loss in biodiversity
- Loss of hedgerows
- Impact on trees and landscape
- Proposal for non-native trees
- Clearance of ditches
- Impact on wildlife from lighting the PROWs and areas near the commons
- Impact to the commons' wildlife
- Identified impact on protected species
- Negative impact from haul road on habitats and protected species
- Uncertainty around biodiversity gains
- Negative impact on the environment
- Built environment between the two Commons damaging existing wildlife corridors
- Access to garden centre land and to the north of the site will cause negative biodiversity impact
- Access to the north of the site will increase pressure on biodiversity of the Qua Fen Common
- Consideration to be given to existing landscape features and hedges

#### Flooding, Watercourses and Drainage

- Increased risk of flooding from surface water run-off
- Lack of a viable solution for local surface water management

#### Design and Character

- Insufficient/ inadequate soft landscaping along the boundary with the commons
- Visual impact from the new homes
- Inappropriate building heights
- Proposed height will change the character of the Fens
- Oversized and overbearing development
- Quality Panel review not taken into consideration
- Landmark tall building out of character with Soham skyline

- Access to garden centre land assumes more house will be built on the site
- High density of the development out-of-keeping with the character of the residential buildings/ tranquillity of the Commons

#### Residential Amenity

- Risk of light and noise pollution
- Application should be refused on noise grounds
- Risk of overlooking and loss of privacy
- Proximity of the haul road to existing houses and risk of pollution
- Risk of pollution from traffic congestion
- Traffic and noise pollution restricting open windows

#### Open Spaces and Play Areas

- Insufficient open spaces
- Unacceptable sports off-site contribution
- Risk of play areas within SuDS

#### Infrastructure (other than highways)

- Lack of water and sewage infrastructure capacity
- Lack of viable solutions for relocation of existing medical centre
- Uncertainty regarding the delivery of the medical centre
- Cumulative demand for secondary school places
- Lack of capacity in local primary schools
- Negative impact on schools, health centre, employment and utilities

#### Sustainability

- Lack of measures to reduce carbon footprint and improve food security
- Creation/ increase of carbon footprint

#### Other Points

- Quality of the Noise Assessment
- Quality of the Transport Assessment
- Outdated data used for trip generation
- Students of the Soham Village College have not been considered on traffic surveys
- Inaccurate and out of date PROW plans
- Out-of-date ecological surveys
- Length of application file
- Statement of the documents and proposed stored with the application file
- Lack of clarity on commons commitments, including financial contributions
- Updated information incomplete and repetitive
- Expert advice has been ignored
- Inadequacy of traffic survey
- Lack of answers to concerns raised by the public
- Lack of clarity in relation to the extent of existing hedgerows
- Varying baseline in relation to hedgerows and the metric

- Inconsistencies across documents relating to ecology
- Omission of important ditch from Burgess Corner to East Fen Common
- Hedges and ditches are incorrect on plans
- BNG calculations are incorrect
- Biodiversity policy in the Neighbourhood Plan should be considered
- Development will not provide financial or opportunities to boost Soham
- Further consultee comments not provided in relation to noise

### Comments following amended version of the proposals – September 2023

#### Planning Policy/ Allocation

- Loss of green/ open space
- Excessive number of housing estates in Soham / Excessive number of housing development in Soham
- Overpopulation of Soham
- Development is not a Gateway but a 'cul-de-sac' due to single access point
- The land should be part of the commons and not developed
- The Gateway vision has been compromised
- Jobs should come before housing
- Loss of agricultural land
- Overwhelming number of objections should be interpreted as development not needed/ not wanted

#### Transport, highways and connectivity

- Lack of direct vehicular access to Soham high street / town / No direct motor-vehicular access from the development into Soham (and its shops, schools, and other facilities)
- Modification of existing public rights of way (PROWs), causing isolation of the Commons and disruption to rural walks and to well used pedestrian routes into Soham
- New residents will be directed to use the road network/ Soham bypass
- Increased traffic / congestion in Soham and surrounding road network
- Highway safety and increase of accidents along A142
- Interference on A142 detracting from the bypass nature of the road
- Loss of PROWs/ rural walks in the area
- PROWs will be ruined with the proposed enhancements and adding lighting
- Common roads will be used as a rat run between A142 and Soham town
- Lack of safety and discomfort of paths and unrealistic expectations of their use for local trips
- Perimeter bridleway is not an adequate replacement for existing PROWs
- Damage to the Commons' roads / inadequate access through the use of ancient walkaways and the Commons
- Lack of decent, all-weather cycleways in the area
- Limited train and bus services in Soham jeopardizing sustainable travel
- Proposed traffic calming measures prohibiting buses within the site
- Link via Brewhouse Lane not implementable in engineering terms / unworkable

- Brewhouse Lane not capable of catering for the additional traffic / should be for pedestrians only
- Brewhouse Lane has poor visibility of the High Street
- Brewhouse Lane being used as vehicular access and impact on congestion
- Pratt Street is unsuitable for additional traffic

#### Ecology and Trees

- Impact on trees
- Impact on hedgerows / Ancient hedgerow must be protected
- Impact on wildlife
- Increase in use of the Commons for recreational activities and impact on its wildlife / Flora and fauna of the Commons must be protected / Risk to wildlife of the Commons in general / Negative effect on biodiversity / vulnerable red list species of the Commons
- Corridor between two Commons will no longer be available
- Disconnection between the proposal and the aims to deliver 10% BNG
- Harm to habitats
- Displacement of wildlife / impact on their routes
- Inadequate lighting/ light pollution and impact on wildlife
- The protection of existing resources and existing habitats and the potential for enhancement should be a priority of the Green Infrastructure Strategy
- Pumping station affecting biodiversity of the Commons
- The effect in the local fauna and flora / wildlife

#### Design and Character

- Overly dominant
- Excessively dense development / Proposed density not in keeping with the fenland landscape character
- Proposed heights are uncharacteristic of the fenland landscape
- Ruination of skyline with tall buildings
- Ugly housing estate / Appalling design and layout
- Impact on the rural character of the area
- Proposed landscape does not reflect/ will not be an extension of Soham

#### Flooding, Watercourses and Drainage

- Flood concerns / water logged area
- Impact on the natural ponds and changes to the water table
- Development will exacerbate flooding issues
- Additional surface flooding of the Commons
- Potential difficulty in managing surface water and subsequent flooding
- Run-off water impacting third-party land and properties
- SuDS are dangerous to children and wildlife
- Queries regarding the management of SuDS
- Neighbouring houses sit lower than the development and will risk be flooded
- Potential discharge of surface storm weather in the Commons' ditches / lack of capacity for the ditches to receive run-off from development

- No bungalows or bedroom at first floors are proposed due to the fear of flooding
- Flooding downstream pointed out by Anglian Water
- Lack of capacity in the infrastructure for flooding and water run-off from development

#### Sustainability

- Carbon footprint and emissions from development
- Unrealistic expectation that people will travel sustainably to/from the development

#### Community Facilities and Retail

- Medical centre already working beyond capacity/ lack of capacity of the current medical centre for the new residents
- Medical centre already has an extended catchment area / new medical centre will not have capacity to cater for existing patients and new residents / cumulative overdemand for the existing medical centre
- Delivery of medical centre should be immediate not in later phases
- New medical centre will be moved farther from existing patients
- Strategy and scope for delivering the medical centre is unclear
- Poor commercial provision in the area
- Poor gym and recreational facilities in the area
- Limited school places/ lack of sixth form in the area / cumulative impact on oversubscribed school(s) in Soham
- Insufficient infrastructure in the area to accommodate housing/ new infrastructure should be provided for existing residents of Soham
- Lack of local employment
- Lack of motor-vehicular link into Soham will make new residents choose other markets such as Ely and Newmarket
- Poor quality of the High Street/ town centre in Soham to cater for residents
- Lack of parking in Soham
- Lack of shops in Soham
- Lack of police and ambulance support

#### Residential Amenity

- Insufficient green infrastructure to protect neighbouring residents from light pollution
- Light pollution with 'urban-type' lighting along edges of the development
- High density and overlooking
- Loss of amenity and freedom of Commons' residents
- Proposed heights along Qua Fen Common would cause overlooking to Commons residents
- Additional planting along the boundaries with the Commons should be proposed to avoid pollution to neighbouring residents
- Primary Movement Route is closer to boundary with the Commons and would increase light, noise and air pollution to neighbouring residents



- Lighting to proposed permitter bridleway will cause lighting pollution to neighbouring residents
- The distance from A142 to avoid noise impact needs further consideration/ explanation
- Significantly higher noise levels when the site is downwind from the A142 would significantly affect (without physical screening) the developable area of the site for residential use
- Lack of clarity as to why an acoustic barrier has not been provided to allow development
- Noise and disturbance from what were previously arable land
- Impact on idleness of the area
- Risk to the privacy and enjoyment of residents of the Commons, due to its increased use
- Prologued noise and disturbance for existing residents due to years of construction
- Noise and light pollution/ lack of screening from new homes to existing residents' dwellings
- Noise and odour pollution from pumping station detrimental to amenity of existing dwellings

#### Infrastructure (other than highways)

- Water scarcity in the area
- Lack of utilities plan in support of the application
- Lack of clarity regarding drainage infrastructure capacity for surface water; flooding; and sewage

#### Open Spaces and Play Areas

- Detrimental effect on the Commons (and its use as open space) / Overpopulation and overuse of the Commons
- Areas of play proposed in/ near SuDS are too dangerous for children
- Play areas will not be used due to noise from and proximity to A142

#### Other Natural Resources and Pollution

- Additional air pollution due to need for increased motor-vehicular trips as a result of the lack of direct road connections into Soham
- Additional pollution from traffic in the A142
- Increased light pollution
- Increase in noise pollution

#### Heritage Assets

- Proposed heights will be of a similar height / will be detrimental to views / setting of St Andrew's church

#### Other Points

- Excessive number of submitted documents / Use of excessive documents to demobilise neighbours from commenting on application
- Documents poorly organised

- No changes to the proposal were made to address residents' concerns / Residents and objections should be heard
- Noise report of poor quality and not fit for purpose
- Residents and consultees are not able to assess the noise impact from the information provided
- Noise surveys are out of date and carried out in atypical or omitted conditions
- Road traffic noise should be assessed in accordance with the Calculation of Road Traffic Noise (CRTN) which considers constant road speeds
- Traffic survey / documents being out of date
- Transport survey needs to start earlier to reflect commuting pattern in Soham
- Increase in anti-social behaviour
- Submission tree report / documents generally of poor quality
- Lack of clarity on the lighting details to the enhanced PROWs
- Lack of clarity on proposal to move / extend the medical centre
- Queries about taxpayer further funding management of SuDS and roads
- Illegal removal of hedgerows to dig ditches
- Applicants are unclear of what their own proposal is /Proposal is unclear/ does not make sense
- Flawed application
- High number of details/ highways and drainage details yet to be finalised
- LPA should set timescales for applicants to address concerns
- Inefficient use of public money for a prolonged application assessment
- Lengthy assessment of the application
- Developers not meeting their obligations in Soham
- Development does not benefit Soham / Lack of benefits from the development
- Harmful effects will live long with Soham population
- Additional documents do not add anything useful
- Proposal does not offer any support for businesses along the High Street
- Previous ECDC Local Plan 1991 did not allow development affecting the character of the Commons in their vicinity

### Previous Comments

#### Planning Policy/ Allocation

- Loss of green/ open space
- Excessive number of housing estates in Soham
- Excessive number of proposed dwellings
- Unnecessary additional housing
- Soham Eastern Gateway not the right place for housing
- Loss of agricultural land
- Soham is too big already
- Suitability of the site
- Proposal is too large and in the wrong place

#### Transport, highways and connectivity

- Lack of direct vehicular access to Soham high street / town
- Development being a 'giant cul-de-sac'
- Modification of existing public rights of way (PROWs)
- No direct motor-vehicular access from the new medical centre into Soham, forcing people to use the road network/ Soham bypass
- Increased traffic in Soham and surrounding road network
- Increased traffic on Soham internal roads
- Highway safety and increase of accidents along A142
- A new access onto Brewhouse Lane is not secured
- Increase in car parking in Soham's common roads
- Soham's streets are too narrow to accommodate increase in traffic
- Potential road links with the development already congested (Weatheralls school and junction with Pratt Street; Brewhouse Lane feeding into Brook Dam Lane, White Hart Lane, and Paddock Street)
- Inadequate access into Soham via the A142 and the two Common roads
- Congestion on the proposed new roundabout
- The increase in vehicles using the Soham bypass
- Proposed upgraded footpaths and lighting do not cater for the less able
- Development would adversely affect highways safety and convenience of road users
- Development does not provide a gateway to Soham
- There are no safe cycleways to access outside town for recreational purposes
- A development nearer the station would be more sensible
- People in need of the medical centre are unlikely to be able to access it by foot or cycle
- A142 not suitable to accommodate more traffic
- Lack of sustainable travel infrastructure (cycle routes, adequate footways, cycle parking, bus services) in Soham will not support expected mode shift
- Lack of employment opportunities in Soham will increase traffic generated by increased need for commuting
- Without a link into town, the future residents will go across the Qua Fen and East Fen roads
- The Qua Fen and East Fen roads are not wide enough, are not adequately paved and do not have capacity to cater for the new development
- The link with via Brewhouse Lane to develop Soham high street is no longer being provided
- Increase in fatalities along A142
- Potential vehicular link through Brewhouse Lane
- Highways impact on Soham's network
- Traffic survey does not take into account additional traffic on the Soham bypass resulting from opening of Ely Southern bypass
- There will be queues to exit the development from the roundabout
- The traffic report is over four years old
- Brewhouse Lane being used as vehicular access and impact on congestion
- Parking and turning

- Footpath from Eastern Avenue being used as a cut through to get to the local school, which adds to traffic along Brewhouse Lane
- New access should be from Paddock Street/ A142/ East Drove junction

### Ecology

- Removal of hedgerows and impact on wildlife
- Increase in use of the Commons for recreational activities and impact on its wildlife
- People driving through the Commons to access the development and/ or new medical centre and impact on wildlife
- Proposed cycling and pedestrian routes bordering Qua Fen Common and impact on wildlife
- Biodiversity net gain not possible
- Insufficient green infrastructure to protect the Commons ecology and wildlife
- Need for draining the area and impact on the Commons' biodiversity
- Impact on the Commons' wildlife due to light, air and noise pollution generated by the development
- Commons are going to be bisected by the development, resulting in detrimental impact to wildlife
- Destruction of green space and detrimental impact on wildlife
- Use of wire mesh fencing and impact on deer and other wildlife's natural routes
- Destruction of diverse marshy areas natural of fenland
- Swift bricks and Bat Boxes should be included in the development
- Loss of grazing area for wildlife
- Detrimental effect on the swift and hedgehog population
- Street lighting overlooking Qua Fen Common and impact on wildlife
- Drainage affecting the ponds and ditches on Qua Fen Common, endangering pond life, in particular Great Crested Newts
- The building of houses will endanger the wildlife and take over their habitat
- The use of East Fen Common as access and detrimental impact on wildlife
- Lack of a ring-fenced financial contribution/ CIL payment for enhancing the wildlife of the Commons
- The effect in the local fauna and flora
- Proposed upgraded footpaths and lighting causes impact to wildlife
- A new school on or adjoining Common land will be devastating to these areas
- Development in Soham is fragmenting common land
- Strips of land is insufficient for wildlife to flourish
- Development does not include biodiversity net gain
- Impact on Great Crested Newts habitats in the Commons
- Development encloses Qua Fen Common risking its wildlife

### Design and Character

- Proposed building heights are out of character
- Proposed heights will impact on the surrounding flat fenland landscape
- Proposed heights will be of a similar height to historic St Andrew's church

- St Andrew's tower should remain focus in the wider landscape
- Detrimental visual impact from Commons
- Building of 18 metres height will be visible from distant views
- Affects street scene
- Impact on the Commons' character due to light, air and noise pollution generated by the development
- Detriment to the village character of Soham
- Ugly housing estate
- Small and poorly designed homes
- Excessive number of large housing states used as dormitory in Soham
- Impact on the rural character of the area
- Visual impact on the landscape (general)
- Increased floor levels will impact on the skyline
- Buildings adjacent to Qua Fen Common should be of a maximum of 2-storeys height
- Concern over future ground levels being 2 metres above existing ground levels near the Commons (and the potential impact on final building heights)
- Street lighting overlooking Qua Fen Common and impact on Common's character
- Health centre plans poorly designed with a road bisecting the centre
- Proposed upgraded footpaths and lighting in the Commons causes impact to their beauty
- Development/ roads would cause adverse effect on the character of the conservation area where the Commons are located

#### Flooding, Watercourses and Drainage

- Potential discharge of surface storm weather in the Commons' ditches
- Lack of financial contribution/ CIL payment for the maintenance of the Commons' ditches
- Drainage of the site will lead to drainage of the Commons
- Increase in floor levels in the development leading to risk of flood elsewhere, including at surrounding residential areas
- Impermeabilization of the site and by-pass area
- Flood risk by diverting water onto 3rd party land and increased local flood levels
- Risk of flooding at garages, roads and parks
- Marshy areas characteristic of natural fenland and risk of flooding to housing
- Increase in existing flooding at properties adjacent to the development site
- Development site is a flood plain
- The increased risk of flooding in this location and its surroundings
- Groundwater issues

#### Sustainability

- Lack of motor-vehicular link into Soham justified by sustainable travel is unrealistic
- The lack of a motor-vehicular access to medical centre leading to unnecessary car travels and pollution

- The lack of motor-vehicular access points between the development and Soham, leading to unnecessary car travels
- Carbon footprint and emissions from development
- Lack of public transport infrastructure to make sustainable travel viable to/from the development
- Lack of employment opportunities in the area resulting in more car trips in the area
- Lack of consideration of development's impact on climate change and global warming
- Reliance on walking and cycling routes not being sustainable as fails to meet Cambridgeshire Green Infrastructure Strategy

#### Community Facilities and Retail

- Expansion of Staploe Medical Centre already addressed on other land
- Lack of capacity on local schools in Soham
- Poor commercial provision in the area
- Insufficient infrastructure in the area to accommodate housing
- Lack of motor-vehicular link into Soham and impact in deliveries to the new residents
- Lack of motor-vehicular link into Soham will make new residents choose other markets such as Ely and Newmarket
- Poor quality of the High Street in Soham to cater for residents
- New health centre should be a priority for delivery before houses are built
- An extension of the existing medical centre should be considered instead of the building of a new centre
- Location of the new medical centre is unknown and could take too long to be agreed
- A new school is not necessary
- Employment prospects in the area are not promising
- The proposal no longer includes provision of a medical centre
- New shops are not needed in Soham
- A new medical centre is not necessary in Soham
- Lack of parking in Soham for new residents

#### Residential Amenity

- Development is overbearing
- Insufficient green infrastructure to protect neighbouring residents from light, noise and air pollution
- Light pollution with creation of new footways
- Unacceptable noise levels at the site's frontage to A142
- Increased floor levels will impact on light pollution
- Lack of landscaped buffer to protect Commons from light, noise and air pollution
- Lack of proposed tree species to mitigate noise pollution
- Landscaped barrier would not provide sufficient noise attenuation
- Noise from A142 should be addressed before a decision is made on the application

- Access off the A142 may not be possible alongside a continuous noise barrier on the front boundary of the site
- Adverse effect on the residential amenity of neighbours by reason of noise, disturbance, pollution and light pollution from vehicles
- Noise and disturbance from what were previously arable land
- Proposed landscape noise mitigations to the frontage will not work adequately
- Potential odour issues
- Some gardens are too small

#### Infrastructure (other than highways)

- Development not providing improvement in Soham's infrastructure
- Insufficient water provision to meet new demand generated by the development
- Lack of wastewater treatment capacity
- Lack of infrastructure of schools, doctors and transport in Soham to cope with new demand
- Sewerage in Soham is at capacity at the moment
- Existing burden on other services such as electric, sewerage, internet, and water in Soham
- Proposed pumping station and likelihood of pipeline crossing Qua Fen Common
- The effect in commuters using the A14 and the A142 who live in Soham
- Lack of police and ambulance station to cater for new residents

#### Trees and Open Spaces

- Loss of 60m of H4 [hedgerow] appears excessive
- Impact on trees
- More tree planted should be provided in areas adjacent to the Commons
- Loss of open space
- Insufficient open space to cater for more people in Soham
- There has already been loss of The Shade common
- Loss of trees and ancient hedgerow

#### Other Natural Resources and Pollution

- Groundwater issues
- Pollution issues
- Additional air pollution due to need for increased motor-vehicular trips as a result of the lack of direct road connections into Soham
- Use of imported topsoil
- Loss of arable land

#### Affordable Housing

- New developments not affordable to local young people
- Houses not being affordable
- Provision for affordable housing for Soham families is not a priority
- Insufficient provision of affordable housing

- Proposal does not supply enough affordable or social housing
- There is no affordable housing provision on the site
- Unjustified 20% provision when policy requires and developments in other villages provide 30%

#### Heritage Assets

- Effect on Conservation Area

#### Other Points

- Excessive number of submitted documents
- Lack of time to comment on proposals
- Submission documents generally of poor quality
- Lack of benefits from the development
- Lack of management capacity of ECDC to monitor potential benefits from development
- Existing footpaths (PROW) on Qua Fen Common are inaccurate
- Lack of details on the new medical centre
- Lack of a Landscape Management Plan
- Lack of a robust landscape scheme
- Noise report not fit for purpose
- Boundaries of the development are on the Commons' side of the hedgerow
- Questionable outcomes of Transport Assessment
- Ecological assessment may not do justice to the wildlife in the area
- SES Environmental should respond formally to comments regarding noise
- Transport assessment does not consider existing residents of Soham
- Poor quality of trip generation and development impact assessment with regards to transport
- Transport Survey need to start early to include commuting patterns in Soham
- Noise reports do not address issues
- Noise report is deficient on its findings
- Lack of clarity about phasing and delivery strategy for the development
- Poor financial health of CCC and This Land risking their ability to meet S106 financial obligations

5.195 Further to the above, a petition was submitted on 12 September 2022, with 72 signees objecting to the proposals, specifically 70 of them objecting to the proposed [up to] 540 houses. 61 of the total signees showed clear support to a new health centre, a few of which conditioned to location and other matters. Signees may have submitted their objections separately; in which case their concerns were summarised with the above listed topics.

5.196 On 13 June 2022 Cheffins submitted a letter in response to consultation, on behalf of the Lord of the Manor and freehold owner and common rights holder of the East Fen and Qua Fen Commons. The letter expressed concerns regarding the increased footfall and recreational use of the commons, and the potential discharge of surface storm water, as a result from the proposed development. Requires contributions are made towards the maintenance of the commons and the ditches, or their adoption, in the case of the latter.



- 5.197 A technical note regarding land access to the garden centre land dated 24 November 2023 has been submitted by KMC Transport Planning Ltd on behalf of Scotsdales Nursery and Garden Centre Ltd. The technical note provides transport advice and reviews the access proposed to the former garden centre land (as part of the wider SOH3 allocation site); carriageway widths; junction radii; and pedestrian and cycling access.
- 5.198 The note summarises recommendations to the proposed development, to ensure it does not jeopardise access to any future development of the Scotsdales' land. In later correspondence dated of 7 March 2024, KMC Transport Planning Ltd has confirmed that an agreement has been reached and the applicants would suggest conditions to cover the specification and timings for the delivery of the road along with the obligation to build the road to the boundary of the former garden centre land. Further correspondence requested clarity and that a S106 Agreement secured the delivery of the access through the proposed development to Scotsdales' land, designed to accommodate commercial/ industrial traffic as per aims of the SOH3 allocation policy. An email dated July 2022 further queried the depth of the drainage pipes along the boundary between the application site and Scotsdale's' land.

## **6.0 THE PLANNING POLICY CONTEXT**

### 6.1 East Cambridgeshire Local Plan 2015 (as amended 2023)

GROWTH1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 3	Infrastructure requirements
GROWTH 4	Delivery of growth
GROWTH 5	Presumption in favour of sustainable development
HOU 1	Housing mix
HOU 2	Housing density
HOU 3	Affordable housing provision
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV11	Conservation Areas
ENV12	Listed Buildings
ENV14	Sites of archaeological interest
COM 7	Transport impact
COM 8	Parking provision
SOH3	Housing led/mixed use allocation, Eastern gateway area
SOH16	Green Lanes and Commons

- 6.2 At the time of writing this case officer report (30 July 2024), the Soham and Barway Neighbourhood Plan was at an advanced stage of preparation. An examination of the plan commenced on 12 June 2024 and is anticipated to be concluded imminently through the publication of the Examiner's Report. We expect such a Report to be published prior to the committee meeting on 13 August 2024. On its publication, if

that Examiner's Report concludes that the plan should proceed to a referendum then this triggers the legal requirement under section 70 of the 1990 Act for decision makers to "have regard" to the plan for the purpose of determining planning applications. Put simply, the status of the plan becomes significantly raised on publication of the Examiner's Report and decision makers must, legally, demonstrate clearly that they have regard to the policies within the plan. That said, the plan will still not have the full status of forming part of the development plan until post successful referendum, which is anticipated to take place in October.

- 6.3 Without sight of that Examiner's Report at the time of writing, it is uncertain whether the Examiner will conclude that the Plan should proceed to a referendum and whether the Examiner will require any modifications to any of the policies prior to it going to a referendum. However, it appears highly likely from the engagement with the Examiner to date that a positive Examiner Report will be received, subject to some modifications to some of the policies being required by the Examiner prior to the referendum.
- 6.4 It is appreciated that Members will want the latest situation at the point of the Committee meeting taking place. It is therefore intended that a note will be provided to Members prior to the meeting which provides a further update on the Neighbourhood Plan.
- 6.5 Notwithstanding the above situation, this officer's report has assessed the following policies in the neighbourhood plan. For the avoidance of doubt, the policies referred below are those as set out in the version of the plan subject to examination. Should any such policies be significantly amended by the Examiner, then this will be brought to Members attention in the aforementioned note prior to the Committee meeting.

SBNP1	Spatial Strategy
SBNP2	Affordable Housing
SBNP3	Allocation of Affordable Housing
SBNP4	Housing Mix and Accessible Standards
SBNP6	Economic Growth
SBNP8	Protecting Local Services and Facilities
SBNP9	New and Upgraded Infrastructure and Community Facilities
SBNP10	Health, Wellbeing and Health Impact Assessments
SBNP11	Soham's Commons
SBNP12	Biodiversity and Wildlife Habitats
SBNP13	Landscape Character
SBNP14	Local Green Spaces
SBNP15	Soham Conservation Area
SBNP16	Non-designated Heritage Assets
SBNP17	High Quality Design
SBNP18	Sustainable Buildings Fit for a Net Zero Carbon Future
SBNP20	Water Efficiency
SBNP21	Flood Risk
SBNP22	Road Safety and Parking
SBNP23	Pedestrian, Cycle and Bridleway Priority Routes
SBNP24	Millenium Walks, Green Lanes and Public Rights of Way
SBNP25	Connectivity and Permeability

- 6.6 Supplementary Planning Documents

Design Guide  
Developer Contributions and Planning Obligations  
Contaminated Land  
Cambridgeshire Flood and Water  
Natural Environment  
East Cambridgeshire County Wildlife Sites  
Custom and self-build  
Climate change  
Soham Conservation Area Character Appraisal  
Soham Eastern Gateway Masterplan  
Soham Vision Masterplan

6.7 National Planning Policy Framework (December 2023)

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

6.8 Planning Practice Guidance

6.9 Other Guidance

National Design Guide  
Cambridgeshire Landscape Guidelines

**7.0 PLANNING COMMENTS**

7.1 Principle of Development

7.1.1 Policy GROWTH1 sets out that in the Local Plan period the District Council will maximise opportunities for additional jobs in East Cambridgeshire, including through the allocation of land for B1, B2 and B8 uses, and providing home working. This goes along the aims to deliver additional dwellings and convenience and comparison retail floorspace in the district. Most of the growth through development will be focused on the market towns, including Soham, as set out in Policy GROWTH2.

7.1.2 Policy GROWTH4 of the ECDC Local Plan identifies land to be allocated for development over the Plan period. The application site lies within the Soham Eastern Gateway allocation area, defined in Policy SOH3 of the Local Plan and reinforced on Policy SBNP1 of the Soham and Barway Neighbourhood Plan (SBNP). The Eastern Gateway area covers approximately 33 hectares (81.54 acres) of land located to the east of Weatheralls Primary School, between the built-up part of Soham and the A142

bypass. It is predominantly an area of agricultural land, but also contains an extensive area of land in current allotment use, and a redundant garden centre site.

- 7.1.3 The land is allocated for a housing-led/mixed use development, to deliver:
- Up to approximately 600 dwellings
  - Approximately 0.5 hectares for B1/B2 employment uses in small industrial or starter units/offices, providing 2000-2500 square metres of employment space
  - A small local shop serving top-up needs
  - Approximately 0.4 hectares for the extension of the Staploe Medical Centre
  - Approximately 1.1 hectares for an extension of the Weatheralls Primary School site and provision of a new pre-school facility
  - Approximately 3.6 hectares of allotment land
  - Approximately 8 hectares of public open space and Commons land
  - Approximately 3 hectares for the provision of a new Garden Centre, or employment uses (B1/B2/B8)
- 7.1.4 In terms of the proposed use, the development would, if approved, deliver:
- Up to 540 dwellings
  - Land for the relocation of the Staploe medical centre (E(e) use class)
  - Up to 1,600 square metres (17,222.26 square foot) of Gross Internal Area (GIA) of use classes: E (a)(b)(c)(e)(f)(g) sui generis (r) hot food takeaway, F1, and F2
  - Associated highways and infrastructure works, drainage, open space, and landscaping
  - Access via a new roundabout to the A142
  - New access points to the northeast boundary of Staploe Medical Centre, the former garden centre, and to the boundary of land between East Fen Common and Cornwell Close
- 7.1.5 The proposed up to 540 dwellings represent 90% of the overall provision expected for the wider SOH3 allocation area. An additional area remains capable to cater for the remaining housing delivery and residential development, to the north of the application site, on land between East Fen Common and Cornwell Close. The precise number of dwellings will be approved at a reserved matters stage, when layout and scale will be assessed for the residential parcels. Currently the application demonstrates through the submitted Indicative Masterplan that the development could deliver up to 540 dwellings, a quantum that aligns with the allocation Policy SOH3. This is supported and the maximum number of dwellings is recommended to be secured by condition as part of the outline permission, if granted.
- 7.1.6 In terms of the non-residential uses, the development as proposed seeks to deliver most of the uses and features of Policy SOH3, except for the extension of the Weatheralls Primary School, allotments, and the new garden centre. The application site is not adjacent to the primary school and a physical extension would not be viable. The development however will provide financial contributions towards education, as described in this report. The Weatheralls allotments, as of the date of concluding this report, will remain in such use, as confirmed by Soham Town Council.
- 7.1.7 The proposal includes E(f) use, covering creche, day nursery or day centre uses, within the proposed up to 1,600 square metres of non-residential use. The outline

permission therefore if granted will enable a new pre-school facility to be provided through reserved matters applications for the respective parcel of the development. This has confirmed to be part of the proposal, in addition to the financial contributions towards education.

- 7.1.8 The land to the south-east of the application site is considered more appropriate to accommodate the B2 and B8 and the uses envisaged to cater for the new garden centre, given the location adjacent to the A142 and flood risk context of this part of the allocation site. The application as submitted would still deliver approximately 65% to 80% of the employment provision for SOH3, covering the previous B1 uses (currently included in the E(g) use class proposed) and the small local shop (currently falling within the E(a)/F2 use class). This is supported, as in line with the allocation Policy SOH3.
- 7.1.9 The proposal includes more than the required amount of land to be transferred for the establishment of the new medical centre (which would fall within use class E(e)), to be relocated to the application site. This is welcomed as a planning benefit from the proposal, as it will enable the new medical centre building to seek BREEAM excellent buildings standard, with sustainable travel strategy advocated by the NHS and SMC. The purpose and the transfer of the land to healthcare providers is recommended to be secured by planning obligation.
- 7.1.10 The proposed F1 use would allow the delivery of sport facilities provision, required by other policies in the Local Plan as described later in this report, and is therefore supported. Notwithstanding this, the Council Community and Leisure team has acknowledged the previous discussions for financial contributions to add to the 3G sport pitches project in Soham, and accepted these could be applied to improvements for the Ross Peer Leisure Centre or other sports facilities to be improved or created in Soham. The financial obligations would be secured by planning obligations, notwithstanding the proposed use being acceptable in this location.
- 7.1.11 Further to the above uses, Policy SOH3 expects development of the area to provide a town square/ neighbourhood centre comprising business/starter units and offices, alongside a small local shop, adjacent to the expanded medical centre. The proposal to include other uses not specified by the allocation policy, including E(a) (beyond the proposed small unit), E(b)(c) and sui generis (hot food take away only) use classes are considered compatible with the proposal for a neighbourhood centre to be provided with the proposed development.
- 7.1.12 Notwithstanding this, a balance will need to be sought when allowing for these uses and a proposal for lower provision of office and business starter space (previous B1(a), currently E(g) use class). In support of the proposal to include such uses, the submitted application includes an Employment Land Demand and Need Assessment, dated of October 2019. The document includes a review of both the office and industrial market, demonstrating that Soham's market is somewhat 'shadowed' by Ely, Newmarket, and the established employment parks. The submission intended to originally justify a lower quantum of office space based on historic figures, as well as under-provision, or no provision of business starter units as required by the allocation.
- 7.1.13 The specific uses and respective quantum will however be approved with future planning stages and the reserved matters for the local centre, which may take a few

years and there may be market changes from this assessment, particularly considering that it was undertaken in 2019. For this reason, it is recommended that an updated assessment of the demand and supply for retail and office space, as well as for business starter units is undertaken with any reserved matters proposing E(a) (except for the small local shop), E(b)(c) and sui generis (hot food take away only). As previously stated, the principle of these uses would align with the aims of Policy SOH3 in delivering a neighbourhood centre/ town square with Eastern Gateway development, however this should not be in detriment of the other uses envisaged by the allocation, and particularly in detriment to the viability of the existing town centre in Soham.

- 7.1.14 It is recommended that the infrastructure elements to support delivery, including access points to enable the gateway into Soham and the development and access to the remaining parts of the SOH3 allocation site, are secured through a S106 Legal Agreement. The triggers for delivery of this infrastructure should ensure that it is available with the different uses as they become operational. The Agreement should also secure the transfer of the land for primary healthcare use, as well as open spaces, SuDS and sports on-site provision, and financial contributions to education.
- 7.1.15 Considering the above and the recommended conditions and planning obligations, the proposals would contribute to the aims to deliver additional housing, employment and commercial uses in Soham and the District, in accordance with policies GROWTH1, GROWTH2, and GROWTH4, and in line with the aims of the allocation Policy SOH3 of the Local Plan and Policy SBNP1 of the Neighbourhood Plan, in terms of the proposed uses. Other requirements within Policy SOH3 and other policies in the Local Plan in relation to housing, transport, flooding, open spaces, community facilities and other elements are assessed along this report, in the relevant topics.

## 7.2 Residential Amenity

- 7.2.1 Policies SOH3 and HOU2 of the Local Plan require developments to have regard to the protection of the residential amenity, minimising amenity impact on adjoining properties. Policy ENV2 of the Local Plan sets out that development will be expected to ensure there is no significantly detrimental effect on the residential amenity of nearby occupiers, and that occupiers and users of new buildings, especially dwellings, enjoy high standards of amenity. Policy ENV9 sets out that proposals will be refused where individually or cumulatively there are unacceptable levels of impact arising from development, including on general amenity, from impacts from noise and light pollution, on air quality, on surface and groundwater quality, as well as on land quality and condition.

### Noise and Vibration

- 7.2.2 Chapter 11 of the submitted Environmental Statement (ES) is dedicated to noise, setting out that the noise assessment (Appendix 11.1 of the ES) considers the night noise guideline values recommended for the protection of public health of 40 decibels and external interim target of 55 decibels. The ES explains that the guidance emphasises the importance of good acoustic design in the planning process, such as considering the environmental noise impacts on the proposed residential development from the early stages in a project; considering site layout, building massing, orientation and internal layouts to achieve good acoustic design; and

consideration of noise in the context of the internal environmental quality (IEQ), to avoid trade-offs with other aspects of the internal environment such as day-lighting, sunlight, ventilation and thermal comfort.

- 7.2.3 A continuous monitoring was carried out between the 7 and 14 of September 2020 which involved the setting up of a fixed monitoring station on the eastern boundary of the proposed development site fronting the A142. Measurements taken in the period to confirm the environmental noise conditions at the nearest boundary to the A142 where dwellings may be allocated. Officers note however that the masterplan used to ascertain the measurement locations have changed and not updated in the assessment, and no further measurements have been taken outside this 2020 period, where circumstances were atypical, considering the requirements to avoid travelling during the Covid-19 pandemic. Notwithstanding this, the results of the assessment informed the indicative masterplan and the Land Use Parameter Plan updated in September 2023, moving the areas fronting the A142 which are allocated for residential use back to a minimum distance of 68 metres (26.25 feet).
- 7.2.4 Given the circumstances of the period when the measurements were taken, and the fact that this application does not include assessment of the layout, landscape, scale, and appearance of any parcel with residential or other sensitive uses, the assessment carried out is acceptable for this outline stage. The Council's Environmental Health officer has reviewed the application and is of the view that development is possible at this location, if the proposed mitigation measures are accepted and where there is potential for the site layout to change, as well as the potential to accept closed windows and an alternative form of ventilation. This is supported and, as previously stated, the layout is not part of the proposal for the residential parcels/ phases of the development.
- 7.2.5 The details for the landscaped frontage in Phase 1 have been amended to remove the acoustic mounds previously proposed as noise impact mitigation features, as they would introduce a feature which would not be in keeping with the flat landscape of the open fields of the Fens to the east. The approach to noise mitigation has moved to allow for a wider buffer fronting the site, which also helps with integrating the development with the landscape of the Fens. The distance created by the site's landscaped frontage is shown as part of the Phase 1 drawings and will now vary between approximately 60 metres (196.8 feet) and 100 metres (328 feet) from the boundary with the A142.
- 7.2.6 For clarity, the width of the landscaped buffer is not defined beyond Phase 1, and it may increase with the future assessment of the adjoining residential phases, to allow for sustainable mitigations to the noise impact from the A142. Aspects of layout, landscape, scale, and appearance assessed in future stages for parcels outside phases 1 and 3b will contribute to the resulting noise impact occurring internally to any proposed buildings, as well as to the external amenities in private gardens, play areas and open spaces. It is therefore recommended that a site-specific noise assessment is submitted with each residential parcel, addressing the recommendations made on the external review of the noise assessment instructed by the Council. This should be secured by condition.
- 7.2.7 The proposed pumping station falls outside the planning application boundary and therefore has not been assessed as part of this proposal. Future submissions for its

approvals should note comments by Anglian Water and the requirement for a *cordon sanitaire* to be provided around the station, including to avoid unacceptable noise impacts to existing and future residents. A noise assessment will be required to cater for the impact from the pumping station.

- 7.2.8 During the construction phase of the proposed development controls will have to be in place to meet the recommendations made in British Standard BS5228 (2009) 'Code of Practice for Noise and Vibration Control on Construction and Open Sites'. The ES sets out that 75 decibels typical noise limit will be applied to the boundaries of construction sites. A suite of mitigation measures is proposed to minimise noise and vibration including the selection of plant and working methods, controlled working hours, enforcement of noise and vibration limits, boundary fencing and noise monitoring. These measures will be detailed in a Construction Environmental Management Plan (CEMP) which is recommended to be secured by condition.

### Light Pollution

- 7.2.9 It has been noted that layout and landscape are not part of the outline proposal, and the details with the specific positioning and lux levels for the street and open spaces lighting elements will be assessed with future stages of development.
- 7.2.10 This is with the exception of phases 1 and 3b, where approval of details is sought with this application. The applicants have however confirmed in correspondence that the details comprise of indicative lighting column positions. Notwithstanding this confirmation it is recommended that the Lighting Plan (drawing 758-FH-XX-01-L-701 Rev P4) is not approved with this application, and details for these phases are secured by condition. There are inconsistencies with tree planting locations as pointed out by the Tree officer and as described later in this report, the lighting details will need to minimise any risk to residential amenity as well as protect biodiversity. Lighting details are therefore required to be secured by condition and should be consistent with the soft and landscape details submitted in the future for those and any other future stages of the development.
- 7.2.11 Officers note the third-party comments requiring a buffer to protect from light pollution, along the boundaries of development with the Commons. This is secured by the Green Infrastructure Parameter Plan. Furthermore, the General Arrangement Plan for phases 1 and 3b (758-FHA-XX-01-L-101 Rev P4) show that there will be a landscaped buffer of 25 metres (82 feet) width in its narrowest points, along the boundary with the open sections of East Fen Common and Qua Fen Common.
- 7.2.12 A narrower buffer is proposed to the rear of the dwellings fronting East Fen Common, with approximately 15 metres (49.2 feet) width. The existing hedgerow along the boundary with Qua Fen Common would be retained. Officers note that the proposed soft landscaping is not approved at this stage given the inconsistencies with other details for phases 1 and 3b, as well as the use of non-native species, as discussed later in this report. Notwithstanding this, the approach of a 'flat' landscape with low planting and occasional trees is in keeping with the Fen open landscape character and is accepted. This approach may not result in a soft landscape which would help in reducing significantly any noise levels; however, other mitigations will have to be explored if necessary, and will be part of the RRMA noise impact assessment and a CEMP to be secured by condition.



## Other impacts from development

- 7.2.13 Risks relating to overlooking, loss of privacy or loss of access to natural light have been partially assessed to establish whether the parameters proposed, particularly for building heights are acceptable at this outline stage. Those risks have not been fully assessed at this stage given that scale, appearance, landscape, and layout are not part of this outline application, except for phases 1 and 3b.
- 7.2.1 In these phases, the main access and roundabout are proposed, alongside the landscaped area along the northern boundary adjoining the Qua Fen and East Fen commons. The existing hedgerow to the north of the site adjoining the Qua Fen Common will be retained, as described above. The pumping station is not included in the application boundary and drawing 758-FHA-XX-01-L-110 Rev P3 will not be approved as part of the outline permission, if granted.
- 7.2.14 At this stage, the proposed parameters within the Building Heights Parameter Plan (drawing P17-3004-18-1 Rev L) are considered acceptable as they respect the surrounding character and natural and built environment within this part of Soham, as discussed in this report. The details for the preliminary ground floor levels and heights of each building will be known in future stages and, alongside their layouts, the proposals will be assessed, including in terms of residential amenity for future and existing occupiers. Conditions are recommended to ensure that the details of the proposals are appropriately assessed in terms of their final massing and building heights and the risk to residential amenities.
- 7.2.15 Considering the parameters proposed and the recommended conditions, at this stage the proposals are not expected to cause any detrimental impact on the residential amenity of existing and future residents, and are therefore compliant with Local Plan policies SOH3, HOU2, ENV2 and ENV9 in this regard.
- 7.3 Landscape Character and Visual Amenity
- 7.3.1 The Local Plan Policy ENV1 expects that proposals for development are informed by, are sympathetic to, and respect the capacity of the distinctive character areas, and that they demonstrate that they will protect, conserve, and where possible enhance the pattern of distinctive historic and traditional landscape features, as well as settlement edges and their wider landscape setting. The same approach is set out by Policy SBNP17 Soham and Barway Neighbourhood Plan.
- 7.3.2 In dealing with more specific design matters, Policy ENV2 of the Local Plan as well as Policy SBNP17 set out that all development will be set to a high quality, enhancing, and complementing local distinctiveness by relating well to existing features. In doing so, developments will be expected to respect the urban and village character, public spaces, landscape, and biodiversity of the surrounding area, providing a variety of mix of uses, heights and types of buildings, public spaces, paths, routes, and landscaping, creating visual richness.
- 7.3.3 Policy SBNP13 of the Neighbourhood Plan and Policy ENV2 states that developments will be expected to retain existing important landscaping and natural and historic features and include landscape enhancement schemes and protecting

key views of landmark buildings. This is reiterated by the allocation Policy SOH3, requiring development proposals to have regard to the layout and the scale, height, design and massing of buildings and landscaping, to provide a high-quality scheme which enhances the setting of Soham, and focuses on St. Andrews Church as a key landmark building within it.

## The Fens

- 7.3.4 Landscape and Visual Impact is a matter covered by Chapter 7 of the submitted ES, which in landscape terms characterises the area's location within the National Character Area (NCA) 46 'The Fens', and in the Landscape Character Area (LCA) 8 'Fenland' of the Cambridgeshire Landscape Guidelines. As noted in the text, key characteristics of relevance to the site and surrounding area particularly to the east include the expansive, flat, open, low-lying wetland landscape, offering extensive vistas to level horizons and huge skies, providing a sense of rural remoteness and tranquillity. The Guidelines note however that many Fenland villages have been impacted by fringe development, providing guidance on how landscape opportunities can help soften those edges and help development integrate with the landscape character.
- 7.3.5 The proposals for Phase 1 include a landscaped buffer along the eastern boundary with the A142, which has been amended during the assessment of this application. The general arrangement and the trees planting plans for this area (drawings 758-FH-XX-01-L-405 Rev P3 and 758-FH-XX-01-L-406 Rev P3) show that most of the area will be occupied by two attenuation basins forming part of the proposed SuDS, with meadow mix planted in most of the area surrounding the basins. The landscape adjoining the boundary will be planted with instant hedgerow of 1.1 metres (3.6 feet), woodland meadow mixes and scattered trees in the area between the instant hedgerows and the attenuation ponds.
- 7.3.6 Tree Planting plans 758-FH-XX-01-L-403 Rev P4 and 758-FH-XX-01-L-405 Rev P3 show the existing hedgerow along the northern boundary within Phase 3b will be fully retained, with the remaining part of the area planted with meadow mix long grass and species rich lawn. Plans 758-FH-XX-01-L-406 Rev P3 and 758-FHA-XX-01-L-407 Rev P4 show that the same treatment will be given to the southern boundary of Phase 1, adjacent to the open sections of the East Fen Common. The detailed plans reflect the Green Infrastructure Parameter Plans and are supported.
- 7.3.7 The soft landscape proposals align with the surrounding landscape character, and details of the hard landscape, alongside the final ground levels are expected to be secured by condition. It is acknowledged that the frontage landscape, although relatively wide, will not create the Commons link envisaged by the allocation Policy SOH3, in terms of recreation and use of the area. Notwithstanding this, the landscaped frontage of the site as proposed is a key feature which helps integrate the development within the character of the open fields opposite the A142, creating visual richness and amenity to the scheme.
- 7.3.8 Notwithstanding this, the choice of species and inconsistencies found across drawings for tree planting, lighting and other landscape details for Phases 1 and 3b requires that the soft landscape plans are not approved at this stage. Whilst the General Arrangement plan (drawing 758-FHA-XX-01-L-101 Rev P4) for these

phases/ parcels is accepted, the soft landscape details will have to be re-submitted in the future, and this is recommended to be secured by condition. A Landscape and Visual Impact Assessment (LVIA) is also recommended to be secured by condition, to ensure that the details of the proposals are appropriately assessed in terms of their final massing and building heights and the impact on the wider landscape. The LVIA is expected to form part of reserved matters applications.

### Built Environment in Soham

- 7.3.9 The Visual Impact Assessment provided as part of Chapter 7 of the submitted ES demonstrates how the development, if built within the parameters proposed within the Building Heights Parameter Plan (drawing P17-3004-18-1 Rev L) would maintain distant views of St Andrews Church from selected viewpoints located to the east of the A142, as discussed elsewhere in this report. This is supported.
- 7.3.10 The Parameter Plan indicates the visual line which is to be maintained as next planning stages will assess layout and scale for the residential and mixed-use areas, if outline permission is granted. The parameters for building heights are proposed to vary between 2 and up to 4 storeys height, and 10.5 metres (34.4 feet) and 16 metres (52.5 feet) ridge heights respectively.
- 7.3.11 The next planning stages will be crucial to ensure the visibility of the church tower, which is proposed to be framed by the taller buildings within the mixed used area, enhancing the views of the church from within the site. It is acknowledged that this site, as developed, will block closest views from within the site and potentially in the adjacent areas and PROWs within the Commons, however this is a site allocated for development and any building, albeit lower, would have a similar effect. At this stage it is concluded that the heights proposed could help achieve a development designed to a high quality, which would help enhance and complement the local distinctiveness of Soham by relating well with existing features and built landscape.
- 7.3.12 The proposed Green Infrastructure and Building Heights parameter plans are therefore acceptable and the proposals at this stage and for Phases 1 and 3b are considered in line with policies ENV1 and ENV2 of the Local Plan and policies SBNP13 and SBNP17 of the Neighbourhood Plan. Conditions are recommended so the preliminary ground levels for Phases 1 and 3b and those for any future reserved matters application (RMA) are submitted for approval prior to development commencing on the respective phase or reserved matter's area. A condition requiring a Landscape and Visual Impact Assessment (LVIA) with each reserved matters application is also recommended, to ensure the appropriate assessment of the impact of the detailed development on the landscape character of the area.

### Cambridgeshire Design Review Panel

- 7.3.13 Officers note that the scheme was presented to the Cambridgeshire Design Review Panel on 24th May 2023, after which the scheme was amended to incorporate the recommendations made by the panel. The Design Review Panel report is publicly available with the application file, and the summary of the recommendations focused on the following considerations: the development as present would not constitute a gateway into Soham and connections and desire lines should be reflected in the

scheme; the size of the [existing] allotments; and the simplification of the scheme, particularly in terms of character areas, and better reflect the character in Soham.

- 7.3.14 Following the Panel's review, the applicants have carried out further work in relation to the motor-vehicular connection through Brewhouse Lane, which proved viable and will enable in the next stages, a route through the development. The proposal to retain (and enhance where possible) the existing PROWs became clearer in terms of incorporating the masterplan. Discussions were held with the County Council to understand how each of them should be improved, where appropriate. The Parish Council, currently managing the Wetheralls allotments have confirmed that the site will continue to operate as such and in the same location. The character areas have been reduced and the proposal currently is broadly divided into two main character areas – that to the east of the central green link, with a looser greener grain, as a transition between the open countryside to the east of A142, and a denser, 'drier' grain to the west of the central green link, reflecting the pattern of streets in Soham. All changes are represented in the revised illustrative masterplan and further drawings and are supported.

#### 7.4 Historic Environment

##### Built Environment

- 7.4.1 The site is within close distance from the Grade I listed St. Andrew's Church, which is also considered a key focal point in the Soham Conservation Area (CA). The CA contains several Grade II listed buildings, including along the High Street where the Church is located, at approximately 750 metres (0.47 mile) to the west of the site.
- 7.4.2 Policy ENV11 of the Local Plan and Policy SBNP15 of the Soham and Barway Neighbourhood Plan expect that development proposals affecting a Conservation Area are of a particularly high standard of design to preserve or enhance the character or appearance of the area. Policy ENV12 states that proposals that affect a Listed Building will not be permitted where it would have a detrimental impact on the visual, architectural, or historic significance of the asset. Policy SBNP16 of the Neighbourhood Plan is protective of the non-designated assets in Soham, requiring that proposals that create an effect should aim to minimise any potential harm to those assets.
- 7.4.3 The allocation Policy SOH3 confirms this approach, requiring developments to have regard to the layout and the scale, height, design and massing of buildings, and landscaping, seeking to provide a high-quality scheme which focuses on St. Andrews Church as a key landmark building in Soham. The importance of the Church as landmark also to the CA is confirmed in the Character Appraisal SPD (February 2008). Views to the Church are a positive aspect to be maintained and enhanced in the CA, including from the High Street and White Hart Lane, which prolongs from Brewhouse Lane.
- 7.4.4 St Andrews Church can also be viewed from within the application site and several points in the immediate vicinity, particularly from the Commons and at the site's frontage. Given the flat character of the wider landscape of the Fens, St Andrews can also be seen from distant views to the east of the A142, from Thrift Drove and PROWs 50, 51 and 66. Chapter 7 of the ES covers visual impact assessment from 13

viewpoints of the surrounding area and from within the site. Wireframes reflecting the maximum building heights of the development when viewed from distant points (nos. 6 and 8) at those PROWs and Thrift Drove have been submitted to demonstrate how the scheme could be designed to allow and enhance by 'framing' views from the proposed development in the future.

- 7.4.5 In assessing the impact from the development to the Soham CA and non-designated assets, Chapter 5 of the ES explains that the existing built heritage assets are separated from the site by distance, the intervening topography, built form of Soham, and the existing planting and vegetation. It concludes that, except for the Grade I listed Church of St Andrew, other built heritage assets, including the only two locally listed Croft House and The Grange do not share intervisibility with the site. This is accepted.
- 7.4.6 Officers accept that the development will obstruct most of the current views of the church tower, from near or within the site, and will affect the building's setting. This includes from areas within the proposed development where the building heights are at the lowest proposed. During the application assessment, discussions have taken place, which resulted in the reduction of the proposed building heights of the mixed-use area from 18 metres (59 foot) to 16 metres (52 foot). A viewing line from the main PROW crossing the site was also agreed, to ensure that these key open areas will maintain the view of the Church tower.
- 7.4.7 The ES concludes that the views of the church tower from the wider landscape allow the original visual prominence of the church to be appreciated in the modern landscape. The views of the tower from the application site could be affected or blocked by construction activity associated with the proposed development. These are considered slight adverse effects and, considering the protection of some of the distant views as discussed above, and the retention of a view line from within the site, the ES concludes that there will not be significant effects from the proposed development to the built heritage assets environment. This is accepted, and the view line of the church and the building heights will be secured on the Building Height Parameter Plan (drawing P17-3004-18-1 Rev L), if permission is granted. LVIAs submitted with each reserved matters should consider the protection of the views of the church, in line with the Parameter Plan.
- 7.4.8 Considering the aspects of the amended proposal discussed above, the conclusion is that the application has demonstrated that the character appraisal has informed the proposals. There will be no significant effects to the built historic environment from the proposed development, which is considered compliant with policies ENV11 and ENV12 of the Local Plan.

### Archaeology

- 7.4.9 Policies SOH3 and ENV14 of the Local Plan require the development proposals to have regard to their impacts upon the historic environment and to protect, enhance and where appropriate, conserve archaeological remains and their settings. For this Soham Eastern Gateway site, it is required that appropriate evidence of the archaeological potential and significance of the site is provided with development proposals coming forward.

- 7.4.10 Chapter 5 of the submitted ES covers Archaeology, concluding that there will be no significant residual effects upon archaeological remains resulting from construction and the operation of the proposed development. There will be no significant effects upon the historic landscape across most of the application site although there will be a permanent moderate adverse effect upon the strip field. The summary of the Chapter explains that the historic landscape character of the site is primarily made up of 18th or 19th century non-parliamentary enclosure with later subdivision and a small strip field. The overall sensitivity of this landscape is considered low, however there are several features such as the strip field and important hedgerows which have a medium sensitivity.
- 7.4.11 The CCC Archaeology officer has reviewed the submitted archaeological evaluation and raises no objection to the proposals. Officers note that despite the evidence on the Cambridgeshire Historic Environment Record from within the area, the evaluation programme yielded very little of archaeological significance. However, the Medieval field pattern was established, this lasting into the 17th/18th centuries, comprising ditched narrow field strips, which is notable evidence of water management necessary within the Common and Closes land, which by the 19th century was collectively known as The Weatheralls.
- 7.4.12 Localised archaeological evidence relating to Saxon and early Medieval activity, as well as components of the Late Bronze Age/Iron Age enclosure have been identified on specific parts of the site. Officers therefore recommend a condition to secure a scheme of archaeological work to conserve the interest of the archaeological evidence by record, noting that it would not be appropriate to separate the areas of archaeological site evidence by phase, but to ensure they are excavated as discrete entities at a suitable time ahead of development. This is supported.
- 7.4.13 The CCC Archaeology officer has also highlighted the presence of ancient hedgerows within the site, suggesting this should be retained to enable the historic character of the development to inform the new layout. This is proposed to be partially retained and will be secured as part of the Green Infrastructure Parameter Plan (drawing P17-3004\_18 4 Rev L). Further assessment regarding the hedgerow is provided within the Ecology section of this report.
- 7.5 Highways
- 7.5.1 The allocation Policy SOH3 and Policy COM7 of the Local Plan require the development of the Eastern Gateway to provide a new roundabout in the A142 and a link road through the scheme to Pratt Street. Safe and convenient access to the highway network, shall be provided as well, with proposals being capable of accommodating the level and type of traffic they generate, without detriment to the local highways network. Safety and impact on roads are also matters covered by Policy SBNP22 of the Neighbourhood Plan.
- 7.5.2 Financial contributions are expected by the SOH3 allocation policy to be provided towards safety improvements of the junctions of Northfield Road, Qua Fen Common and Paddock Street on the A142. Improvements to the road past Weatheralls School are to be carried out with the development, with necessary junction and highway improvements on the road, and at the junction with Pratt Street. Policy SOH3 also expects the development of this Eastern Gateway site to retain and enhance the

existing rights of way which cross the site and provide an upgraded cycle/footpath link between the link road and Kents Lane, as well as new pedestrian and cycle access points to adjoining roads.

- 7.5.3 This is reinforced in Policy COM7 of the Local Plan and Policy SBNP25 of the Neighbourhood Plan, requiring proposals to provide a comprehensive network of routes giving priority for walking and cycling; and to protect existing rights of way. This is detailed through policies SBNP23 and SBNP24 of the Neighbourhood Plan. Policy COM8 and Policy SBNP22, in dealing with parking matters, require development proposals to provide adequate levels of car and cycle parking and make provision for parking broadly in accordance with the Council's parking standards.

### Transport Impacts

- 7.5.4 The impact of the proposed development on traffic and highway capacity has been assessed in the Transport Assessment, which is part of Chapter 8 of the submitted ES. The study area for the assessment of traffic and transport effects arising from the proposed development covered the main A142 bypass junctions with The Shade roundabout; the Northfield Road priority junction; the Qua Fen Common / Hasse Road/ Qua Fen Common priority junction; East Fen Common / East Fen Drove priority junction; Fordham Road / A1123 Military Road roundabout; and the junction with B1102 Ness Road / B1102 Station Road roundabout. The Assessment had initially concluded that most of the local highway network would continue to operate within capacity in 2034, five years after the estimated completion of the proposed development. This initial proposal had not included a road link into Soham as envisaged by the allocation Policy SOH3, as this was demonstrated to be technically unviable by the time it was assessed with the application ref.17/01167/ESO, withdrawn in the same year of submission. At that point in time, the Local Highways Authority (LHA) had concluded that the link via Pratt Street, as proposed, would not be viable given the restricted access in the immediate road network, and the highways impact could not be mitigated as proposed.
- 7.5.5 During the assessment of this 19/01600/ESO application, discussions have been carried out with the applicants and the LHA, which enabled the proposal for an alternative road link via Brewhouse Lane, although dependent on the redevelopment of the current Staploe Medical Centre site, currently not part of this application. The applicants carried out further and updated surveys to account for this amendment, which resulted on the Transport Note by Cundall (version P08, dated 12 March 2024). Cundall's Transport Note assessed the proposed secondary vehicular access off Brewhouse Lane which is to be provided in support of the proposed development to access Soham town centre, as envisaged by the Local Plan.
- 7.5.6 The assessment concluded that the proposed secondary vehicular access is likely to generate up to 22 two-way vehicular trips within a peak hour period, and therefore no further assessment and no junction capacity modelling would be required in association with that secondary vehicular access. The previous and the updated information have been reviewed by the LHA, who is satisfied that the highways impact from the development can be mitigated, including when considering the full implementation of the road access onto Brewhouse Lane. The proposed mitigations include improvements to the Brewhouse Lane footway, a pedestrian crossing across Paddock Street, alongside financial contributions to junction improvements at the

A142 / The Shade Roundabout, A142 / Fordham Road Roundabout, and the A142 / Station Road / B1102 Roundabout to mitigate the impact on highway capacity. A plan showing how walking and cycling access will be achieved to the proposed medical centre from Brewhouse Lane will need to be agreed with the LHA and the developer will be responsible for the provision and implementation of a Travel Plan to be agreed in writing with the Local Planning Authority. This is supported and will be secured by planning obligations.

#### Public Rights of Way - PROWs

- 7.5.7 The development would retain and enhance the existing PROWs 52, 60 and 66 within the site and would create new PROWs as bridleway and mown paths, connecting the retained routes and the site with its surroundings. Connectivity would be enhanced by the proposed footways along the Primary Route and connections secured by the Access and Movement Parameter Plan (drawing P17-3004-18-3 Rev N). This is supported.
- 7.5.8 The PROW Proposed Plan (drawing 758-FH-XX-00-DP-L-101 Rev P11) and the detailed Hard Landscape Plan for phases 1 and 3b (drawing 758-FHA-XX-01-L-201 Rev P4) detail the finishing materials as agreed with the LHA's Definitive Map team so far. Notwithstanding this, the team maintains their holding objection to the proposals, due to several inconsistencies and lack of clarity on the status of the proposed PROWs. The recommendation is therefore that a pre-commencement condition ensures that an updated plan is submitted for approval by the LPA, in consultation with the LHA, to reflect the improved alignment.
- 7.5.9 The required amendments and clarification about the status of the PROWs are feasible and it would be unreasonable to delay a decision on the application on this merit only. For clarity, it is recommended that drawings 758-FH-XX-00-DP-L-101 Rev P11 and 758-FHA-XX-01-L-201 Rev P4 are not approved at this stage, and that details for hard landscaping of Phases 1 and 3b are also secured by condition. Officers note the LHA has requested that Public Orders were in place before any PROW is interrupted either temporarily or permanently, which is controlled outside the planning remit. An informative is recommended to remind applicants 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 must be obtained from the Cambridgeshire County Council, as LHA.
- 7.5.10 Details of the rights of way connecting to the surrounding PROW network will be secured for PROWs 54, 58 and 60, as requested by the LHA's Transport Assessment team. This should bear in mind the trees which are proposed be retained, as pointed out on the Tree officer's latest comments. These improvements will be delivered with the development if approved and secured by S106 agreement. The LHA has revised the proposal and is satisfied with the design of the proposed pedestrian and cyclist links would function well in the development. This is supported.

#### Access

- 7.5.11 In addition to the roundabout access at the A142 and the Primary Movement Route, access will be provided to the boundary with the remaining parts of the SOH3 allocation, to be developed in the future. This includes access to the northeastern



boundary of Staploe Medical Centre, to the former garden centre at the south of the site, and to the boundary of land between East Fen Common and Cornwell Close, located to the north of the site. These are secured in the Access and Movement Parameter Plan (drawing P17-3004-18-3 Rev N).

- 7.5.12 The details of the roads between the Primary Route and the access points to the remainder of the SOH3 allocation site will be known at reserved matters stage, when matters of layout and landscape will be covered. The details of the Primary Route and the A142 roundabout access are part of the details submitted with Phase 1. This will be the primary site access via a new three-arm roundabout located on the A142, which has been designed to cater for the overall allocation site's capacity of up to 600 new homes. A Road Safety Audit was carried out in relation to the main access, which has been reviewed and accepted by the LHA, alongside the details for the roundabout access.
- 7.5.13 The details for the Primary Movement Route (also identified in the application as 'Primary Road' or 'the Boulevard') have been submitted, showing the extend of the road to the central open space. The LHA has stated this is broadly acceptable, noting the road had been designed with an indirect horizontal alignment and traffic calming, all of which will help to enforce low vehicle speeds. This is favourable for future adoption of the road by the LHA; however, the traffic calming will prohibit bus routing through the site. The LHA notes these can be addressed during the S278 design and that they would not constitute an objection on highway safety grounds. The LHA further notes the route does not appear to form part of the site's public transport strategy as outlined in the Transport Assessment.
- 7.5.14 Third party comments have been received including technical appraisal of the access to the garden centre site from the proposed development. Although not part of the present application, the garden centre land is part of the Policy SOH3 allocation site, and therefore the development of the application site should not hinder the delivery as intended by the allocation policy. The Policy envisages for the garden centre site, the provision of a new garden centre or employment uses which would fall within the previous uses class B1 and/or B2 and B8 uses classes for industrial or storage uses, to be explored by the planning process.
- 7.5.15 The LHA had highlighted the current junction on the Primary Route to connect with the road access to the garden centre site would potentially not cater for larger vehicles, which could create an issue in the future, if that land was developed as envisaged by the allocation policy. In discussions with the LHA and the applicants (who in turn liaised with the consultants for the garden centre), a swept path analysis was undertaken and submitted in support of the application, indicating the land which would be taken up by that type of road. The recommendation is that land is safeguarded for the road between the Primary Route and the garden centre land (including any junctions and access points) by S106 Agreement, to enable the 're-development' of the road access and ultimately the garden centre land in the future, if required. The geometry / quantum of safeguarded land will need to be confirmed by the LHA through the S106 discussions post Planning Committee, if there is a resolution to grant permission.

#### Haul Road (Temporary Construction Access)

- 7.5.16 Details of the proposed haul road have been submitted (drawing SOH-CDL-XX-00-DR-C-0018 Rev P03, showing it would run along the northern boundary on its section which adjoins the Qua Fen Common and an existing hedgerow, to the wet area/ pond making part of the system of ponds within the Common. Access would be given via the A142 and would be subject to S278 Legal Agreement with the Local Highway Authority (LHA).
- 7.5.17 The LHA (Development Management team) have reviewed the details and consider the details acceptable, subject to some minor refinement which can be addressed as part of a S278 Agreement post-planning. The LHA requires that once construction is complete, the access will need to be removed and the A142 fully reinstated to its prior condition.
- 7.5.18 The applicants have in correspondence confirmed that the details of the haul road would also be agreed as part of the Construction Traffic Management Plan (CTMP), to be secured by condition. To ensure that the relevant protection is taken regarding the ecological elements, the CTMP should refer to the Tree Protection Plan and Arboricultural Method Statement, which are recommend be secured by condition and prior to development commencing, as discussed in the next sections of this report. The CTMP should also set out the measures to protect the wet area/ pond, and how this will be reinstated to form the SuDS elements approved for Phase 1 with this application, if permission is granted.

#### Parking Standards

- 7.5.19 The proposal at this stage does not include details for layout, landscape, scale, and appearance for any of the residential or mixed-use parcels. The specific quantum of those uses will only be known as part of the information submitted in future stages of the planning process. For these reasons, it is not possible to ascertain the level and details of parking spaces for cars and cycles at this outline stage, and a condition is recommended to ensure these will follow the Council's standards when the details for the next phases are submitted.

#### Conclusion

- 7.5.20 Overall, the proposed development would provide safe access through the A142 and links into Soham, it would improve and be capable of accommodating the level and type of traffic they generate, without detriment to the local highways network, including rights of way, in compliance with the allocation Policy SOH3. It would prioritise sustainable transport and connect with the local network, retaining and enhancing key PROWS. Considering the recommended conditions and planning obligations, it would align with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and Policies SBNP22, SBNP23, SBNP24, and SBNP25 of the Soham and Barway Neighbourhood Plan.
- 7.6 Natural environment
- 7.6.1 The Local Plan in Policy ENV9 states that development proposals will be refused where there are unacceptable impacts arising from the development, including to the natural environment. All development proposals will be required to protect the biodiversity and minimise harm to or loss of environmental features, such as trees,

hedgerows, woodland, wetland, and ponds, as set out by Policy ENV7 of the Local Plan and Policy SBNP12 of the Soham and Barway Neighbourhood Plan. Policy ENV7 also establishes that where there is reason to suspect their presence, applications must be accompanied by a survey and, if present, the proposal must be sensitive to the protected species, trees, and woodland.

- 7.6.2 Policy SPD.NE6 of the Council's Natural Environment SPD further details national and local policy, setting out that all development proposals should contribute to and enhance the natural and local environment by firstly avoiding impacts where possible, and where avoidance is not possible, by minimising impacts on biodiversity and providing measurable net gains for biodiversity.
- 7.6.3 The Soham and Barway Neighbourhood Plan Policy SBNP11 is particular on the protection of Soham's Commons and sets out the expectations for contributions towards mitigation measures identified in the Soham Commons Recreational and Biodiversity Enhancement Study, through development which will increase the number of visitors to the Commons. Policy SBNP12 of the Plan also sets out the minimum biodiversity net gain (BNG) for all qualifying developments at 20%, going beyond the Environment Act 2021 requirements.
- 7.6.4 The application is accompanied by species and habitats surveys carried out since 2016 and updated in the years to 2023 as required, as well as an updated ecology report and an impact assessment for BNG, as part of the Ecology chapter (Chapter 6) of the ES, which has been updated in the ES Addendum submitted in June 2024. A Phase 1 habitat assessment and preliminary ecological appraisal was conducted in 2016, with a walkover survey to confirm the status of habitats within the site conducted in 2023. All surveys and assessments are part of the submitted ES and Addenda that followed.
- 7.6.5 The Ecology chapter of the ES describes the 22.6 hectares (55.8 acres) are likely to be impacted by the proposal, noting the ecological features found on the site and its proximity, which were subject to a more detailed assessment in the ES. Mitigation measures are proposed in line with the ES methodology and are summarized on Table 6.5 (Table of mitigation and residual effects) of the ES Chapter 6, as updated on its latest version within the ES Addendum of June 2024.

#### Priority Habitats

- 7.6.6 The habitat types within and adjacent to the application site are shown on the Baseline Habitat Map (Appendix 6.1) of the ES, noting the elements found in 2016, with confirmed status in 2023. Hedgerows and the Fenland drain are of at least local importance, and all hedgerows within the site were considered representative of the priority native hedgerow habitat type. Ditches are present at the south, east, west and north boundaries, as well as in the centre of the site. The most notable ditch considered of local importance is the drain located along the southern boundary of the site, where the presence of water vole has been consistently recorded.
- 7.6.7 The ES notes that a multi-stemmed veteran ash (identified as T20 on the Habitats Map) was noted during the arboricultural survey of 2019, however the update survey of 2023 found that the crown of this isolated tree had mostly collapsed. A remnant crown less than 25% was identified, alongside large pieces of fallen dead wood at

the base of the tree, which are of local importance as habitat for its value to fungi, saproxylic invertebrates and nesting birds.

- 7.6.8 The Ecology Report and Mitigation Strategy (Appendix 6.2 of the ES Addendum) identifies the hedgerows to the north of the site (H4, H5, H6 and H8 on the Habitats Map) as priority habitats. Paragraph 3.61 of the ES Addendum, however states that “[a]ll hedgerows within the site were considered to be representative of the Section 41 priority native hedgerow habitat type”. The Addendum also states that there will be a loss of 140 metres (459.3 feet) of hedgerow H4, with replacement of hedgerows proposed as mitigation. The revised Green Infrastructure Parameter Plan (drawing ref. P17-3004\_18\_4 Rev L) indicates retention of H8 and smaller/ fragmented portions of hedgerows H4, H5 and H6. New species rich native hedgerows are incorporated within the planned scheme as are remedial measure to reinforce the structure and condition of retained hedges. Impacts that may occur during the construction phase will over time become neutral and there is scope for a local positive effect over the longer term.
- 7.6.9 Whilst any additional hedgerow will be welcomed on the site, layout is not currently assessed for that area of the site, and therefore opportunities to retain as much as possible all hedgerows, including H4, should be explored for the parcels with details to be submitted in the future. This is noted by the Council’s Tree officer and Ecologist, and the approach will be monitored as futures phases are submitted for approval, alongside the Hedgerow and Woodland Management and Creation Scheme and the Habitat Management and Monitoring Plan (HMMP), which will be secured with permission, if granted.
- 7.6.10 The veteran tree T20 is likely to be impacted both during construction and operations phases, and the loss of the tree and associated deadwood would represent a negative impact significant at the local scale. Mitigations are proposed so the tree is incorporated in the landscape design and protected during construction and operation phases. This is supported.
- 7.6.11 The construction of the access and alterations to the A142 carriageway will negatively impact 280 metres (918.6 feet) of field drain and 200 metres (656.2 feet) of Fenland drainage ditch, mostly due to the release of pollution. The preparation and implementation of the Construction Environment Management Plan (CEMP) will control construction activities to minimise disturbance, avoid and mitigate significant pollution events, and will be secured by condition. During operation impacts may arise from increased housing such as public littering the introduction of non-native plant species.
- 7.6.12 The ES proposes to mitigate this through species of tree selected for planting, considering maximum conservation benefits for wildlife such as birds and invertebrates whilst avoiding over shading and maintaining access for maintenance. New connected wetland within the site will be created as SuDS and will complement existing habitat. These are proposed to enhance the habitat through sympathetic landscaping and careful management to maintain and improve the condition of the channel. Whilst this is supported, the Council’s Ecologist and Tree officer have noted the Tree Planting plans for the detailed Phases 1 and 3b are indicating nonnative species, which would be contrary to the mitigation proposed in the ES itself and would not align with the Development Plan in East Cambridgeshire. For these reasons, the

Tree Plans are not recommended for approval, and conditions will be required to secure details of Soft Landscaping for those phases. The proposed HMMP secured by S106 Agreement and a Landscape Ecological Management Plan secured by condition are expected to take protected species into account, as proposed by the applicants to be prepared and implemented with the aim of preserving and enhancing opportunities for wildlife within the site.

- 7.6.13 The drainage ditch located at the site's southern border represents the habitat type covered by the Fenland Drainage Ditch Local Habitat Action Plan and is a habitat type listed within the overlapping Middle Fen and Mere IDB Biodiversity Action Plan. The drainage ditch will be buffered from developed land by a foot / cycle path within a belt of open space which will run the length of the site's southern boundary. This is reflected in the proposed Green Infrastructure Parameter Plan (drawing ref. P17-3004\_18\_4 Rev L) and is supported.

### Protected Species

- 7.6.14 The surveys carried out confirmed the continued presence of a low population of great crested newts (GCNs) within Qua Fen Common directly to the north of the application site, due to the mixture of seasonal pools and permanent ponds. Due to the proximity of the site to breeding ponds and the presence of some suitable habitat, the assessment concluded that small numbers of GCNs were likely to spend terrestrial life stages within habitats on the site. The site has been considered largely unsuitable for reptiles; however, grass snakes are present in small numbers within some field margins. The Council's Ecologist notes that the District Level Licence has expired and is supportive of the proposal to have new licence as mitigation to impact for GCNs.
- 7.6.15 A mature poplar located along the footpath adjacent to the allotments (PROW 60) identified as TN28 on the Habitat Map are considered unlikely to support bat roosts, as concluded in the more recent walkover of the site, however the tree holds suitability for roosting bats and is proposed to be retained. No additional trees have been identified that have suitability for roosting bats. Foraging and commuting activity was most frequently recorded at the hedgerow adjacent to the northern boundary with the Qua Fen Common, at the southern drainage ditch along the boundary with East Fen Common. The ES also acknowledges that there is potential for light pollution during the construction phase and once the site is occupied for light to spill onto retained and adjacent bat foraging and commuting habitat. An artificial light strategy is recommended be secured by condition to mitigate this risk, which is supported by the Council's Ecologist, alongside suitable feeding grounds and nesting onto housing.
- 7.6.16 The Council's Ecologist acknowledges that much the site is unsuitable for reptiles, and the proposal to resurvey in 2026 is acceptable. This is proposed to be submitted with any reserved matters application relating to the area near the area of interest, and secured by S106 Agreement, to ensure any change in land ownership captures this obligation. Potential effects from construction and operation of the development are mostly identified with unmanaged vegetation and soil stripping, and the ditches located in the southern boundary and at the centre of the site (identified respectively as D1 and D2 in the Habitats Map). The ES notes that the southern drainage ditch will be protected with a physical barrier to create a buffer which will retain habitat within the site. Sequential and directional (north to south) reductions in the height of

vegetation associated with the central drainage ditch will act to encourage wildlife to disperse into the vegetated buffer at the south of the site. The buffer is reflected in the Green Infrastructure Parameter Plan and will have to be reflected on the soft landscape details for phases 1 and 3b, to be secured by condition.

- 7.6.17 The buffer protecting the southern drainage ditch (D1) and the managed reduction of the vegetation along the central ditch (D2) are also expected to mitigate impacts to harvest mouse, as their presence were recorded on the site in association with these habitats. To avoid disturbing breeding females with young vegetation should be cleared at a time which avoids the May to October peak breeding season and preceded by a hand search for nests, with any found carefully bagged and relocated within suitable retained habitat. This is recommended to be secured by a compliance condition. Grassland created within the proposed green links across the site is expected to be managed to provide habitat for harvest mice, and predation from domestic pets will be mitigated by providing a mosaic of habitats that would function to allow harvest mouse to adopt natural avoidance behaviours and strategies. Whilst this is supported, details have not been sufficiently provided and are expected to be detailed as part of the Habitat Management and Monitoring Plan (HMMP).
- 7.6.18 Water voles are also present within the ditch at the southern boundary, and the construction of the access roundabout and slip road off the A142 will involve engineering works which could affect the species. The Council's Ecologist noted the cumulative impacts from the Soham Eastern Gateway and other developments could have a significant impact on the local population of water voles, which would require mitigation and licences. Officers note that if carried out well onsite enhancements could provide excellent habitat for water voles however, the impact of introduced domestic species (cats, dogs) are likely to negatively impact the population. This is supported, and details are expected to be submitted as part of the HMMP.
- 7.6.19 The application site was considered to hold high potential for widespread species of nesting birds, with breeding bird numbers considered moderate for linnet. Site clearance and construction works will alter the characteristics of habitat associated with the field boundaries, and disturbance, noise and pollution are likely to reduce the number of nesting attempts made by this farmland species. Loss of linnet from within the development area would be a negative effect significant at the local level, and this is proposed to be mitigated through the creation of native, semi-natural scrub and grassland habitats. Bird boxes will be fixed to new buildings to enhance the development and to provide opportunities for breeding birds, and groups of swift boxes are proposed to be installed in appropriate locations close to new grass and wetland habitats. The Council's Ecologist has noted that also suitable hedgerow must be retained/enhanced or compensated for to mitigate impacts. As previously described, this is recommended to be secured by the Green Infrastructure Parameter Plan at this outline stage, and details sought within the Hedgerow and Woodland Management and Creation Scheme secured by condition, alongside detailed drawings for each of the development phase coming forward.
- 7.6.20 In addition to the design mitigations, the proposed Construction Ecological Management Plan (CEMP) to be secured by condition, will aim to avoid and mitigate potential negative effects which may occur during the construction phase. A Habitat Management and Monitoring Plan (HMMP) is recommended to be secured by S106 Agreement, providing a comprehensive management plan, following the format of

Natural England's HMMP Template 1.0 (or any relevant successor). This aims to enable initial capital works to be costed and will set out an adaptive management plan capable of being rolled out over a minimum of 30 years. At a minimum, the document will include baseline information, planned management activities and a monitoring schedule. This is supported.

- 7.6.21 Considering the above, the ES concludes that mitigation of the negative effects from development to ecological features is likely to be possible. No significant impacts are expected to the Soham Wet Horse Fen SSSI, as construction works will be located sufficiently far enough from it. Furthermore, the SSSI is located upstream of the site and there does not appear to be any other direct habitat link. Officers also note that although the site is within the Soham Wet Horse Fen SSSI Impact Risk Zone, the Defra mapping indicates that planning proposals for residential use and those proposed with this application are not considered to have an impact on the SSSI.
- 7.6.22 Notwithstanding the above, the ES acknowledges the development would generate significant negative effects to the adjoining Qua Fen Common and East Fen Commons County Wildlife Sites (CWSs). During construction, dust, air and waterborne (via drainage ditch/ditch networks) pollution may directly impact the grasslands for which they are notified. An increase in visitors following the occupation of the application site will likely lead to littering, trampling of vegetation and dog foul causing soil enrichment, and potentially reducing the intensity of grazing. In addition to the open and play spaces designed in the proposed development, mitigation measures during construction and operation will address recreational pressure impacts from development, and financial contributions will be secured by S106 Agreement to support the recommendations of the Soham Commons Recreational and Biodiversity Enhancement Study. This had the support from Natural England and the Wildlife Trust and is in line with the Soham and Barway Neighbourhood Plan and is therefore acceptable.

#### Biodiversity Net Gain

- 7.6.23 In additional to the ES information, the submission included an updated BNG metric 4 metric and an updated Biodiversity Impact Assessment, establishing the baseline for biodiversity gains with the implementation of the proposed development. The document states that the 2023 baseline was compared to the predicted post-development value of the proposal to provide a measurement of predicted changes in biodiversity value. According to the Assessment, the development is predicted to deliver a 11.24% gain in Habitat Units, 52.55% gain in Hedgerow Units and 48.04% gain in watercourse units.
- 7.6.24 The above is on the basis that proposal includes a landscape plan that utilises greening opportunities within the site. The applicants argue that the landscape design proposes locally relevant habitat types including lowland meadow, neutral grassland, ponds and trees. The landscape design will be supported by the HMMP which is capable of being rolled out over a 30-year period, guiding habitat creation, the site's long-term management and the security of the proposed landscape. Whilst officers agree with the approach to secure habitat creation through the HMMP, the baseline has been agreed. This means however that at this stage it is not possible to ascertain whether the development would meet the requirements of 20% BNG across the site, as set out by the draft Soham and Barway Neighbourhood Plan. Officers are confident

that the site can achieve a positive BNG of over 10% and note that the submission was made prior to the requirements of the Environment Act 2021.

7.6.25 In conclusion, it is considered that the proposed the development would minimise harm to and loss of environmental features, providing appropriate mitigation measures and the reinstatement of features that will in time recreate habitats on the site. This is particular to hedgerows, ponds, and ditches, where their loss could not be avoided, so the infrastructure to support the development of this allocated site could be implemented. The development will also secure contributions for the enhancement and protection of the Qua Fen and East Fen commons. The proposals therefore align with the aims of policies ENV7 and ENV9 of the Local Plan as well as the Council's Natural Environment SPD and Policy SBNP11 of the Soham and Barway Neighbourhood Plan.

7.6.26 Whilst it is not possible to confirm that the proposals would be compliant with Policy SBNP12 of the Soham and Barway Neighbourhood Plan in achieving a 20% BNG, the proposals are considered capable of delivering and will secure measurable net gains with the HMMP, which is in line with current guidance based on the Environmental Act 2021 requirements and would comply with the NPPF. The proposals at this stage have also maximised opportunities for the creation, enhancement, and connection of natural habitats as an integral part of development proposals, which aligns with Policy ENV7 of the Local Plan and the other aims of Policy SBNP12 of the Soham and Barway Neighbourhood Plan.

## 7.7 Flood Risk and Drainage

7.7.1 Policy ENV 8 expects that all developments contribute to an overall flood risk reduction. The sequential test and exception test are expected to be strictly applied across the district, and new development should normally be in Flood Risk Zone (FRZ) 1. The modelled flood risk zones as identified in the Council's Strategic Flood Risk Assessment (SFRA) and the Environment Agency Flood Maps will inform the application of the sequential test. A site-specific Flood Risk Assessment (FRA) will be required for major development zones in any flood risk zone, where the site is greater than 1 hectare (2.47 acres).

7.7.2 Further to the above, the allocation Policy SOH3 requires that development proposals demonstrate that the flood risk on the site can be adequately mitigated. Policy ENV8 sets out that all applications for new development must demonstrate that appropriate surface water drainage arrangements for dealing with surface water run-off can be accommodated within the site, and that issues of ownership and maintenance are addressed. Development will not be permitted where it would increase the risk of flooding of properties elsewhere, by additional surface water run-off or by impeding the flow or storage of flood water. The use of Sustainable Drainage Systems (SuDS) is required. The Neighbourhood Plan for Soham and Barway are supportive of these requirements in its Policy SBNP21, dealing with flood risk.

7.7.3 The application site is at risk of flooding, as although most of the application site is within FRZ 1, a large portion in the eastern most area lies within FRZ 2 and 3, including the proposed access roundabout. During the assessment of the application, the Environment Agency flood maps have been updated, showing the areas of FRZ



2 and 3 with an impact on the site have not changed significantly, and the Agency confirms the site is still at risk of flooding.

- 7.7.4 An FRA was submitted as part of the Environment Statement (ES) supporting the application, dismissing the need for a sequential test to be submitted, on the basis of the ECDC Sequential Test (ST) background paper prepared in 2014 and the Council's SFRA prepared in 2017. The ST background paper indeed dismisses future requirement for a ST to be applied for the allocation site, as 'more vulnerable development can be located outside of areas at risk of flooding'. This is also in line with the Planning Practice Guidance (PPG) paragraph 027, as the site is allocated for the proposed uses, including housing. Notwithstanding this, a condition in applying PPG 027 is that the proposed development is consistent with the use for which the site was allocated.
- 7.7.5 The EA explains that the FRZ 2 and 3 in this location are mostly informed by the risk from breach of the Soham lode flood defences, located further south of the site and the East Fen Common. The flood defences are supported by engineering infrastructure, which is limited in terms of updating and maintenance. The EA explains that the standard of protection is a combination of crest level, design, and the condition of the defence, aspects to be considered as a defence may have a crest level sufficient to stop flooding but will not be designed, or be in a condition to, withstand the weight of water against it. Developments, therefore, shouldn't rely upon flood defences for their safety. This is reinforced by PPG 024 indicating that the ST should ignore the presence of flood risk management infrastructure, because climate change will impact on the level of protection they will offer and because the long-term funding, maintenance and renewal of this infrastructure is uncertain.
- 7.7.6 The residential use, as identified by the NPPF Annex 3, is a more vulnerable use and therefore should be located outside the areas of FRZ 2 and 3 as the first approach to the layout of the site. The access route is via A142, which would classify as essential infrastructure, and main evacuation route from the site at risk. As previously described, other areas outside the application boundary are part of the SOH3 allocation, including the land between Cornwell Close and Qua Fen Common. This area is integrally within FRZ1 and could therefore accommodate part of the 600 dwellings estimated for the wider SOH3 allocation site.
- 7.7.7 The proposed Land Use Parameter Plan (drawing P17-3004\_18\_2 Rev M) includes residential use within areas which would currently fall within FZR 2 and 3 and would therefore be at risk of flooding. This is not justified as the sequential approach would suggest that these areas should in principle be avoided. The recommendation is therefore that, notwithstanding the approval of the Land Use Parameter Plan with the outline, in the event permission is granted, the condition recommended by the EA is imposed. This will ensure that the sequential approach is carried out in future stages of the planning process, using the most updated flood risk information available. This aligns with the EA's comments, as well as the NPPF and PPG, noting that where STs were carried out prior to allocation, planning guidance still requires individual proposals to follow the approach to avoid areas of risk.
- 7.7.8 The proposed mitigations on the submitted FRA considers residential use on zones of highest risk (FRZ2 and 3) and include flood evacuation plans and the rising of floor levels. This will be required only if in future planning stages it is demonstrated that

other areas of lower risk or FZR 1 are not available to accommodate the residential use required to serve the purposes of the SOH3 allocation. This has not been demonstrated with the application and therefore this assessment assumes that further housing can be delivered outside the application site, within the wider SOH3 site. Notwithstanding the indicative masterplan showing dwellings and the parameter plans showing residential use within part of the FRZ 2 and 3, officers are of the view that the site could accommodate the proposed 540 dwellings, depending on the mix of size and type of flats and houses, which is not fixed at this stage. Moreover, the number of 540 dwellings is a maximum figure for the application site and, if permission is granted, future stages will need to confirm the accurate quantum through detailed proposals.

7.7.9 In terms of surface water, the Environment Agency flood maps show small areas of medium and high risk near the north-eastern boundary and at the central part of the northern boundary, adjacent to an existing drain. This area coincides with the wet area/ pond identified in the submitted topographic plans, which is part of a system of ponds within Qua Fen Common. The proposed Green Infrastructure Parameter Plan (P17-3004\_18\_4 Rev L) and the details for phases 1 and 3b show that SuDS within areas of open spaces will encompass those areas at risk, which is supported. The Drainage Strategy confirms the use of other elements of SuDS, including permeable paving, swales, and upstream treatment, alongside the detention basins.

7.7.10 The Strategy has been reviewed by the LLFA, Anglian Water and the IDB, and has been accepted by those parties. Details of the drainage system for each parcel and for the management and maintenance of the SuDS are recommended to be secured by condition and planning obligations. Given the above, at this stage the details and parameters proposed are acceptable and in line with the requirements of policy SOH3 and ENV8 of the Local Plan in terms of flood risk, as well as Policy SBNP21 of the Neighbourhood Plan. This is subject to the recommended conditions and S106 obligations described above.

## 7.8 Open spaces and Green Infrastructure

7.8.1 The Local Plan's site allocation requires the wider Policy SOH3 site to deliver approximately 8 hectares (19.77 acres) of public open spaces and Commons land, alongside approximately 3.6 hectares (8.9 acres) of allotments. Policy GROWTH3 sets out that there should be appropriate green infrastructure in place to serve the needs of new development. Key infrastructure requirements include improvements to Soham Commons and improvements to open space, sports provision and play areas across the district and in Soham, as set out in the Neighbourhood Plan policies SBNP9, SBNP11 and SBNP14. The Developer Contributions SPD details the requirements to each type of open space. The proposal currently includes 6.3 hectares (15.57 acres) of open spaces, as indicated on the Public Open Space plan (drawing 758-FHA-XX-01-L-901 Rev P3), and the proposed S106 obligations in the Planning Statement include off-site contribution for sport provision towards the 3G sport pitch.

7.8.2 Considering the maximum number of 540 dwellings proposed with the development and the policy SOH3 requirements, a proportionate quantum of open spaces required in the allocation would be 7.2 hectare (17.79 acres). The application is therefore underproviding in terms of open space. Notwithstanding this, it is acknowledged that

the 540 dwellings is a maximum figure, and that the development will contribute to sports provision elsewhere in Soham. It is also possible that the application site can deliver a greater quantum of open spaces, when meeting requirements at detailed stage for noise mitigation and avoidance of flood risk areas, as previously reported. The recommendation is therefore that the plan 758-FHA-XX-01-L-901 Rev P3 is not approved with this submission, and instead a requirement for providing the 6.3 hectares (15.57 acres) and the off-site sports contributions are secured by a S106 Agreement.

- 7.8.3 Furthermore, as part of the open spaces provision, a proportionate quantum of play areas, as set out in the Developer Contributions SPD is expected to be provided with any residential phases coming forward. The indicative location of these areas is set out in the Green Infrastructure Parameter Plan (drawing P17-3004\_18-4 Rev M), proposing three local areas of play for toddlers, and a further three areas for junior and youth, with a large area of play also identified. The play areas for toddlers would be located within the residential parcels, and the larger/ junior/ youth areas would be within the central open space crossing the site, and along the wider landscaped area adjacent to the Primary Road. These indicative locations are supported, as the areas for younger children would be closer to the new homes, and the areas for older children/ youth would be more central to the scheme, providing opportunities for play and socialising.
- 7.8.4 The Play Layout plan (drawing 758-FHA-XX-01-L-801 Rev P3), however, shows that play equipment is proposed within another section of Phase 1 as well, the landscaped frontage of the site. The plan does not identify the area covered by the playground, the age group, or the residential phase it is benefiting. Officers agree with third party views that the location of play areas within the attenuation ponds is not functional and could be unsafe for children to use them. The ponds would be located within areas of high risk of flooding, and their depth could reach 1.2 metres (3.94 feet) when functional (i.e. not considering a flood event), as shown on the Attenuation Basin Play and Structures sections (drawing 758-FH-XX-00-DT-L-103 Rev P3).
- 7.8.5 Therefore, whilst the indicative locations in the parameter plan are supported, it is recommended that the Play Layout plan and details are not approved with this permission, if granted. Furthermore, it is recommended that the specific quantum of area for toddler, junior and youth play in line with the SPD, and details for each of those areas are secured by condition with the next planning stages, when the quantum of dwellings will be confirmed. The details for the junior and youth play areas on the central green corridor (part of Phase 1) is also recommended to be secured by condition.
- 7.8.6 At the time of the submission of this application, plans for a 3G sports pitch in Soham were proposed in the Local Football Facilities Plan, with expectation for developer contributions to part-fund its implementation. Given the timescales for approval of other funding streams, the Council's Recreation team have confirmed that the funding has been secured by CIL payments, and instead, updated contributions could make viable the necessary improvements to the Ross Peers Leisure Centre or other sports provision in Soham. This is supported and the contributions are recommended to be secured by S106 Agreement.

7.8.7 The submission considers that the Weatheralls allotments will remain in its current use, on land which is equivalent to the requirements within policy SOH3. Policy SBNP14 of the draft Soham and Barway Neighbourhood Plan designates the Weatheralls allotments as one of the Local Green Spaces in Soham, with the Soham Town Council confirming this will remain in allotment use, as previously discussed in this report.

7.8.8 Considering the recommended condition and planning obligations, the proposals are therefore acceptable, as it would be capable of providing onsite the appropriate levels of open spaces and play areas and would contribute to improvements or provision of sports facilities off-site, in line with policies SOH3 and GROWTH3 of the Local Plan and policies SBNP9, SBNP11 and SBNP14 of the Neighbourhood Plan.

7.9 Housing Delivery

7.9.1 The Local Plan Policy HOU3 and the Neighbourhood Plan policies SBNP2 and SBNP4 set out the requirements for housing delivery in the District and in Soham, including the requirement for the mix of dwelling types and sizes to reflect current evidence of the need in the locality. Developments are expected to provide 30% of affordable housing, alongside a proportion of dwellings that are suitable or easily adaptable for occupation of the elderly or people with disabilities, and a minimum of 5% self-build properties. The allocation policy SOH3 confirms this is applicable to the application site, and the Custom and self-build and the Developer Contributions and Planning Obligations SPDs detail some of these requirements.

7.9.2 Furthermore, the Neighbourhood Plan is more specific with Policy SBNP4 indicating the housing size and tenure mix which is reflective of the needs in Soham, and Policy SBNP2 requiring specific distribution across the affordable units, to be 25% as First Homes, 8% to be shared ownership and 67% to be provided as social or affordable rent.

7.9.3 The proposal includes the provision of up to 540 dwellings, of which 20% would be provided as affordable housing, within the indicative tenure and size mix below. The absolute figures are also indicative and were drawn from the Viability Report percentages in the distribution of the mix, which include affordable rent (AR), shared ownership (SO) and market (Mk) dwellings:

	AR	SO	Mk	AR	SO	Mk	Total
1bed	25%	20%	5%	21	6	22	<b>47</b>
2bed	45%	40%	25%	38	11	108	<b>155</b>
3bed	25%	30%	45%	21	6	194	<b>223</b>
4bed+	5%	10%	25%	4	1	108	<b>115</b>
<b>Totals</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>84</b> <b>(16%)</b>	<b>24</b> <b>(4%)</b>	<b>432</b> <b>(80%)</b>	<b>540</b> <b>(100%)</b>

7.9.4 The submission was accompanied by a Viability Report, which has been independently reviewed on behalf of ECDC. The review has confirmed that 20% affordable housing is the maximum reasonable level that this scheme can provide. This considers the affordable rent levels adopting social rent levels, all the S106 contributions known/ confirmed prior to the Viability Report review, and the average

unit sizes indicated on the Report. At the time of concluding this committee report, a few financial contributions were still pending confirmation (secondary education and alternative off-site contributions for the medical centre), and the housing mix did not fully meet the mix required by the Neighbourhood Plan, particularly for the affordable housing element of the proposal.

- 7.9.5 Further to the above, the NPPF Paragraph 64 currently sets out that for major developments involving the provision of housing, 10% of all homes on site should be affordable home ownership products. First Homes are an affordable home ownership product and are currently the government's preferred discounted market tenure. These changes to the NPPF were prior to the application submission in 2019, and the provision of First Homes through this Soham Eastern Gateway site have not been requested to date.
- 7.9.6 The Housing officer has reviewed the proposal and has confirmed that the size mix corresponds to the needs in Soham at the time of their assessment, and that the tenure mix between AR and SO at 78% and 22% was acceptable. Officers have reviewed the documents submitted by the applicant and external reviewers and accept that 20% of affordable housing is the maximum provision viable at this stage. A review mechanism is recommended be secured by S106 Agreement, to be provided with each reserved matters application in the future, to update any changes from the submitted 'Viability Statement Soham Gateway' by Quod, dated September 2023.
- 7.9.7 If the Neighbourhood Plan is made before the completion of the S106 Agreement, it is recommended that the review mechanism also requires applicants to consider the provision of First Homes and a tenure and size mix, alongside any confirmed housing requirements of the Neighbourhood Plan. Details of layout and minimum space standards and accessibility requirements will be assessed with reserved matters applications and will follow the Development Plan in place at the time of a recommendation being prepared. Any impact on financial viability will be captured by the review mechanism and updated viability reviews to be updated with any residential reserved matters coming forward. This will be secured by S106 Agreement.
- 7.9.8 As it stands, the proposal includes a proportion of dwellings that are suitable or easily adaptable for occupation of the elderly or people with disabilities, and a minimum of 5% self-build properties, this later to be secured by S106 obligations. Considering this and the above, the proposals are considered compliant with policies SOH3 and HOU3 of the Local Plan in terms of housing provision and will be able to meet the relevant policies in the draft Neighbourhood Plan, if required in the future.
- 7.10 Community Services and Facilities
- 7.10.1 Policy GROWTH3 of the ECDC Local Plan requires appropriate levels of physical, social, and green infrastructure in place to serve the needs of new development within the district. In terms of education, this means new pre-school and early years facilities, as well as primary and secondary schools. Policy SOH3 is more specific to the area, requiring approximately 1.1 hectares (2.72 acres) for an extension of the Weatheralls Primary School site and provision of a new pre-school facility, as well as approximately 0.4 hectare (0.99 acre) for the extension of the Staploe Medical Centre.

Policy SBNP9 of the Soham and Barway Neighbourhood Plan is supportive of an accessible health care centre on the Eastern Gateway of a size which reflects the community's needs.

- 7.10.2 Policy GROWTH3 also establishes that the Council will work closely with infrastructure providers to ensure inclusion of infrastructure schemes in their programmes. Key infrastructure requirements relevant to growth within the district include water, electricity and telecommunications infrastructure. The Soham and Barway Neighbourhood Plan Policy SBNP9 supports the provision of new and upgraded facilities in Soham, and sets out in Policy SBNP20 that development proposals for major development will only be supported where it is demonstrated that there is sufficient capacity at the Soham Waste Water Treatment Works.

### Health and Education

- 7.10.3 The proposal has been amended during its assessment since 2019, to align with the requirements of the National Health System (NHS) Integrated Care System (ICS) in the area. The proposal currently includes 0.9 hectare (2.22 acres) of land, to be used by the medical centre. This is included in the Land Use Parameter Plan as part of the mixed-use hub, and the transference of the land is recommended to be secured by a S106 Agreement, with for financial contributions to be in place in the event the land transfer does not occur. These, alongside access for its construction and the respective triggers are recommended to be secured by S106 Agreement.
- 7.10.4 The application site is not adjacent to the Weatheralls Primary School, therefore land for its extension has not been required. Contributions towards library as well as primary and secondary schools have been requested by the CCC as Education Authority and are recommended be secured by S106 Agreement. A nursery is proposed onsite, within the mixed-hub area. This provision, alongside contributions towards early years education requested by CCC are also recommended to be secured by S106 Agreement.

### Community Meeting Facility

- 7.10.5 The description of the proposal includes the F2 use class within the up to 1,600 square metres (17,222.26 square foot) of non-residential floorspace, which enables the on-site provision of the community meeting facility required by the Developer Contributions SPD. This is proportionate to the estimated population of future residents in the development, and for this Eastern Gateway proposal this will be equivalent to a meeting facility of approximately 140 square metre (1,506.95 square foot). This quantum is recommended be secured by condition.

### Utilities

- 7.10.6 A Utilities Statement has been submitted, with last update in September 2023, concluding that the local existing utilities' networks are sufficiently robust to provide connections for the site, however it is anticipated that local reinforcement will be required to all existing networks. The Statement indicates that the applicants have contacted Anglian Water, UK Power Networks, and Cadent Gas.

- 7.10.7 Fibre broadband is to be provided by Grain, which would be the only network on the site. Anglian Water has confirmed available capacity in the water and sewage network, as well as of the Soham Water Recycling Centre. A condition will secure a plan is approved by the LPA in consultation with Anglian Water, for the existing assets and any required diversion as a result of the proposed layout in future stages.
- 7.10.8 UK Power Networks long term development statement confirmed to the developers, as stated on the document, that there should be sufficient capacity at the Soham primary substation to supply the site, with possible diversion required.
- 7.10.9 As stated in the document, Cadent Gas have confirmed that a connection can be made to the gas main in Paddock Street, currently without sufficient capacity, unless reinforced. The applicants set out that developer contribution to these reinforcement works would be subject to economic test. The use of gas is likely to be reduced and there will be opportunities for testing the financial viability of the scheme through the review mechanisms, which will be secured by planning obligation. It is more likely that any required improvements would be made directly through contributions/ works enabled by the developer and Cadent Gas directly, without the need for planning obligations to be secured for this purpose.

### Conclusion

- 7.10.10 Considering the above, the proposals are expected to deliver appropriate community services and facilities to serve the needs of the new development, potentially catering for the needs beyond the application site. Financial contributions towards bins will be secured by S106 Agreement. This is in line with Policy SOH3 and Policy GROWTH3 of the Local Plan, as well as Policy SBNP9 and Policy SBNP21 of the Neighbourhood Plan.
- 7.11 Sustainability
- 7.11.1 Policy ENV4 of the East Cambridgeshire Local Plan, as well as policies SBNP18 and SBNP20 of the Soham and Barway Neighbourhood Plan are supportive of sustainable design and construction measures, including in terms of water efficiency, requiring all development to be designed in a compatible way towards a net zero carbon future. As part of a sustainable approach in the wider sense, the Neighbourhood Plan requires on its Policy SBNP10 that major development proposals of over 50 homes to submit a Health Impact Assessment, as a form of promoting strong, vibrant and health communities and reduce inequalities.
- 7.11.2 An updated Sustainability Statement (TH/JEB/P19-1889/04 Rev B, dated September 2023) has been produced in support of the application, covering aspects of water efficiency, SuDS, daylight, sustainable construction, construction waste, ecology, land contamination, noise and sustainable transport. The document concludes that it is demonstrated that the design will incorporate sustainable principles into the full range of sustainability aspects covered by the Council's planning documents.
- 7.11.3 All aspects are covered by other documents submitted in support of the application, some of which further updated after the latest version of the Sustainability Statement. Aspects not covered by other documents or to be covered in information which are expected to be submitted to discharge conditions are: Sustainable Construction

Processes/ Materials & Recycling, Daylight, and Water Efficiency. These are aspects directly related with matters of layout, landscape, scale and appearance, which are reserved for future planning phases.

- 7.11.4 The recommendation is therefore for a condition to ensure that a Sustainability Statement is provided with any reserved matters application in the future, focusing on these aspects as a minimum. This would align with the aims of Policy ENV of the Local Plan as well as policies SBN18 and SBN21 of the Neighbourhood Plan.
- 7.11.5 For the purposes of this assessment and current stage of the Neighbourhood Plan, officers have not requested a Health Impact Assessment for the development. Officers are confident that measures to ensure healthier day-to-day behaviours will be enabled by the development, including through the promotion of cycling and walking, as provision of open spaces on the site and off-site contribution for sports facilities. Moreover, development will provide affordable housing and employment opportunities to meet the needs in Soham and will be supported by community facilities on the site and off-site contributions towards this purpose. This includes provision of land for the relocation and expansion of the medical centre and on-site provision of a nursery and a community meeting facility, as well as off-site contribution towards education and libraries. These measures align with the aims of Policy SBNP10 in the Neighbourhood Plan and are supported.
- 7.12 Other Material Matters
  - 7.12.1 Third party representations raised concerns regarding the quality of the technical documents assessed, and the number of documents submitted. The quality of the information provided is part of the assessment of the planning application and, as officers had feedback from the statutory consultees and third parties, an opportunity to amend the submitted technical documents was given to the applicants.
  - 7.12.2 The scale of the proposed development and complexity of the site required several amendments, which in turn result in a longer assessment process and number of submitted documents. Given the work and time dedicated with every assessment and officers' knowledge built over the years since the applications was first submitted, the LPA took the view that it would be more efficient to allow further amendments to the application, than requiring that the applicants made a new application. Throughout the course of the application assessment, the documents and plans which were superseded by new information provided were marked as such in the applications file available for public viewing, allowing consultees and third parties to refer to the most updated and relevant information.
  - 7.12.3 The original application and amendments were made available to the public for comments and consultation rounds were carried out as applicable via press advert, neighbouring letters and/or site notice, as explained earlier in this report. The initial consultation and re-consultation rounds were made following the Council's Statement of Community Involvement.
- 7.13 Planning Balance
  - 7.13.1 The NPPF Paragraph 11 requires planning decisions to apply a presumption in favour of sustainable development. In this case, the proposal is for a residential led



development, with the provision of a neighbourhood centre with a mix of uses including a local shop, and potential for offices and business start-up units, aligns with the allocation policy in the Development Plan. A new roundabout access into Soham would provide a safer link with the town, via a connection route that will be improved to allow for safer movement of all modes of transport. Financial contributions would enable the improvement of the road network, including junctions in the Soham area. The development would retain key footpaths and public rights of way on the site and would contribute to improving other rights of way outside the site and into town, enabling the development to be the Eastern Gateway into Soham, as envisaged by the Plan.

- 7.13.2 The proposal does not include an updated masterplan of the entire allocation site as required by the Local Plan, however other documents including an indicative masterplan and recommended planning obligations enables the remaining parts of the wider allocation site to be brought forward. During the assessment of the application, it has been confirmed that the Wetheralls allotments will continue to be used as such, and access to the former garden centre land as well as to the land between Cornwell Close and Qua Fen Common will be secured by S106 Agreement.
- 7.13.3 It is acknowledged that the open spaces crossing the site would not function as the neighbouring Qua Fen and East Fen, given its spatial features, the existing noise impact and the proposal for the access roundabout in this location, which will potentially make the location less attractive for recreational purposes. Consideration has also been given to the fact that the road link into Soham will not be delivered with the development of this application proposal, however all impacts occurring from it have been considered, preparing the existing roads for the link to be in place in the future. Although not further detailed at this stage, applicants will need to follow legislation outside the planning remit to stop rights of way permanently or temporarily during construction.
- 7.13.4 Notwithstanding the above, the proposal would deliver more than the allocation requirements to provide land for the relocation of the Staploe Medical Centre. A new nursery would be provided on the site, in addition to financial contributions to early years; primary and secondary education; as well as libraries. The proposals would include infrastructure to promote the sustainable drainage of the site, with ponds making part of a network of wetlands and open spaces created by the development. Improvements to local sports facilities and on-site play equipment alongside community facilities will be secured by planning obligations. Over 10% of biodiversity net gain can be achieved on site, with the retention of hedgerows and protection of ditches as much as feasible, and considering their maintenance and management secured for at least 30 years. Domestic predators are likely to be brought on site and any risk to protected and notable species will be secured by S106 Agreement.
- 7.13.5 The delivery of housing would include a mix of sizes and types, varying from flats and houses as well as self-build plots, which will be made available to the private market, with an element of affordable housing provided as affordable rent and shared ownership. Although this would be below of the policy requirements for a 30% affordable housing provision, a review mechanism will be imposed to enable further provision in the future, if the viability of the scheme improves. Other direct benefits to be provided through the development are the construction employment opportunities, alongside the further work opportunities in the proposed neighbourhood centre.

7.13.6 Overall, the benefits of the proposed development of this Eastern Gateway site in Soham would outweigh the negatives of the proposal, which could not be avoided or designed out.

## **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: flood risk, transport, housing, and biodiversity.

### Background Documents

19/01600/ESO

National Planning Policy Framework –

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

East Cambridgeshire Local Plan 2015 –

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

## **9.0 APPENDICES**

Appendix 1 – Recommended Conditions:

### **1. Time Limit – Haul Road**

The permission for the haul road is for a limited period only, expiring in 7 years from the date of this decision or by a certain point where it would no longer be needed, whichever the earliest.

After this date, the site shall be reinstated in accordance with the details approved for Phases 1 and 3b and the access from and egress to the A142 permanently closed.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

## **2. Time Limit – Outline Permission**

The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.

## **3. Approval of Reserved Matters**

Approval of the details of the layout, scale, appearance, and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved. The first application for approval of the reserved matters shall be made within 3 years of the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.

## **4. Approved drawings**

The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

## **5. Compliance with Environmental Statement**

The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement 19/01600/ESO: Soham Eastern Gateway by Carter Jonas, including the four addenda (April 2021, May 2022, September 2023 and June 2024) which followed.

Reason: To ensure that the development takes place in accordance with the principles and parameters contained within the Environmental Statement.

## **6. Quantum of development**

The quantum of floorspace of land uses and maximum number of homes as set out below shall be met pursuant to this planning permission:

Residential (Use Class C3) – Maximum of 540 residential dwellings including any delivered as affordable housing and self-build plots.

Neighbourhood Centre uses (Uses Classes E (a)(b)(c)(e)(f)(g) sui generis (r) hot food takeaway, F1, and F2) – Maximum of 1,600m<sup>2</sup> (GIA), including:

- Local Shop (Use Class E(a) or F2(a) – Maximum of 280m<sup>2</sup> (GIA); and
- Community Meeting Facility (Use Class F2(b)) – Minimum of 140m<sup>2</sup>.

An updated assessment of the demand and supply for retail and office space, as well as for business starter units shall be undertaken and submitted with any reserved matters proposing use class E(a)(b)(c) and sui generis (hot food take away only) floorspace, to ensure the delivery of other non-residential uses envisaged by Policy SOH3 and to avoid any risk to the vitality of the Soham town centre.

Reason: To ensure that the development is implemented within the scope of the approved parameters upon which the application has been assessed, in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

## **7. Strategic Surface Water Drainage Strategy**

Prior to submission of the details for Phases 1 and 3b or prior to the submission of any reserved matters application involving buildings, roads or other impermeable surfaces (whichever comes earlier) a strategic surface water drainage strategy for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall be based on the parameters set out in the Drainage Strategy, Cundall Johnston & Partners LLP, (Ref: 1026142-RP-C-05-0002 Rev F) dated 23 May 2024, or any subsequent, revised version that has first been approved in writing by the Local Planning Authority.

The scheme shall include phasing arrangements, details of primary infrastructure for each phase and plans for drainage asset operation, maintenance and contingency. The scheme shall set out what information, design parameters and design details will need to be submitted at the Reserved Matters stage for each phase of the development. The development shall subsequently be implemented in accordance with the approved scheme.

Reason: To ensure a satisfactory method of surface water drainage and to prevent an increased risk of flooding on or off site, in line with policy ENV8 of the East Cambridgeshire Local Plan 2015. This condition is pre-commencement because commencing development prior to agreeing this scheme could jeopardise the delivery of a strategic site-wide solution.

## **8. Surface Water Strategy**

Any reserved matters application shall include a detailed surface water strategy pursuant to the reserved matters site for which approval is sought. The strategy shall demonstrate how the management of water within the reserved matters application site for which approval is sought accords with the approved details of the Strategic Surface Drainage Water Strategy. The strategy shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body.

The strategy shall include details of all flow control system and the design, location and capacity of all strategic SuDS features and shall include ownership, long-term adoption, management and maintenance schemes and monitoring arrangements/responsibilities. The strategy should also demonstrate that the exceedance of the designed system has been considered through the provision of overland flow routes.

The development shall be carried out in full accordance with the approved details and no building pursuant to that particular reserved matters site for which approval is being sought shall be occupied or used until such time as the approved detailed surface water measures have been fully completed in accordance with the approved details.

Reason: To reduce the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and rate of water leaving the site, in line with policies ENV8 and ENV9 of the East Cambridgeshire Local Plan 2015.

### **9. Noise impact assessment**

As part of any reserved matters application, a Noise Impact Assessment for the reserved matters area shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be prepared having regard to the observations and recommendations of the report by MAS Environmental Ltd, dated 27 January 2024. The development shall be carried out in accordance with the approved assessment.

Reason: To safeguard the residential amenity of future occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

### **10. Sustainable development**

As part of any reserved matters application, an energy and sustainability strategy for the reserved matters area, including details of any on site renewable energy technology and energy efficiency measures covering, as a minimum, aspects of sustainable design and construction, daylight, and water efficiency, 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.

Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.

### **11. Parking Standards**

Any submission of reserved matters shall include details of adequate levels of car and cycle parking and make provision for parking broadly in accordance with the Council's parking standards or any subsequent document which supersedes the current standards.

Reason: To improve access to local services and facilities and avoid problems of highway safety and efficiency as well as unsightly street environments, in accordance with Policy COM8 of the East Cambridgeshire Local Plan 2015.

### **12. Preliminary Ground Levels**

As part of any reserved matters application, plan(s) and sections detailing proposed preliminary ground levels for the reserved matters area (with an extended area of at least 1 metre beyond the application boundary) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development complements the landscape character and preserve, the appearance and quality of the area; and to reduce the risk of flooding to the proposed development and its future users, as well as to flooding elsewhere, in compliance with policies ENV1, ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015.

### **13. Landscape and Visual Impact Assessment (LVIA)**

As part of any reserved matters application including buildings, a Landscape and Visual Impact Assessment (LVIA) shall be submitted considering the relationship between the proposed development in the area the reserved matters application relates with, and the relevant neighbouring natural and built environment. The LVIA shall have regard to the parameters in the Building Height Parameter Plan (drawing P17-3004-18-1 Rev L) and reference to the 3rd Edition Guidelines on Landscape and Visual Impact Assessment (GLVIA3) of the Landscape Institute.

Reason: To ensure the development complements the landscape character and preserve the appearance and quality of the area, and protect important views of Soham, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

### **14. Residential Visual Amenity Assessment (RVAA)**

A Residential Visual Amenity Assessment (RVAA) shall be submitted with any reserved matters containing buildings, to assess the impact on the residential amenity of dwellings affected by the proposed development, externally or internally to the site. The RVAA shall be prepared in accordance with the Landscape Institute Technical Guidance Note 2/19.

Reason: To ensure the development does not have a detrimental effect on the residential amenity of the nearby existing and future occupiers, in line with Policy ENV2 of the East Cambridgeshire Local Plan 2015.

### **15. Ecological surveys**

Updated ecological surveys shall be submitted as part of any reserved matters application as relevant to the ecological features present within the application area, for approval by the local planning authority. The development shall be implemented according to the approved document and any ecological mitigations it may contain.

Reason: To protect the natural environment and ecological features, in line with policies ENV7 and ENV9 of the East Cambridgeshire Local Plan 2015.

### **16. Reptile survey**

Within 2 years from this permission, an updated survey to finalise a receptor site for reptiles is submitted for approval to the local planning authority, in line with the Ecology Report and Mitigation Strategy (Appendix 6.2 of the Addendum Report to September 2023 Environmental Statement 19/01600/ESO: Soham Eastern Gateway). The development shall be implemented according to the approved document and any ecological mitigations it may contain.

Reason: To protect the natural environment and ecological features, in line with policies ENV7 and 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.

### **17. Tree Protection Scheme**

Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with British Standard BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations, including a tree protection plan(s) (TPP) and an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS as relevant to the site:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of any demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works within or adjacent RPA's.
- e) A full specification for the construction of any roads in relation to RPA's, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.
- k) Methodology and detailed assessment of any agreed root pruning.
- l) Details of Arboricultural supervision and inspection by a suitably qualified tree specialist.
- m) Details for reporting of inspection and supervision.
- n) Methods to improve the rooting environment for retained and proposed trees and landscaping.
- o) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area and the biodiversity of the site, in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.

### **18. Construction Method Statement**

No operations shall commence on site in connection with the development hereby approved (including demolition works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorized vehicles or construction machinery) until the detailed design and construction method statement of vehicular drives, parking areas and other hard surfacing within the root protection area (as defined by British Standard BS: 5837 (2020) Trees in relation to demolition, design and construction - Recommendations) has been submitted in writing and approved by the Local Planning Authority. The design and construction must:

- a) Be in accordance with the recommendations of BS5837:2012 and Arboricultural Associations guidance note 12 The use of cellular confinement systems near trees, A guide to good practice 2020.
- b) Include details of existing ground levels, proposed levels and depth of excavation.
- c) Include details of the arrangements for the implementation, supervision and monitoring of works.

Reason: To ensure that the trees on site are adequately protected, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.

### **19. Tree protection**

Prior to the commencement of the development hereby approved (including any ground clearance, tree works, demolition or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where arboricultural expertise is required) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the trees on site are adequately protected, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.

### **20. Construction Soil Management Plan (CSMP)**

Prior to the commencement of the development, Construction Soil Management Plan (CSMP) should be submitted to and approved in writing by the Local Planning Authority. The CSMP should include a Soil Resource Survey. It should include plans for:

- The potential use of Soil Protection Zones (SPZs) where soil will be fenced off and protected from all disturbance or compaction from vehicle traffic. These will be clearly identified.
- The location, size and duration of stockpiles that are appropriate for soil texture, moisture and weather conditions
- Methods of stripping and stockpiling
- The separation of stockpiles for topsoil and subsoils and clear labelling
- The prevention of mixing of soils with rubble or waste materials
- Haul routes and materials laydown to minimise soil compaction
- How soil will be reused across the site, the volume that will be reused, and plans for any excess soil.
- Soil reinstatement that is appropriate in depth, nutrients and texture for future planting and green spaces, private gardens, and SuDs features.
- How any damaged or compacted soil will be remediated.
- The plan should also state who will be responsible for supervising soil management on site.

Soil management plans must refer to the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites 2009. The measures in the soil management plan shall be implemented in its entirety unless otherwise approved in writing by the Local Planning Authority.



Reason: To protect the geological value and maximise opportunities of the land as part of the proposals, in line with Policy ENV7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to soil protection zones on site.

### **21. Construction Traffic Management Plan (CTMP)**

No development shall take place until Construction Traffic Management Plan (CTMP) is submitted for approval to the local planning authority, in consultation with the local highway authority.

Reason: To ensure safe and convenient access to the highways network, accommodate the efficient delivery of goods, supplies and services, and be capable of accommodating the level/type of traffic generated without detriment to the local highway network, in line with policy COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that traffic management measures are in place to avoid detriment to the local highway network.

### **22. Construction Water Run-off**

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts, and in accordance with policy ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that measures are in place to avoid and systems are in place to avoid any flood risk impact.

### **23. Hedgerow and Woodland Management and Creation Scheme (HWMCS)**

A Hedgerow and Woodland (bulk planting areas) Management and Creation Scheme shall be produced and submitted to the LPA for approval, prior to development commencing on the site. The Woodland Management and Creation Scheme (hereafter referred to as HWMCS) is required to contain details on the following:

- 1) The areas of woodland and hedgerows to be retained and/or enhanced;
- 2) Areas where new woodland and hedgerows will be established;
- 3) The methodology for the establishment of new areas of native woodland and hedgerows; (timings and details for plot thinning and coppicing operations and removal of protective fencing/guards)
- 4) Management of existing woodland and hedgerows to enhance its amenity and ecological value; (timings and details for plot thinning and coppicing operations)
- 5) Details of responsibility for the future management of the woodland areas and hedgerows.
- 6) Details to cover a period of no less than 20 years or until decommission of the development.

Reason: To ensure that the ecological and landscape features of the site are adequately protected, to safeguard the character and appearance of the area and the biodiversity of the site, in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees and hedgerows to be retained on site.

#### **24. Landscape Management Plan**

Prior to commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure that the ecological and landscape features of the site are adequately protected, to safeguard the character and appearance of the area and the biodiversity of the site, in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that the management of the landscaped areas is in place to avoid negative impact to the landscape character and ensure the proposed landscape is implemented on site.

#### **25. Air Quality Assessment**

No development shall take place until a full and detailed air quality assessment has been submitted for approval by the local planning authority. The submission should refer to the Air Quality Technical Note Rev 3, by Cundall (reference 1026142, dated 05 February 2024) and include details of how additional pollutant concentrations over and above those relating to the existing site will be addressed and minimised.

Reason: To ensure that emissions are minimised and that there is no deterioration in air quality resulting from the proposed development, in line 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.

#### **26. Ground contamination**

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:

- a) A survey of the extent, scale and nature of contamination;
- b) 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;
- c) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. 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.

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.

### **27. Detailed Waste Management and Minimisation Plan (DWMMP)**

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) any other steps to ensure the minimisation of waste during construction;
- e) the location and timing of provision of facilities pursuant to criteria a/b/c/d;
- f) proposed monitoring and timing of submission of monitoring reports;
- g) 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;

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 to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

### **28. Archaeology**

No development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work which has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. The areas of archaeological site evidence will not be excavated piecemeal, determined by development phase, but are excavated as discrete entities at a

suitable time ahead of construction. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) the statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material.

Reason: To conserve the interest of the archaeological evidence by record in an integral manner, in line with paragraph 200 of the NPPF and policies SOH3 and ENV14 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

### **29. Drainage Assets Plan**

Prior to the commencement of development, a site layout plan detailing the location of existing drainage assets, and any proposed asset diversion, should be submitted to and approved by the local planning authority, in consultation with Anglian Water. To ensure on-going maintenance is possible all existing drainage assets should be in areas of public open space and/or adoptable highways.

Reason: To ensure the infrastructure to support development is made available and operational throughout the lifetime of the development, in line with policy GROWTH3 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

### **30. PROWs Plan**

Prior to commencement of development, a site-wide PROWs Plan shall be submitted for approval by the local planning authority, in consultation with the local highway authority. The PROWs Plan shall include details of the layout, dimensions and surface finishing, as well as the proposed status of each Public Right of Way retained and enhanced on the site.

Reason: For the protection of the rights of way and to ensure these are well integrated to the layout and to the local network, in line with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

### **31. Construction Environmental Management & Monitoring Plan (CEMP)**

Prior to the commencement of any development phase or zone, a Construction Environmental Management & Monitoring Plan (CEMP) for each distinct zone or phase which shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the CEMP shall include but not be limited to:

- A dust and air quality management plan including detailed measures for the mitigation of dust arising from construction activities and a complaint investigation and resolution procedure;

- A construction noise and vibration management plan including the hours of operation for construction related activities, detailed measures for the mitigation of construction noise and vibration and a routine noise monitoring and complaint investigation and resolution procedure;
- A Site Waste Management Plan (SWMP) including details for the management of pollution prevention monitoring and mitigation measures for all construction activities;
- A Soil Management Plan including a map showing locations of stockpiles of excavated materials, details of use and/or disposal of unsuitable subsoil, details of the management and mitigation of soil resources in accordance with biosecurity best practice;
- A scheme for the identification of drainage systems (including field drains, culverts, septic tanks and soakaways) and private water supplies, and measures for their protection during development and/or mitigation of impacts associated with the development including the temporary of alternative facilities as required;
- A scheme for the reinstatement following the completion of the construction of the cable route (or phase thereof) including the reinstatement of agricultural land, drainage systems and private water supplies and landscape resources.

Thereafter the development shall be undertaken in accordance with the details in the approved CEMP for that distinct zone or phase unless otherwise agreed in writing with the Planning Authority.

Reason: To safeguard the residential amenity of neighbouring occupiers and protect the biodiversity, in accordance with policies ENV2 and ENV7 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.

### **32. Biodiversity Improvements**

Prior to commencement of development in each residential phase or zone in the development, a scheme of biodiversity improvements shall be submitted to and agreed in writing with the local planning authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.

Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.

### **33. Surface Water Infrastructure Works**

Prior to the commencement of any built development phase the associated surface water infrastructure works (including attenuation features, pipe work, controls and outfalls) shall be completed in accordance with the agreed site-wide drainage strategy, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory method of surface water drainage, and to prevent the increased risk of flooding to third parties, in compliance with policy ENV8 of the East Cambridgeshire Local Plan 2015.

### **34. Detailed Surface Water Drainage Scheme**

Prior to commencement of development of each phase or parcel of the development, in accordance with the submitted Drainage Strategy, Cundall Johnston & Partners LLP, (Ref: 1026142-RP-C-05-0002 Rev F) dated 23 May 2024, detailed designs for the surface water

drainage scheme for that phase or parcel shall be submitted to and agreed by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The detailed designs will include elements of source control and a programme for the incremental implementation of the surface water drainage design for the phase or parcel. This must ensure sufficient surface water drainage infrastructure is in place for the amount of development which has taken place in that phase or parcel of the development at any point in time unless otherwise agreed in writing by the Local Planning Authority.

Once implemented the surface water drainage infrastructure shall be retained for the lifetime of the development.

Reason: To ensure a satisfactory method of surface water drainage, and to prevent the increased risk of flooding to third parties, in line with policy ENV8 of the East Cambridgeshire Local Plan 2015.

### **35. Flood Risk**

Notwithstanding the approved Land Use Parameter Plan (drawing ref. P17-3004\_18 2 Rev M), prior to commencement of each phase of development, a scheme shall be submitted to and approved in writing by the local planning authority, to demonstrate that internal flooding of properties will not occur during a design flood event, including through the failure of local defences. Information will need to be submitted to demonstrate that:

- the area at risk of flooding due to the failure of the flood defences, or any other mechanism;
- all feasible measures have been taken to avoid development within areas of flood risk;
- appropriate resistance measures have been incorporated into any dwellings identified as being at risk; and
- that the proposed resistance measures will not increase the risk to third parties.

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

Reason: To reduce the risk of flooding to the proposed development and its future users; and to prevent the increase of flood risk outside the development site, in line with policy ENV8 of the East Cambridgeshire Local Plan 2015.

### **36. Management and Maintenance of Streets**

No development shall commence on a phase or parcel until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority.

The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 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.

### **37. Ground piling**

Prior to commencement of development on a phase and in the event of the foundations from the proposed development requiring piling, 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.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

### **38. Used Water Sewerage Network**

Prior to the construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, 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, in line with policy ENV8 of the East Cambridgeshire Local Plan 2015.

### **39. Hard Landscaping Scheme – Phases 1 and 3b**

No above ground construction within Phases 1 and 3b shall commence until details of hard landscape works for these phases have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished floor levels and details of means of enclosure; layouts/ hard surfacing materials and construction details including for bridleways, cycleways and/or footways; street furniture; and signage.

Reason: To safeguard the character and appearance of the area and to assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.

### **40. Soft Landscaping Scheme – Phases 1 and 3b**

No above ground construction within Phases 1 and 3b shall commence until details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1) A scaled plan showing existing vegetation, tree trunks & canopy details of trees retained & tree protection fences shall be identified on all plans, in accordance with BS 5837:2012,

extracted from the Arboricultural Implications Assessment (AIA), to include all trees located within 10m of site boundaries.

2) Location, type and materials to be used for hard landscaping including specifications, where applicable for:

a) permeable paving

b) tree pit design and construction details shall be provided, structural Cells shall be utilised as the preferred method of construction method of construction where appropriate.

c) underground modular systems

d) Sustainable urban drainage integration

e) any area usage within tree Root Protection Areas (RPAs);

3) A schedule detailing sizes and numbers/densities of all proposed trees/plants;

4) Specifications for operations associated with plant establishment to include a programme of the timing of the landscape work and maintenance shall be provided, having regard to the timing of the commencement of any part of the development hereby permitted.

5) Types and dimensions of all boundary treatments, there shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

6) A drainage & services overlay drawing shall be provided to show the interface of SUDS, manholes, attenuation and pipe routes in relation to soft landscape.

7) A programme for the timing of the landscape work shall be provided, having regard to the timing of the commencement of any part of the development hereby permitted.

8) Soft landscape works shall be audited at completion and verified against the approved soft landscape plans by a Landscape Architect, to ensure compliance with approved drawings. The Landscape Architect shall report all findings to the local planning authority before final planning approval of the details to discharge this condition.

Reason: To assimilate the development into its surroundings, to safeguard the character and appearance of the area, and protect and enhance biodiversity, in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.

#### **41. Fire Protection**

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.

Reason: To ensure proper infrastructure for the site in the interests of public safety in that adequate water supply is available for emergency use. This is supported by paragraph 97 of the NPPF.

#### **42. BREEAM**



The non-domestic element of the development hereby approved shall meet BREEAM Very Good standard or equivalent. If this standard cannot be achieved by virtue of the site's location, then prior to above floor slab construction works it must be demonstrated by a BRE Licensed Assessor how all other BREEAM standards have been fully explored to meet the highest standard of BREEAM Good or equivalent and agreed in writing by the local planning authority.

A certificate, following post construction review, shall be issued by a BRE Licensed Assessor to the local planning authority, indicating that the relevant BREEAM standard has been achieved or its equivalent within six months of first occupation of the non-domestic part of the development, for written agreement by the local planning authority.

Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015.

#### **43. Brewhouse Lane footway**

Prior to first above floor slab construction works, details of the missing section of footway on the northern side of Brewhouse Lane shall be submitted to and approved by the local planning authority, as shown in principle on drawing TCXX(90)4016, with the width matching the existing footway.

Reason: To ensure the development promotes sustainable travel in its location, connects to the local network and accommodates the level and type of traffic generated without detriment to the local highway network, in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.

#### **44. Paddock Street crossing**

Prior to first above floor slab construction works, details of a dropped kerb crossing across Paddock Street outside No. 39 shall be submitted to and approved by the local planning authority, as shown in principle on drawing TCXX(90)4016.

Reason: To ensure the development promotes sustainable travel in its location, connects to the local network and accommodates the level and type of traffic generated without detriment to the local highway network, in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.

#### **45. PROW 60**

Prior to first above floor slab construction works, details of PROW 60 shall be submitted to and approved by the local planning authority, including details of how the PROW will be widened to 3 metres, surfaced in a bound material and lit, as shown in principle on drawing TCXX(90)4019.

Reason: To ensure the development promotes sustainable travel in its location, connects to the local network and accommodates the level and type of traffic generated without detriment to the local highway network, in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.

#### **46. PROW 58**

Prior to first above floor slab construction works, details of PROW 58 shall be submitted to and approved by the local planning authority, including details of how the PROW will be widened to 2 metres, surfaced in a bound material and lit, as shown in principle on drawing TCXX(90)4018.

Reason: To ensure the development promotes sustainable travel in its location, connects to the local network and accommodates the level and type of traffic generated without detriment to the local highway network, in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.

#### **47. PROW 54**

Prior to first above floor slab construction works, details of PROW 58 shall be submitted to and approved by the local planning authority, including details of how the PROW will be widened to 2 metres, surfaced in a bound material and lit, as shown in principle on drawing TCXX(90)4017.

Reason: To ensure the development promotes sustainable travel in its location, connects to the local network and accommodates the level and type of traffic generated without detriment to the local highway network, in accordance with policies ENV2 and COM7 of the East Cambridgeshire Local Plan 2015.

#### **48. Lighting Design Strategy**

Prior to occupation or use of any part of the development (including the temporary haul road and development of Phases 1 and 3b), an external lighting design strategy for the area to be occupied or used shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
- c) show how and where the external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb the amenity of neighbouring residents.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard the residential amenity of neighbouring occupiers and protect the biodiversity, in accordance with policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.

#### **49. Maintenance of Roads – Phases 1 and 3b**

Prior to commencement of use details of the proposed arrangements for future management and maintenance of the proposed streets within Phases 1 and 3b of the development shall be 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 for the lifetime of the development, by the applicant or a private management company, until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015.

#### **50. Tree protection – site supervision and monitoring**

The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 17 (Tree Protection) shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted.

This condition may only be fully discharged on completion of the development, subject to satisfactory written and photographic evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

Reason: To ensure that the trees on site are adequately protected, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015.

#### **51. Surface Water System – Survey and Report**

Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the local planning authority.

The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the outline permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the local planning authority.

Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the local planning authority.

Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development, in line with policies GROWTH3 and ENV8 of the of the East Cambridgeshire Local Plan 2015.

#### **52. Construction of roads**

Prior to the first occupation of any dwelling, the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the local planning authority.

Reason - In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015.

### **53. Long-term Maintenance – Surface Water Drainage System**

Prior to first occupation of any dwelling hereby permitted, details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, and that the appropriate infrastructure is in place to support development, in line with policy GROWTH3 of the East Cambridgeshire Local Plan 2015.

### **54. Reporting of Unexpected Contamination**

If 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.

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.

### **55. No Lights**

No external lights shall be erected within the site (either freestanding or building-mounted) other than those expressly authorised within this application.

Reason: To safeguard the residential amenity of neighbouring occupiers and protect biodiversity, in accordance with policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.

### **56. Construction and Deliveries Hours**

Construction times and deliveries, with the exception of fit-out, shall be limited to the following hours:

0730 to 1800 each day Monday – Friday;

0900 to 1300 Saturdays; and

None on Sundays, Bank Holidays and Public Holidays.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.

### **57. Harvest Mouse mitigation**

To avoid disturbing breeding females with young vegetation should be cleared at a time which avoids the May to October peak breeding season for Harvest Mouse and preceded by a hand search for nests, with any found carefully bagged and relocated within suitable retained habitat.

Reason: To protect biodiversity, in accordance with Policy ENV7 of the East Cambridgeshire Local Plan 2015.

Recommended Informative:

1. For information to discharge condition 16 (Tree Protection), the following British Standards should be referred to: BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.
2. For information to discharge condition 20 (Hedgerow and Woodland Management and Creation Scheme), the following British Standards should be referred to as appropriate:
  - a) BS: 3882:2015 Specification for topsoil
  - b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
  - c) BS: 3998:2010 Tree work – Recommendations
  - d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
  - e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
  - f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
  - g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
  - h) BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations.
3. For information to discharge condition 36 (Soft Landscaping Scheme – Phases 1 and 3b), the following British Standards should be referred to:
  - a) BS: 3882:2015 Specification for topsoil
  - b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
  - c) BS: 3998:2010 Tree work – Recommendations
  - d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
  - e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
  - f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).

h) BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations

i) BS: 8601:2013 Specification for subsoil and requirements for use.

4. Partial discharge of condition 26 (Archaeology) can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI. Noted that there are relict historic hedgerows on the land that stand to be uprooted in all or part. The applicant's ecological advisor should provide a steer on whether such works should be permitted as this would contravene the Hedgerows Regulation 1997 (amended 2003). Please see 5.08 - 5.09, 5.54, 5.64 - 5.69 of the Environmental Statement Vol 1 Chapter Archaeology and Cultural Heritage for further information. The removal of these ancient hedgerows has not been adequately justified and you are advised to seek clarification as to why their partial removal is required and that the development plan cannot be modified to accommodate and enhance them.
5. This site falls within the Middle Fen and Mere Internal Drainage Board (IDB) district, part of the Ely Group of IDBs. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.
6. 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.
7. Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.
8. The Detailed Waste Management and Minimisation Plan to be submitted is expected to consider re-use of sand and gravel arising from incidental extraction through the course of this development.
9. 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.

10. The development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.
11. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
12. A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
13. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
14. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
15. Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance: <https://www.cambridgeshire.gov.uk/asset-library/Cambridgeshires-Culvert-Policy.pdf> Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.
16. As outlined by the Environment Agency, the updated modelling indicates that, with defences in place, the site would not flood from local watercourses or the Soham Lode. However, in the event of defence failure or the defences not being present, part of the site would be in flood zones 3a and 2. Therefore, a sequential approach to the layout of the

site should be undertaken to direct development away from these modelled areas and to ensure that no ground raising occurs in areas at risk of flooding to maintain flow paths.

17. 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.

#### Appendix 2 – Recommended Approved Plans and Documents:

P17-3004-18-5 Rev K – Red Line Plan / Site Location Plan

J0038914-20-01 – Topographical Survey

J0038914-20-02 – Topographical Survey

J0038914-20-03 – Topographical Survey

P17-3004-18-1 Rev L – Building Heights Parameter Plan

P17-3004-18-2 Rev M – Land Use Parameter Plan

P17-3004-18-3 Rev N – Access and Movement Parameter Plan

P17-3004-18-4 Rev L – Green Infrastructure Parameter Plan

SOH-CDL-XX-00-DR-C-0018 Rev P03 – Haul Road

SOH-CDL-XX-00-DR-C-0019 Rev P06 – General Arrangement

SOH-CDL-XX-00-DR-C-0020 Rev P05 – General Arrangement Phase 1

SOH-CDL-XX-00-DR-C-0036 Rev P04 – Brewhouse Lane Secondary Access

SOH-CDL-XX-00-DR-C-0037-P02 – Southern Additional Access Point

SOH-CDL-XX-00-DR-C-0038-P02 – Northern Additional Access Point

SOH-CDL-XX-00-DR-C-0039-P02 – Preliminary Levels Phase 1

SOH-CDL-XX-00-DR-C-0040-P02 – Preliminary Levels Phase 1

SOH-CDL-XX-01-DR-C-0125-P02 – Long Sections

SOH-CDL-XX-01-DR-C-0126-P02 – Long Sections

SOH-CDL-XX-01-DR-C-0127-P02 – Long Sections

SOH-CDL-XX-01-DR-C-0128-P01 – Long Sections

SOH-CDL-XX-01-DR-C-0129-P01 – Long Sections

SOH-CDL-XX-01-DR-C-0131-P01 – Long Sections

SOH-CDL-XX-01-DR-C-0132-P02 – Typical Sections

SOH-CDL-XX-01-DR-C-0133-P01 – Cross Sections

SOH-CDL-XX-01-DR-C-0134-P01 – Cross Sections

SOH-CDL-XX-01-DR-C-0135-P01 – Cross Sections

SOH-CDL-XX-01-DR-C-0136-P01 – Cross Sections

SOH-CDL-XX-01-DR-C-0137-P01 – Cross Sections

SOH-CDL-XX-01-DR-C-0138-P01 – Cross Sections

SOH-CDL-XX-05-DR-C-0506-P02 – Surface Water drainage Sections

SOH-CDL-XX-05-DR-C-0507-P01 – Manhole Schedule

SOH-CDL-XX-05-DR-C-0524-P01 - Proposed Drainage

SOH-CDL-XX05-DR-C-0525 P02 - Proposed Drainage Layout sheet 1



758-FHA-XX-01-L-101 Rev P4 – General Arrangement  
758-FHA-XX-01-L-601 Rev P4 – Furniture and Structures  
758-FH-XX-00-DT-L-602 Rev P1 – Timber Canopy

SOH-CDL-XX-XX-RP-TC-75207 P08 – Transport Note - Soham Eastern Gateway – Proposed  
Secondary Vehicular Access 13-Mar-24, submitted 20-Jun-24  
1026142-RP-C-05-0002 REV F – Drainage Strategy  
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