



East Cambridgeshire District Council

Meeting: Planning Committee

Time: 2:00pm

Date: Wednesday 3 June 2024

Venue: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

Enquiries regarding this agenda: Jane Webb

Telephone: (01353) 616457

Email: jane.webb@eastcambs.gov.uk

Committee membership

Quorum: 5 members

Conservative members

Cllr Christine Ambrose Smith
Cllr David Brown (Vice-Chairman)
Cllr Lavinia Edwards
Cllr Martin Goodearl
Cllr Bill Hunt (Chairman)
Cllr James Lay

Conservative substitutes

Cllr Keith Horgan
Cllr Julia Huffer
Cllr Alan Sharp

Liberal Democrat members

Cllr Chika Akinwale
Cllr Ross Trent
Cllr John Trapp
Cllr Christine Whelan
Cllr Gareth Wilson (Lead Member)

Liberal Democrat substitutes

Cllr Christine Colbert
Cllr Lorna Dupré
Cllr Mary Wade

Lead Officer: David Morren – Interim Planning Manager

11:10am: Planning Committee members meet at The Grange reception for site visits.

AGENDA

1. Apologies and substitutions

[oral]

2. Declarations of interests

[oral]

To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.

3. Minutes

Page 5

To confirm as a correct record the minutes of the meeting of the Planning Committee held on 1 May 2024.

4. Chairman's announcements

[oral]

5. TPO/E/12/23

Page 11

Confirmation of Tree Preservation Order E/12/23

Location: 3LX Land Adjacent To 104 Broad Street, Ely CB7 4BE

6. 20/01174/FUM

Page 41

Proposal: Demolition of the existing buildings on-site and the erection of 91 dwelling houses (63 dwelling houses and 28 flats), a ground floor commercial unit for Class E use, which includes a total of 193 parking spaces on-site and a children's play area

Location: Mereside Works 25 Mereside Soham Ely Cambridgeshire

Applicant: H P (Soham) Ltd

Public access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QGA96EGG>

7. 23/01338/OUM

Page 95

Proposal : Outline planning application for the erection of up to 83 Affordable Homes with associated access, parking, and landscaping - all matters reserved except for means of access

Location : Land At Cambridge Road Stretham Cambridgeshire

Applicant : Long Term Land Limited

Agent : Future Planning And Development

Public Access link: <http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S57EU9GG>

8. Planning Performance Report – April 2024

Page 183

Notes

1. Members of the public are welcome to attend this meeting. Please report to the main reception desk on arrival at The Grange. Visitor car parking on-site is limited to 1hr but there are several [free public car parks close by](https://www.eastcambs.gov.uk/parking/car-parks-ely) (<https://www.eastcambs.gov.uk/parking/car-parks-ely>). The maximum capacity for meetings in the Council Chamber has been set by the Fire Officer at 100 persons. Allowing for Member/Officer attendance and room layout constraints this will normally give a capacity for public attendance of 30 seated people and 20 standing. Public access to the Council Chamber will be from 30 minutes before the start of the meeting and, apart from for registered public speakers, is on a "first come, first served" basis.

Please note that due to the change in location, this meeting will not be live streamed.

2. The Council has a scheme to allow [public speaking at Planning Committee](https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee) (<https://www.eastcambs.gov.uk/committees/public-speaking-planning-committee>). If you wish to speak on an application being considered at the Planning Committee, please contact Democratic Services democratic.services@eastcambs.gov.uk, to **register by 10am on Tuesday 4th June**. Alternatively, you may wish to send a statement to be read at the Planning Committee meeting if you are not able to attend in person. Please note that public speaking, including a statement being read on your behalf, is limited to 5 minutes in total for each of the following groups:
 - Objectors
 - Applicant/agent or supporters
 - Local Parish/Town Council
 - National/Statutory Bodies
 3. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.
 4. Fire instructions for meetings:
 - if the fire alarm sounds, please make your way out of the building by the nearest available exit, which is usually the back staircase or the fire escape in the Chamber and do not attempt to use the lifts
 - the fire assembly point is in the front staff car park by the exit barrier
 - the building has an auto-call system to the fire services so there is no need for anyone to call the fire services
 - the Committee Officer will sweep the area to ensure that everyone is out
 5. Reports are attached for each agenda item unless marked "oral".
 6. If required, all items on the agenda can be provided in different formats (such as large type, Braille or audio tape, or translated into other languages), on request, by calling main reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
 7. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

"That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended)."
-



East Cambridgeshire District Council

Minutes of a Meeting of the Planning Committee Held at The Lighthouse Auditorium, 13 Lynn Road, Ely, CB7 4EG at 2:00pm on Wednesday 1 May 2024

Present:

Cllr Chika Akinwale
Cllr Keith Horgan
Cllr Lavinia Edwards
Cllr Martin Goodearl
Cllr Katherin Holtzmann
Cllr Bill Hunt
Cllr John Trapp
Cllr Christine Whelan
Cllr Gareth Wilson
Cllr Julia Huffer
Cllr James Lay

Officers:

Rachael Forbes – Planning Officer
David Morren – Interim Planning Manager
Dan Smith – Planning Team Leader
Angela Tyrrell – Senior Legal Assistant
Jane Webb – Senior Democratic Services Officer

In attendance:

Melanie Wright – Communications Officer

83. Apologies and substitutions

Apologies for absence were received from Cllr Ambrose Smith, Cllr Christine Whelan, and Cllr David Brown.

Cllrs Huffer and Horgan were in attendance as substitutes.

84. Declarations of interest

No declarations of interest were made.

85. Previous Minutes

The Committee received the Minutes of the meetings held on 6 March 2024 and 3 April.

It was resolved unanimously:

- That the Minutes of the Planning Meeting held on 6 March 2024 be confirmed as a correct record and be signed by the Chair.
- Following the removal of Cllr Akinwale from the 'present attendee list,' that both the Public Minutes and Exempt Minutes of the Planning Meeting held on 6 March 2024 be confirmed as a correct record and be signed by the Chair.

86. Chair's announcements

The Chair made the following announcement:

- A consultation was currently being conducted on further changes to the Planning System. East Cambridgeshire District Council had made a representation, and an update would be received in the next few months.
-

87. 23/01377/FUL - 53 Commercial End Swaffham Bulbeck

Rachael Forbes, Planning Officer, presented a report (Y162, previously circulated) recommending approval for a single storey garage in rear garden (part retrospective).

Members were shown slides of the location, plans, and photos. The Planning Officer highlighted the update sheet that had been circulated during the week, which contained a statement received from Swaffham Bulbeck Parish Council.

The main considerations of the application were deemed to be:

- **Visual Amenity and Impact on the Heritage Asset** – The proposed garage would be situated approximately 1m from the southern boundary of the site and be approximately 4.3m (14.10ft) in height, 4m (13.1ft) in width and 8m (26.2ft) in depth. It is proposed that the garage would be finished in black feather edge timber boarding and reclaimed clay pantiles to match the roof of the main dwelling. In respect of outbuildings, the Design Guide SPD states that garages should ideally be positioned to the side or rear of a dwelling and therefore the proposed garage complies with that guidance. When viewed from Commercial End, it is considered that the proposed garage would not be a prominent feature in the street scene and when approaching along Mill Lane from the West, the garage is not visible until close to it. When looking at the plans provided, the footprint of the garage is considered to be proportionate to the scale of the plot and to the scale of the main dwelling and is subservient in height to the main dwelling. It is considered that the height of the garage contributes to the quality of the design as the roof pitch gives the garage a traditional appearance. If the height were lower, it would slacken the pitch

resulting in a less attractive design. The Conservation Officer has commented that although the garage is visible in oblique views from the main street, it is of an appropriate scale for an outbuilding, and the finishing materials proposed will be compatible with its surroundings. He has concluded that overall, the scheme is not considered to have an adverse impact on the character of the wider conservation area. The Parish Council have stated that they have significant concerns over this application, mainly that the construction does not appear to be consistent with the application. While it was not initially clear whether this referred to the use or the building itself, the Parish Council have submitted comments following the publishing of the agenda which query the use, and that the height of the building is higher than it should be and can be seen above the roof line. However, officers have visited the site and taken measurements and are content that the plans are consistent with the building at the site. It is considered that the proposal would have a neutral impact and would not result in harm to the character of the Conservation Area, and this has also been concluded by the Council's Conservation Officer. It is considered that it would be reasonable and necessary to condition the use of the material proposed to ensure a high-quality finish. The proposal is therefore considered to comply with Policies ENV 1, ENV 2 and ENV 11 of the East Cambridgeshire Local Plan, 2015 (as amended) and Policy SWB 4 of the Swaffham Bulbeck Neighbourhood Plan.

- **Residential Amenity** - The proposed garage is set away from the boundary with the immediately adjacent property, Chesterton House. It is considered that given this, the proposal would not result in an overshadowing or overbearing impact to the neighbouring dwelling. The garage doors are on the elevation facing towards Chesterton House; however, the proposed windows are all on the elevation of the garage which faces into the garden of the application site. It is therefore considered that the proposal would not result in any significant adverse overlooking impacts. There has been concern raised that this will be a workshop for a commercial purpose which would create excessive noise. This is not what has been proposed. If the garage were to be used for a commercial purpose, this would require a change of use which would require planning permission in its own right. The use of the garage for domestic purposes is not considered likely to result in any unacceptable level of noise. Therefore, it is considered that the proposal would not result in excessive noise detrimental to the amenity of neighbouring occupiers.
- **Part Retrospective** - There has been concern raised as to why the proposal is part retrospective. It is understood that there was a miscommunication/misunderstanding, and the applicant thought the proposal was permitted development. Notwithstanding the reason that the application is part retrospective, this does not form a material consideration in the planning application. The application is assessed in the same way as any other and if it is unacceptable, it would have been recommended for refusal.

- **Use** - The building has been referred to as a garage in the proposal description but in other documents has been referred to as a studio/workshop. Both are uses incidental to the dwelling. If the outbuilding was built and used as a garage, no change of use would be required to use it as a studio/workshop as they are all incidental uses to the main dwelling. Concern has been raised as to why in a garage there would be two large windows, insulation in the floor and the floor height of the entrance be above ground level – given their variety of potential domestic uses, garages routinely incorporate windows. In respect of the floor height, there is a brick plinth under the space where the doors will be so it may be that the land will be built up to this height if a car is to be stored in the garage.
- **Continued** - The proposal is considered to meet the aims and objectives of the Climate Change SPD and Policy SWB 12 of the Swaffham Bulbeck Neighbourhood Plan. The Trees Officer has no objections to the application. The Local Highway Authority have raised no objections to the proposal as none of the proposals include any changes that will materially impact the public highway.
- **Planning Balance** – The proposal seeks planning permission for a garage in the rear garden of 53 Commercial End. While there has been some local objection to the application, there has also been local support. It is considered that the proposed garage would not result in harm to the character and appearance of the Conservation Area, and this is also the view of the Council's Conservation Officer. The garage would not cause any harm in respect of highway safety or residential amenity. It is considered that the proposal complies with all other material planning considerations and is therefore recommended for approval.
- **Summary and Recommendation** – It is considered that the proposed garage would not result in harm to the character and appearance of the Conservation Area. The garage would not cause any harm in respect of highway safety or residential amenity. It is considered that the proposal complies with all other planning considerations and is therefore recommended for approval.

The Chair drew Members attention to the Planning Update Sheet circulated earlier that contained a statement received from Swaffham Bulbeck Parish Council.

In response to a question from Members, the Planning Officer explained that:

- 51 and 53 Commercial End were already one site prior to submission of the application. The applicant had chosen to use number 53 as the address.
- The agreed materials used would be timber boarding and clay pantiles.
- The recommended condition stated that the dwelling remained incidental, but a condition could be added to ensure that the garage could not be let separate to the dwelling.
- Either kitchen or bathroom facilities would be allowed but not both.

Cllr Huffer proposed the Officer's recommendation for approval, including a condition stating that the garage cannot be sold or let separately to the main dwelling. Cllr Akinwale seconded Cllr Huffer's proposal.

It was resolved (with 9 votes in favour, 0 votes against and 1 abstention):

- i) That the planning application ref 23/01377/FUL be APPROVED subject to the conditions as detailed in Appendix 1 of the Officer's report with delegated authority granted to the Planning Manager to include an additional condition stating that the garage cannot be sold or let separately to the main dwelling.

88. Planning performance report – March 2024

David Morren, Interim Planning Manager, presented reports (Y163 previously circulated) summarising the performance of the Planning Department in March 2024.

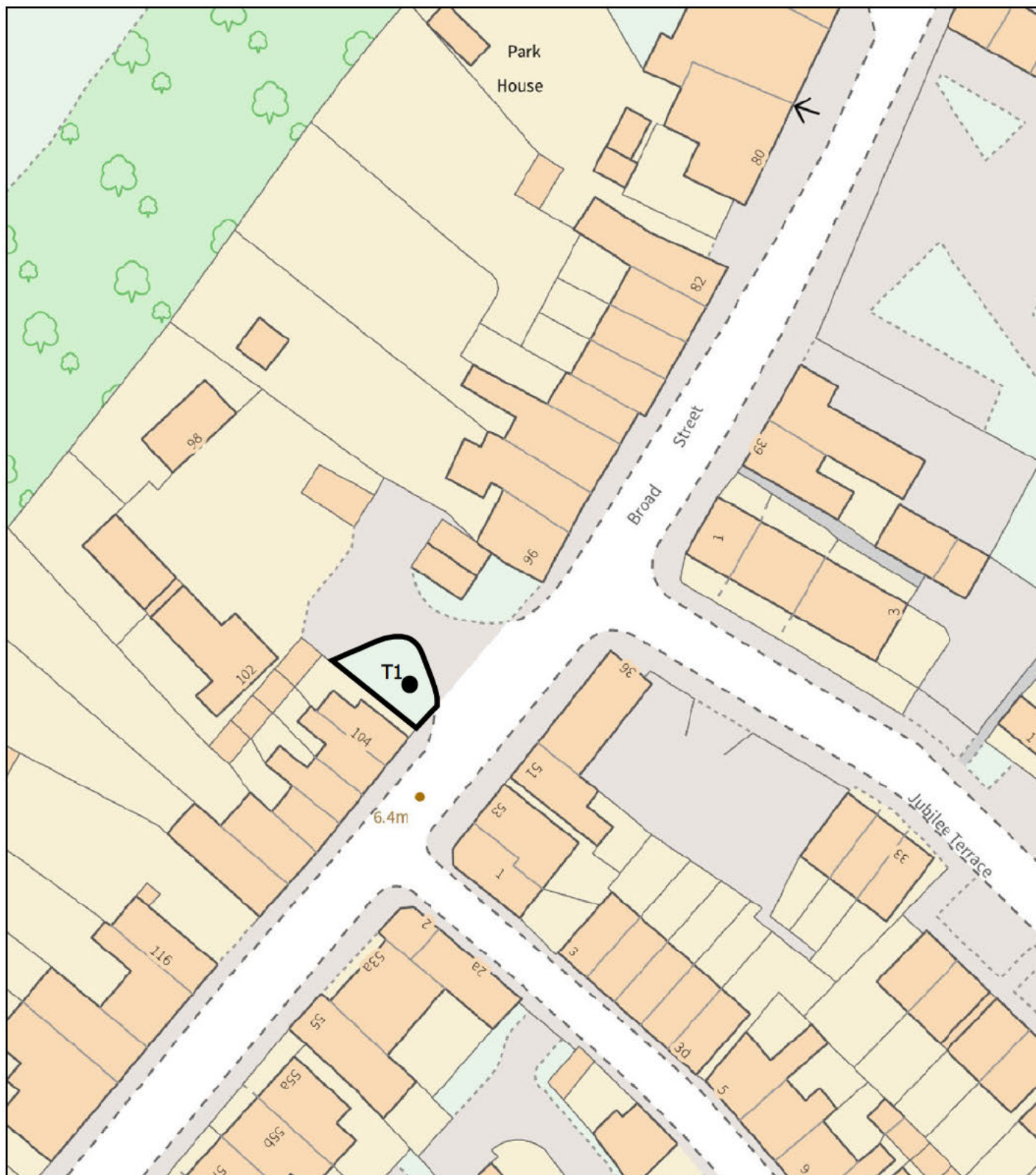
It was resolved unanimously:

That the Planning Performance Reports for March 2024 be noted.

The meeting concluded at 2:30pm

Chair.....

Date.....



TPO E/12/23

Land Adjacent To
104 Broad Street
CB7 4BE



East Cambridgeshire
District Council

Date: 17/05/2024
Scale: 1:600



© Crown copyright.
All rights reserved 100023279 (2023)

MAIN CASE

Proposal: Confirmation of Tree Preservation Order E/12/23

Location: Land Adjacent To 104 Broad Street, Ely, Cambridgeshire. CB7 4BE

Applicant: N/A

Agent: Mr Greg Coss of Claims Consortium Group

Reference No: TPO/E/12/23

Case Officer: Kevin Drane, Trees Officer

Parish: Ely

Ward: Ely East
Ward Councillors: Councillor Kathrin Holtzmann
Councillor Mary Wade

Report No. Z8

1.0 THE ISSUE

- 1.1 To confirm a Tree Preservation Order (TPO) for one Himalayan Birch tree to the side of 104 Broad Street Ely Cambridgeshire CB7 4BE. This matter is being referred to Committee due to objections received within the 28 days consultation period, which ended on 5 February 2024, and for the requirement to confirm the TPO within six months to ensure the tree is protected for public amenity.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that:

The TPO is confirmed, for the following reasons: The tree is a prominent feature, visible from the public realm, in good health, it offers a significant visual contribution to the amenity of the local landscape in this part of Ely where there are a limited amount of trees visible to those using Broad Street.

3.0 COSTS

If a TPO is made and confirmed and a subsequent application for works to the tree are refused then the tree owner would have an opportunity to claim compensation if, as a result of the Council's decision, the tree owner suffers

any significant loss or damage as a result of the tree within 12 months of that decision being made costing more than £500 to repair.

4.0 **BACKGROUND**

4.1 The Order was made following receipt of a section 211 notification for the trees removal and the subsequent tree officers visit to site.

4.2 The TPO was served under Section 201 of the Town & Country Planning Act 1990, on 13th September 2022 because:

The tree was assessed to is considered to be of significant public amenity in this part of Ely, contributing to the biodiversity and green infrastructure of the local area and worthy of retention.

4.3 An objection to the serving of the TPO was received in writing from the owner of the neighbouring property during the statutory consultation period. The letter of objection is in Appendix 1. The details of the objection were:

1. The tree in question is causing structural damage to the property of which notification was provided in November from the insurance company, following months of investigations. This can be found detailed in planning application 23/01293/TRE. As of the 5th December, there had been no objections or concerns to the tree's removal.
2. If the TPO remains in place and the tree works needed to stabilise 104 Broad Street and to prevent future instability are refused then the property remains at constant risk of structural instability, greatly impacting on the house price, should I wish to sell. I have been advised by my insurance company that East Cambridgeshire District Council will be liable for any future damage to my property should the tree cause further structural damage.
3. Property owner refutes the claim that the Himalayan Birch tree is a 'significant public amenity'. In the Government document 'Tree Preservation Orders: A Guide to the Law and Good Practice' it says the following:
 - a. (2) individual impact: the mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The LPA should also assess the tree's particular importance by reference to its size and form, its future potential as an amenity, taking into account any special factors such as its rarity, value as a screen or contribution to the character or appearance of a conservation area.
 - b. (3) wider impact: the significance of the trees in their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.
4. If the tree was removed, a lovely view of a magnolia tree and the trees of Cherry Hill would still be visible. As a Himalayan Birch Tree, it is a non-native tree, not rare, and has no wildlife living within it. I would have no objection to it being replaced with a native species that is smaller, and not going to impact on the structural integrity of my house.

5. It is clear from looking at it that it is in an unsuitable location. It is far too large a tree to have been planted so close to a building. In addition to the damage that this tree is doing to my property, it has also raised the path at the side of the green space, making it unsafe to walk on.
 6. It took a while for the County Council to accept responsibility for the tree. When it did, it then carried out the works required to trim the branches that were overhanging my property. At that point in time when they assumed responsibility for that tree, they did not seem to think it of significant public amenity to put a TPO on it. They just had the work done. I do not understand what has happened in the subsequent years to make it justifiable as a 'significant public amenity'.
- 4.4 Written support for the long-term protection of the tree was received from the Parish Council and a neighbouring property as per Appendix 2 and two supporting phone calls from neighbouring properties but these were not followed up in writing so are given limited weight. Three Objections to the trees removal were received and one email supporting removal from properties in the vicinity of the tree as part of the section 211 notification consultation as per Appendix 3.
- 4.5 As part of the section 211 process the agent making the notification was contacted request additional information as per appendix 4. Only one reply was received which provided a limited amount of additional information but did not answer the trees officer's questions. Since serving the TPO no additional information has been received from the agent or the property owner to further support the need for the trees removal.
- 4.6 Given the comments received, including the single objection to the serving of the TPO, it was considered appropriate for the Planning Committee Members to consider all the matter and reach a democratic decision on the future protection of the TPO Oak tree.
- 5.0 **CONCLUSIONS**
- 5.1 As part of the process for making the new TPO the tree was assessed relating to its current condition and no issues were noted relating to the foreseeable failure of the tree and there was no visible indication that the trees are in significantly poor health as per the TEMPO assessment in appendix 6.
1. As per the email in appendix 4 sent to the agent on 29 November 2023 there are significant concerns relating to the evidence provided especially in relation to the level monitoring information and appearance and form of cracking.
 2. Should additional evidence be provided to answer the tree officers concerns that confirms that the tree is responsible for the properties movement then the tree could be removed. The liability of ECDC for additional costs would be dependent upon the an assessment of the information provided to support the trees removal which is currently inconclusive.

3. The gov.uk website states that 'Amenity' is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order. The trees amenity value was assessed using the TEMPO assessment method which is a recognised assessment methodology used by most planning authorities in the England where it scored 19 out of a possible 25 placing it in the highest category for TPO suitability.
 4. The possibility that the removal of this tree could provide greater visibility of a privately owned meadow located behind properties and its trees is of no consequence to the decision to remove an existing significantly sized tree that is currently visible to passing pedestrians and passing motorists when the argued view could only be seen by pedestrians who stop to make a conscious effort to look. Himalayan Birch is a non-native tree, but it is also one of the tree deemed suitable for planting as a replacement tree in subsidence cases as it is in the low water demand category generally resulting in less impact on shrinkable soils. The presence of animals in a tree is not the sole assessment for a tree biodiversity value there are other organisms that are just as significant such as mosses, algae, lichens and even bacteria, there are some of these inhabiting this tree as well as the peeling bark being used as a nesting material.
 5. The link between the tree and the property are yet to be sufficiently linked and it would be a simple matter to lift and relay the paved path or replace it with a flexible surfacing it is not acceptable to remove a tree due to a lifted paving slab or two, this approach would result in the loss of thousands of trees nationally. The level monitoring info and tree officer explanation is attached as appendix 5.
 6. The County Councils notification to prune the tree to clear the building was a reasonable proposal and inline with good tree maintenance and very different to the removal of the tree. if the County Council had notified of its intention to remove the tree due to its proximity to the building of lifted paving a discussion with their agent would have occurred and if no alternative was acceptable a TPO would have been served.
- 5.2 Whilst determining if the tree was of sufficient amenity value or not is to some extent subjective, this tree is visible from the public highway and associated footpath. The Trees Officer remains of the opinion that the tree make a significant visual contribution to the local landscape, the amenity and character of the area.
- 5.3 Amenity is a subjective term open to individual interpretation. A public amenity can be described as a feature which benefits and enhances an area contributing to the areas overall character for the public at large. In this case the tree is mature and visible from the public highway as well as neighbouring gardens and is considered to benefit the area in relation to their contribution to the landscape and therefore considered a significant public amenity.

- 5.4 If the Planning Committee decide not to confirm the TPO, the TPO will lapse, and the owner can then remove the tree without any permission required from the Council.

Appendix 1 - Letter of objection to the TPO from the neighbouring property owner.

Appendix 2 - Emails of support from Ely City Council and neighbours

Appendix 3 – Section 211 tree removal objections and support

Appendix 4 – Emails too and from agent from section 211 notification

Appendix 5 – Level monitoring info and tree officer comments

Appendix 6 – Documents:

- ECDC TPO Assessment Sheet & user guide
- Copy of the TPO/E/12/23 document and plan

<u>Background Documents</u>	<u>Location(s)</u>	<u>Contact Officer(s)</u>
Town & Country Planning Act 1990	Kevin Drane,	Kevin Drane
Town & Country Planning (Tree Preservation) (England) Regulations 2012	Trees Officer	Trees Officer
National Planning Policy Guidance from 6 th March 2014	Room No. 002	01353 665555
http://planningguidance.planningportal.gov.uk/blog/guidance/tree-preservation-orders/how-are-offences-against-a-tree-preservation-order-enforced-including-tree-replacement/	The Grange	kevin.drane@eastcambs.gov.uk
	Ely	
East Cambridgeshire District Local Plan 2015		
Natural Environment – Supplementary Planning Document (SPD) Adopted 24 September 2020.		

Appendix 1



Ref: Ely/TPO/E/12/23

2nd February 2024

Dear East Cambridgeshire District Council,

I am writing to object to the Tree Preservation Order No. TPO/E/12/23 at Land Adjacent 104 Broad Street Ely Cambridgeshire CB7 4BE.

My reasons for objection are as follows:

1. The tree in question is **causing structural damage to my property** which you were notified about in November from my insurance company, following months of investigations. This can be found detailed in planning application 23/01293/TRE. In the letter from Kevin Drane about the planning application dated 28th November 2023, East Cambridgeshire District Council had 6 weeks to determine this matter. As of the 5th December, there had been no objections or concerns to the tree's removal. It was then on the 20th December (less than 6 weeks after the planning application had been received) that I was informed that a TPO had been issued.
2. If the TPO remains in place and the tree works needed to stabilise my house now and to prevent future instability are refused then my property remains at constant risk of structural stability, greatly impacting on the house price, should I wish to sell. I have been advised by my insurance company that East Cambridgeshire District Council will be liable for any future damage to my property should the tree cause further structural damage.
3. I **refute** the claim that the Himalayan birch tree is a '**significant public amenity**'. In the Government document 'Tree Preservation Orders: A Guide to the Law and Good Practice' it says the following:
 - a. (2) **individual impact**: the mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The LPA should also assess the tree's particular importance by reference to its size and form, its future potential as an amenity, taking into account any special factors such as its rarity, value as a screen or contribution to the character or appearance of a conservation area.
 - b. (3) **wider impact**: the significance of the trees in their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.

In response to the section about **individual impact**, if the tree was removed, a lovely view of a magnolia tree and the trees of Cherry Hill would still be visible. As a Himalayan Birch Tree, it is a **non-native tree, not rare**, and has **no wildlife** living within it. I would have no objection to it being replaced with a native species that is smaller, and not going to impact on the structural integrity of my house.

In response to the section about **wider impact**, it is clear from looking at it that it is in an **unsuitable location**. It is far too large a tree to have been planted so close to a building. In addition to the damage that this tree is doing to my property, it has also raised the path at the side of the green space, making it unsafe to walk on. I alerted Kevin Drane of this back in August 2020.

It is also interesting to note that when I contacted Kevin Drane about this tree back in August 2020 because it was impacting the footpath and its branches were overhanging my roof, that it took a while for the County Council to accept responsibility for the tree. When it did, it then carried out the works required to trim the branches that were overhanging my property. At that point in time when they assumed responsibility for that tree, they did not seem to think it of significant public amenity to put a TPO on it. They just had the work done. I do not understand what has happened in the subsequent years to make it justifiable as a 'significant public amenity'.|

In short, please acknowledge this as my objection to Tree Preservation Order No. TPO/E/12/23.

Yours sincerely,

A solid black rectangular box used to redact the signature of the person writing the letter.

|18th Dec 2023

Ref: Trees/Con Area/E 23/01293/TRE

COMMENT

on

Tree Works Notice at Land Adjacent to 104 Broad Street, Ely

The Himalayan Birch next to 104 Broad Street is a fine mature specimen tree - possibly the only one of its kind in Ely's public spaces. It would be a mistake to fell this tree which graces the entrance to the cul-de-sac between 96 and 104 Broad Street, along with its partner birch on the other corner. They both have high visibility and great amenity value. Certainly both birches have grown very tall and some tree management may well be appropriate. Both trees could be reduced by perhaps up to a third or a half by a properly qualified tree surgeon.

Being in a conservation area these trees must be subject to TPOs, so consent to end their lives by felling should **not** be granted without incontrovertible evidence that they are the cause of whatever the insurance companies are considering. As the trees have been there in mature form since long before any insurance claim, it is hardly credible that they are to blame. We know that birch tree roots can be extensive but they are also shallow and rarely affect foundations. We know too that most of the recent spate of structural damage claims to property are the result of that prolonged summer drought we had, which caused an unusual degree of ground shrinkage. Insurance companies like to hedge their bets by calling for tree removal whether or not it is necessary. The necessity of this case should subject to persistent questioning and unequivocal evidence that it is the tree that is causing or exacerbating the problem. It is more probable that the tree actually helps to stabilise the ground since trees play an important part in modulating ground-water.

These two mature birches form a landmark for this small close and greatly enhance the outlook for the group of houses here. And they are the **ONLY** two trees along the whole length of Broad Street - unless you count a Cabbage Palm near the other end. Broad Street suffers from seriously heavy traffic running close beside residential housing. These trees not only help to screen several houses from the main road but also have enormous value in combating very high levels of traffic pollution by particulates and abating the constant traffic noise. This is in addition to all the other established benefits of urban trees in improving air quality, modulating air temperature and water run-off, carbon capture, pollinator ecology, human wellbeing, mental health and so on.

There is an economic case too. Government research on urban trees reported in the national press, finds:

A large individual tree, with a canopy diameter of 30 metres, provides hundreds of pounds of benefits a year, the report found. It also estimated separately the average replacement cost of a tree at £2,500, although the largest trees can be valued at more than £100,000. In total, the report valued **non**-woodland trees at £429bn. The researchers said their work could be used by local authorities to justify the costs of protecting and planting trees at a time when budgets are hard-pressed. [\[https://www.theguardian.com/environment/2022/dec/02/a-uk-tree-provides-hundreds-of-pounds-of-benefits-a-year-report-finds?\]](https://www.theguardian.com/environment/2022/dec/02/a-uk-tree-provides-hundreds-of-pounds-of-benefits-a-year-report-finds?)

The protection of this tree (and its partner) would be far better than re-planting. Even if there was a condition to plant replacement trees, it would be decades before saplings could grow to have all the amenity and environmental benefits that the existing trees provide. Surgery for these two birches may be in order, but felling should not be. The decision should not be made on the narrow basis of an insurance company assessment, but in the broader interests of the urban landscape.

Appendix 3

From: [REDACTED]
To: [P. Services](#)
Subject: [EXTERNAL] FAO: Kevin Drane, Tree Officer re: Trees/Con Area/E 23/01293/TRE
Date: 18 December 2023 11:36:46
Attachments: [BirchTreeFellingComment.pdf](#)

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is R. Dixon <radial@dixit.org.uk>

Thank you for your letter of 28th November, Ref. Trees/Con Area/E 23/01293/TRE asking for comment on T1 Himalayan Birch.

I understand that this claim relates to 104 Broad Street, but am aware that 94/96 Broad Street is also in the process of having a structural claim assessed that is due to call for the removal of the other birch tree at the entrance to this cul-de sac. These two trees form a pair that should be considered together, not separately, so my comment refers to and applies to both trees.

Please find my response attached, with a photo of the Himalayan Birch taken last month.



Ely, Cambs.



From: [PLServices](#)
To: [PLServices](#)
Subject: FW: [EXTERNAL] Tree Conservation Area works Notice
Date: 14 December 2023 14:23:32

From: [REDACTED]
Sent: Thursday, December 14, 2023 12:50 PM
To: PLServices <plservices@eastcambs.gov.uk>
Subject: [EXTERNAL] Tree Conservation Area works Notice

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is elizabethrebeccatrainer
<elizabethrebeccatrainer@btinternet.com>

Dear Kevin Drane,

I am writing to express my concern and strong opposition regarding the proposed felling of an unspecified number of trees -1 or 2?
- situated on Broad Street. As a resident of this neighbourhood, I deeply value the presence of these trees and wish to voice my objection to their removal.

These trees have been a vital part of our street for countless years, providing not only aesthetic value but also environmental benefits. They offer shade, improve air quality, and contribute to the overall well-being of our community. Their removal without a valid reason would significantly impact the character and ambiance of our neighbourhood.

I kindly request that the council reconsiders this decision and explores alternative solutions that would allow these trees to remain. If there are any concerns or issues regarding these trees that necessitate their removal, I would greatly appreciate being informed and included in discussions about potential solutions or alternatives.

I believe that as a community, we should prioritise the preservation of our natural environment and work together to find solutions that accommodate both the needs of the community and the preservation of our green spaces.

Thank you for your attention to this matter. I hope for a favourable reconsideration of the decision to fell these trees.

Sincerely,

[REDACTED]

From: [REDACTED]
Sent: Wednesday, December 6, 2023 11:01 AM
To: PLServices <plservices@eastcambs.gov.uk>
Subject: [EXTERNAL] Tree Works Notice

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Paul Griffiths <paul.davenpg@ntlworld.com>

Kevin Drane,
Trees officer,
East Cambridgeshire District Council.

Dear Kevin,

Re: Ely Conservation Area Tree Works Notice at land adjacent to 104 Broad Street, Ely, CB7 4BE

Thank you for your letter of 28th November 2023 regarding the above Notice.

I believe that there is a good case to severely lop the Himalayan Birch in question. Large heavy branches are now growing out over the roof of 104 Broad Street and also over into Broad Street. In high winds, I have noticed that there is always a threat of heavy falling branches onto passing traffic in Broad Street. The same threat applies to the roof of 104 Broad Street.

However, I don't feel that it is necessary to completely fell the tree to ground level. The tree is in good health and could simply be approximately halved in height with removal of all of the overhanging large branches. A much smaller mostly vertical looking tree would make for a more attractive option in an area of Broad Street devoid of green spaces.

Yours sincerely,

[REDACTED]

Supporting removal

From: [REDACTED]
To: [PL Services](#)
Subject: [EXTERNAL] E 23/01293/TRE
Date: 19 December 2023 16:25:16

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Stephen Watts <xus08@dial.pipex.com>

Dear Mr Drane,

I support the application.

Whilst I am a lover of trees, a silver birch is a totally unsuitable planting close to a building. This has unfortunately been demonstrated by the subsidence that it has caused. Obviously a more suitable species will be selected for replanting, presumably this will also be planted further from the building.

Yours Sincerely,

[REDACTED]

Appendix 4

Section 211 communication sent by Tree officer 28 November 2023

ECDC tree work notification ref: 104 Broad Street Ely KH22294795



Kevin Drane

To ○

[Redacted]


↩ Reply

↩ Reply All

→ Forward

...

Tue 28/11/2023 11:22

 This message was sent with High importance.

Dear Greg

As part of the information provided in support of the proposed works you have included level monitoring information but there is no plan showing the location of the 7 points monitored, please can you provide this as soon as possible as without it the information is of no value. the monitoring point plan can be sent directing to my via email and it will then be added to the notification information. Please can you also confirm if the tree owner Cambridgeshire County Council Highways have been made aware of your intention to remove their tree.

Regards

Kevin Drane
Trees Officer (Planning)
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambridgeshire
CB7 4EE
Telephone: 01353 616332
Email: kevin.drane@eastcambs.gov.uk
[Pay, report, apply online 24 hours a day](#)

Reply received from agent 29 November 2023

[EXTERNAL] RE: ECDC tree work notification ref: 104 Broad Street Ely KH22294795



To: Kevin Drane

Reply Reply All Forward ...

Wed 29/11/2023 12:43

You replied to this message on 29/11/2023 14:30.



Level Report 7 Point (point 7 as datum) 13112023.pdf
640 KB



Monitoring_Report_04.10.2023.pdf
1016 KB

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Gregory Coss <gcoss@claimsconsortiumgroup.co.uk>

Dear Kevin,

Apologies for that oversight.

I have included the previous broader monitoring report which has the site plan attached which is correct for the Point 7 as Datum readings.

We would normally only engage with the Owner of the Tree once the local authority has made their decision, if there is a TPO Or Conservation Area involved.

Many Thanks

[Redacted signature]

Senior Mitigation Manager & Complaints Coordinator



Team email

CLAIMSCONSORTIUMGROUP.CO.UK

Claims Consortium Group, Blackdown House, Culmhead Business Centre, Culmhead, Taunton, Somerset TA3 7DY.

MISSION: To deliver an unrivalled customer experience by combining exceptional services with innovative technologies.



Please consider the environmental impact of needlessly printing this email.

Tree officer reply sent 29 November 2023

RE: ECDC tree work notification ref: 104 Broad Street Ely KH22294795



Kevin Drane

To: [redacted]

[Reply](#) [Reply All](#) [Forward](#) [...](#)

Wed 29/11/2023 14:30

Hi Greg

Thanks for sending the information so quickly.

In regards to the level monitoring information most of the readings show an increase in levels apart from points 5 and 6 where point 5 dips below the datum point in July which could be tree related and a larger dip in October which is unlikely to be tree related and point 6 only dips below the datum once in November which is highly unlikely to be tree related. The cracking on the buildings front which relates to points 5 and 6 doesn't match the typical tree related diagonal cracking. The report mentions that the lack of soil level movement up or down between April and July indicates tree related seasonal influence as this is the time of year when rainfall is limited and tree growth is at its most active a tree's influence would cause the soil to shrink, whereas the main time when soil shrinkage is shown on the level monitoring information is in October to November when trees are entering their dormant period which should indicate that there is another cause for the properties movement other than the low water demanding Silver Birch tree.

The report also states that the drains had not been assessed at the time the report was made has this now been undertaken especially in light of the level monitoring results.

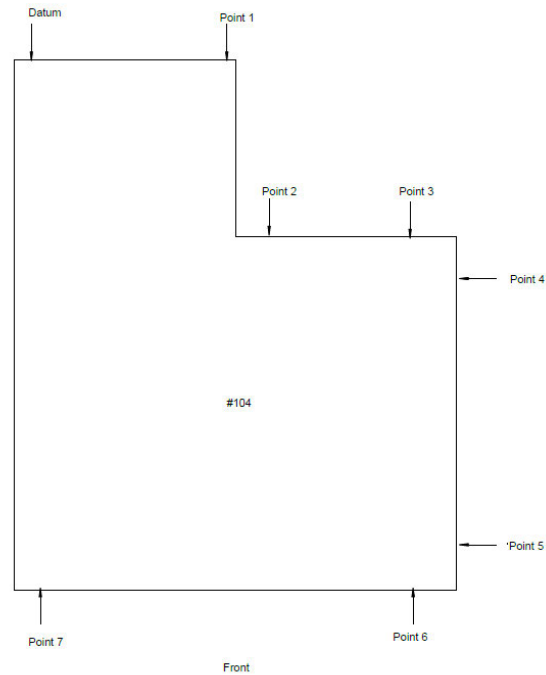
In light of the concerns above please can you seek additional confirmation as to the actual likelihood that this tree is the reason for the properties movement as this is a tree of very high public amenity value and its loss would be detrimental to the locality. The evidence provided does not currently appear to support the removal of this tree.

Regards

Kevin Drane
Trees Officer (Planning)
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambridgeshire
CB7 4EE
Telephone: 01353 616332
Email: kevin.drane@eastcambs.gov.uk
[Pay, report, apply online 24 hours a day](#)

From: [redacted]
Sent: Wednesday, November 29, 2023 12:43 PM
To: Kevin Drane <Kevin.Drane@eastcambs.gov.uk>
Subject: [EXTERNAL] RE: ECDC tree work notification ref: 104 Broad Street Ely KH22294795

Appendix 5



Lyndales Farm, Southend Road, Woodham Mortimer, Maldon, Essex, CM9 6TQ

Tel: 0844 3358907

Fax: 0844 3358906

Email: enquiries@fastrackgroup.co.uk

Web: www.fastrackgroup.co.uk

Appendix No: 5 (1/2)

FSI Ref: 25821

LEVEL MONITORING

Property Address: 104 Broad Street, Ely, Cambridgeshire, CB7 4BE

Client Claim Ref: KH22294795

Install date:

17-Jan-23

Survey No:	1	2	3		4		5		6		7		8		9		10		11		12		
Date	17-Jan-23	02-Mar-23	14-Apr-23		30-May-23		07-Jul-23		22-Aug-23		04-Oct-23												
Point ID:	Levels (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)	Levels (mm)	Change (mm)
Datum	1000.0	1000.0	0.0	1000.0	0.0	1000.0	0.0	1000.0	0.0	1000.0	0.0	1000.0	0.0										
Point 1	951.8	952.1	0.3	952.7	0.9	953.0	1.2	953.0	1.2	953.0	1.2	952.1	0.3										
Point 2	895.4	895.3	-0.1	897.0	1.6	897.0	1.6	897.0	1.6	896.5	1.1	896.0	0.6										
Point 3	887.0	887.0	0.0	888.3	1.3	888.3	1.3	888.2	1.2	887.3	0.3	886.5	-0.5										
Point 4	936.0	936.0	0.0	938.8	2.8	938.0	2.0	938.0	2.0	936.3	0.3	936.0	0.0										
Point 5	857.0	855.0	-2.0	856.0	-1.0	856.0	-1.0	856.0	-1.0	855.2	-1.8	854.0	-3.0										
Point 6	705.5	704.3	-1.2	706.5	1.0	706.5	1.0	706.0	0.5	704.2	-1.3	704.9	-0.6										
Point 7	865.0	862.0	-3.0	864.0	-1.0	864.0	-1.0	864.3	-0.7	863.2	-1.8	862.5	-2.5										

Agenda Item 5 – page 1

LEVEL MONITORING

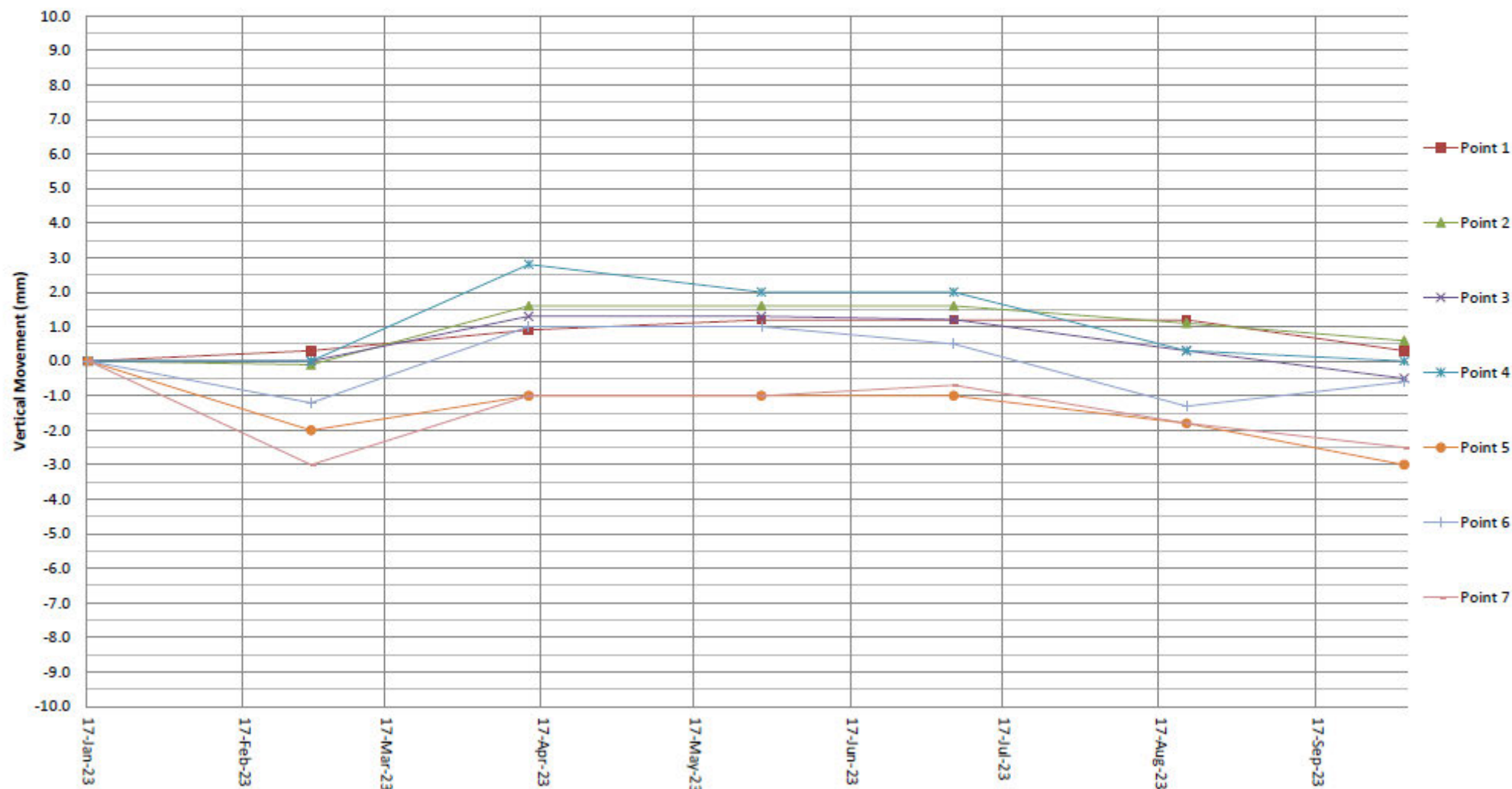
Property Address: 104 Broad Street, Ely, Cambridgeshire, CB7 4BE

Client Claim Ref: KH22294795

Install date:

17-Jan-23

Level Monitoring



Tree officer explanation

Two test holes were dug on the northeastern side of the property (same side as the Birch tree) unsurprisingly they both contained roots from a Birch tree. NHBC guidelines and Dr P.G Biddle (foremost expert on trees and buildings) both state that Birch (Betula) are low water demanding trees. the presence of a tree and its roots does not mean the tree is at fault which is why level monitoring is undertaken to see if the soils downward movement coincides with the tree's growth period. Cracks on the structure are also assessed as when soil shrinks it creates a void that the building slumps into this generally results in the development of diagonal crack formation. A trees growing season begins in late March which continues until September to October, the trees demand for water will have a greater effect on the soil at times of limited rainfall (June to September). When a tree is affecting a property, it is going to be most evident in spring and summer and likely to be on the sides closest to the tree.

In the level monitoring information, most of the readings show a decrease in level between 17 February and 17 March apart from points 1, 2 and 4 which stay the same or increase, point 4 is one of the closest to the tree. There is then increase in levels between April and June. The levels begin to dip again from July to the last reading after September. The points with the largest movements are points 5 and 7, point five is closest to the tree on the corner of the property adjacent to Broad Street and point 7 is on the furthest corner adjacent to Broad Street where the property joins its neighbour. Points 1, 2 and 4 show an increase during the summer months above their starting level finishing the monitoring period at the same level or higher than they started it.

The cracking on the buildings front which relates to points 5 and 6 doesn't match the typical tree related diagonal cracking. The report mentions that the lack of soil level movement up or down between April and July indicates tree related seasonal influence, as this is the time of year when rainfall is limited and tree growth is at its most active a trees influence would cause the soil to shrink, whereas the main time when soil shrinkage is shown on the level monitoring information is in September to October when trees are entering their dormant period which should indicate that there is another cause for the properties movement other than the low water demanding Silver Birch tree.

The report also states that the drains had not been assessed at the time the report was made and no information has been provided as to if this has been undertaken especially in light of the level monitoring results.

Appendix 6

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Postal Address/Location		Land Adjacent To 104 Broad Street Ely Cambridgeshire CB7 4BE	
Date:	8/12/23	Surveyor:	Kevin Drane

DESCRIPTION OF TREE(S) – Please continue on separate sheet if needed		
Category	Description (incl. species)	Situation
T1	Himalayan Birch on Cambs County Council land in good health no sign of disease or decay, low water demanding species	Located approx. 3m from property on island of grass

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- 5) Good Highly suitable
- 3) Fair/satisfactory Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous* Unsuitable

Score & Notes 5 no defects identified in report or by trees officer

** Relates to existing context and is intended to apply to severe irremediable defects only*

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10* Unsuitable

Score & Notes 4 species the only restriction on maximum age range, tree is likely around 40-50 years old currently

**Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality*

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes 4 medium sized tree but highly visible

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of formal arboricultural features, or veteran trees
- 4) Tree groups, or principal members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
- 1) Trees with poor form or which are generally unsuitable for their location

Score & Notes 1 as previously been pruned to clear building which has reduced the quality of its form

Agenda Item 5 – page 2

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- 5) Immediate threat to tree inc. S.211 Notice
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes 5 section 211 received via subsidence claim but info missing and not received relating to the claim with time running out for determination.

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible just |
| 16+ | Definitely merits TPO |

**Add Scores for Total:
19**

Decision: suitable for TPO but need s consideration due to subsidence claim though new app and supporting info could still allow trees removal

TEMPO
Tree Evaluation Method for Preservation Orders A systematised assessment tool for TPO suitability
GUIDANCE NOTE FOR USERS

Part 1: Amenity Assessment

a) Condition

This is expressed by five terms, which are defined as follows:

GOOD Trees that are generally free of defects, showing good health and likely to reach normal longevity and size for species, or they may already have done so.

FAIR Trees which have defects that are likely to adversely affect their prospects; their health is satisfactory, though intervention is likely to be required. It is not expected that such trees will reach their full age and size potential or, if they have already done so, their condition is likely to decline shortly, or may already have done so. However, they can be retained for the time being without disproportionate expenditure of resources or foreseeable risk of collapse.

POOR Trees in obvious decline, or with significant structural defects requiring major intervention to allow their retention, though with the outcome of this uncertain. Health and/or structural integrity are significantly impaired and are likely to deteriorate. Life expectancy is curtailed and retention is difficult.

DEAD Tree with no indication of life

DYING Trees showing very little signs of life or remaining vitality, or with severe,

DANGEROUS irremediable structural defects, including advanced decay and insecure rothold.

For trees in good or fair condition that have poor form deduct one point.

A note on the pro forma emphasizes that 'dangerous' should only be selected in relation to the tree's existing context: a future danger arising, for example, as a result of development, would not apply. Thus, a tree can be in a state of collapse but not be dangerous due to the absence of targets at risk.

b) Retention span

It has long been established good practice that trees incapable of retention for more than ten years are not worthy of a TPO (hence the zero score for this category); this also ties in with the R category criteria set out in Table 1 of BS5837:2005

TEMPO considers 'retention span', which is a more practical assessment based on the tree's current age, health and context as found on inspection.

It is important to note that this assessment should be made based on the assumption that the tree or trees concerned will be maintained in accordance with good practice, and will not, for example, be subjected to construction damage or inappropriate pruning. This is because if the subject tree is 'successful' under TEMPO, it will shortly enjoy TPO protection (assuming that it doesn't already).

c) Relative public visibility

The first thing to note in this section is the prompt, which reminds the surveyor to consider the 'realistic potential for future visibility with changed land use'. This is designed to address the commonplace circumstance where trees that are currently difficult to see are located on sites for future development, with this likely to result in enhanced visibility. The common situation of backland development is one such example.

The categories each contain two considerations: size of tree and degree of visibility. TEMPO is supposed to function as a guide and not as a substitute for the surveyor's judgement. In general, it is important to note that, when choosing the appropriate category, the assessment in each case should be based on the minimum criterion.

Whilst the scores are obviously weighted towards greater visibility, we take the view that it is reasonable to give some credit to trees that are not visible (and/or whose visibility is not expected to change: it is accepted that, in exceptional circumstances, such trees may justify TPO protection.

Sub-total 1

The prompt under 'other factors' states, trees only qualify for consideration within that section providing that they have accrued at least seven points. Additionally, they must not have collected any zero scores.

The scores from the first three sections should be added together, before proceeding to section d, or to part 3 as appropriate (i.e., depending on the accrued score). Under the latter scenario, there are two possible outcomes:

Any 0 equating to do not apply TPO - 1-6 equating to TPO indefensible.

d) Other factors

Only one score should be applied per tree (or group):

- 'Principle components of arboricultural features, or veteran trees' – The latter is hopefully self-explanatory (if not, refer to Read 20006). The former is designed to refer to trees within parklands, avenues, collections, and formal screens, and may equally apply to individuals and groups.
- 'Members of groups of trees that are important for their cohesion' – This should also be self-explanatory, though it is stressed that 'cohesion' may equally refer either to visual or to aerodynamic contribution. Included within this definition are informal screens. In all relevant cases, trees may be assessed either as individuals or as groups.
- 'Trees with significant historical or commemorative importance' – The term 'significant' has been added to weed out trivia, but we would stress that significance may apply to even one person's perspective. For example, the author knows of one tree

placed under a TPO for little other reason than it was planted to commemorate the life of the tree planter's dead child. Thus, whilst it is likely that this category will be used infrequently, its inclusion is nevertheless important. Once again, individual or group assessment may apply.

- 'Trees of particularly good form, especially if rare or unusual' – 'Good form' is designed to identify trees that are fine examples of their kind and should not be used unless this description can be justified. However, trees which do not merit this description should not, by implication, be assumed to have poor form (see below). The wording of the second part of this has been kept deliberately vague: 'rare or unusual' may apply equally to the form of the tree or to its species. This recognises that certain trees may merit protection precisely because they have 'poor' form, where this gives the tree an interesting and perhaps unique character. Clearly, rare species merit additional points, hence the inclusion of this criterion. As with the other categories in this section, either individual or group assessment may apply. With groups, however, it should be the case either that the group has a good overall form, or that the principal individuals are good examples of their species.

Where none of the above apply, the tree still scores one point, in order to avoid a zero-score disqualification (under part 3).

Sub-total 2

The threshold for this is nine points, arrived at via a minimum qualification calculated simply from the seven-point threshold under sections a-c, plus at least two extra points under section d. Thus, trees that only just scrape through to qualify for the 'other factor' score, need to genuinely improve in this section in order to rate an expediency assessment. This recognises two important functions of TPOs:

- TPOs can serve as a useful control on overall tree losses by securing and protecting replacement planting
- Where trees of minimal (though, it must be stressed, adequate) amenity are under threat, typically on development sites, it may be appropriate to protect them allowing the widest range of options for negotiated tree retention

Part 2: Expediency assessment

This section is designed to award points based on three levels of identified threat to the trees concerned. Examples and notes for each category are:

- 'Immediate threat to tree' – for example, Tree Officer receives Conservation Area notification to fell
- 'Foreseeable threat to tree' – for example, planning department receives application for outline planning consent on the site where the tree stands
- 'Perceived threat to tree' – for example, survey identifies tree standing on a potential infill plot

However, central government advice is clear that, even where there is no expedient reason to make a TPO, this is still an option. Accordingly, and in order to avoid a disqualifying zero score, 'precautionary only' still scores one point. This latter category might apply, rarely for example, to a garden tree under good management.

As a final note on this point, it should be stressed that the method is not prescriptive except in relation to zero scores: TEMPO merely recommends a course of action. Thus, a tree scoring, say, 16, and so 'definitely meriting' a TPO, might not be included for protection for reasons unconnected with its attributes.

Part 3: Decision Guide

This section is based on the accumulated scores derived in Parts 1 & 2, and identifies four outcomes, as follows:

- Any 0 Do not apply TPO Where a tree has attracted a zero score, there is a clearly identifiable reason not to protect it, and indeed to seek to do so is simply bad practice
- 1-6 TPO indefensible This covers trees that have failed to score enough points in sections 1a-c to qualify for an 'other factors' score under 1d. Such trees have little to offer their locality and should not be protected.
- 7-11 Does not merit TPO This covers trees which have qualified for a 1d score, though they may not have qualified for Part 2. However, even if they have made it to Part 2, they have failed to pick up significant additional points. This would apply, for example, to a borderline tree in amenity terms that also lacked the protection imperative of a clear threat to its retention.
- 12-15 Possibly merits TPO This applies to trees that have qualified under all sections but have failed to do so convincingly. For these trees, the issue of applying a TPO is likely to devolve to other considerations, such as public pressure, resources and 'gut feeling'.
- 16+ Definitely merits TPO Trees scoring 16 or more are those that have passed both the amenity and expediency assessments, where the application of a TPO is fully justified based on the field assessment exercise

Dated: 20th December 2023

TPO/E/12/23

TOWN AND COUNTRY PLANNING ACT 1990

TREE

PRESERVATION

ORDER

Relating to: - 104 Broad Street Ely Cambridgeshire CB7 4BE

Printed and Published by:
East Cambridgeshire District Council The Grange Nutholt Lane Ely Cambs CB7 4EE

ORDER.TPO

**TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012**

TREE PRESERVATION ORDER

**Town and Country Planning Act 1990
The Tree Preservation Order at 104 Broad Street Ely Cambridgeshire CB7 4BE ,
TPO/E/12/23 2022**

The East Cambridgeshire District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Tree Preservation Order at 104 Broad Street Ely Cambridgeshire CB7 4BE , TPO/E/12/23 2022

Interpretation

2. (1) In this Order “the authority” means the East Cambridgeshire District Council
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to exceptions in regulation 14, no person shall-
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

SCHEDULE SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

Reference on map	Description	Situation
T1	Himalayan Birch on Cambs County Council land in good health no sign of disease or decay, low water demanding species	Located approx. 3m from property on island of grass

Trees specified by reference to an area (within a dotted black line on the map)

Reference on map	Description	Situation
	NONE	

Groups of trees (within a broken black line on the map)

Reference on map	Description (including number of trees in the group)	Situation
	NONE	

Woodlands (within a continuous black line on the map)

Reference on map	Description	Situation
	NONE	



**East Cambridgeshire
District Council**

Town and Country Planning Act 1990
Town and Country Planning
(Tree Preservation) (England)
Regulations 2012

**TREE PRESERVATION
ORDER**
No. E/12/23

Land Adjacent To 104 Broad
Street
Ely
Cambridgeshire

T1 Himalayan Birch

PLANNING SERVICE

The Grange, Nutholt Lane, Ely, Cambs CB7 4EE
S. Ellis. Planning Manager

The tree locations are indicative and
may not reflect the exact locations

Date: 18/12/2023
Scale: 1:101.075041



© Crown copyright.
All rights reserved 100023279 (2023)

20/01174/FUM

Mereside Works

25 Mereside

Soham

Ely

Cambridgeshire

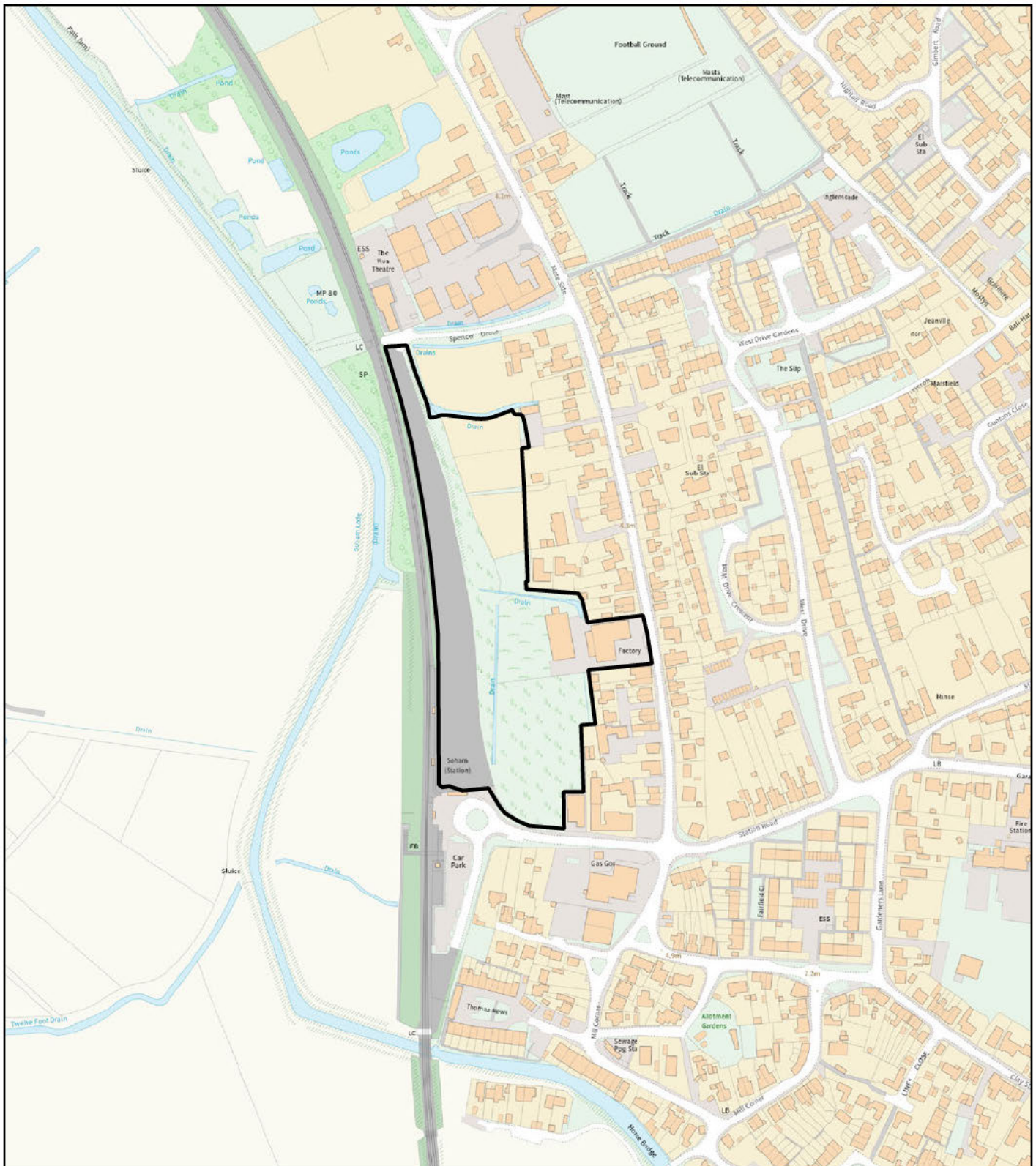
CB7 5EE

Demolition of the existing buildings on-site and the erection of 91 dwelling houses (63 dwelling houses and 28 flats), a ground floor commercial unit for Class E use, which includes a total of 193 parking spaces on-site and a children's play area

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

<https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QGA96EGG0CT00>





20/01174/FUM

Mereside Works
25 Mereside
Soham



East Cambridgeshire
District Council

Date: 17/05/2024
Scale: 1:4,000

© Crown copyright.
All rights reserved 100023279 (2023)



TITLE: 20/01174/FUM

Committee: Planning Committee

Date: 5 June 2024

Author: Senior Planning Officer

Report No: Z8

Contact Officer: Gemma Driver, Senior Planning Officer
gemma.driver@eastcambs.gov.uk
01353 616483
Room No 011 The Grange Ely

Site Address: Mereside Works 25 Mereside Soham Ely Cambridgeshire CB7 5EE

Proposal: Demolition of the existing buildings on-site and the erection of 91 dwelling houses (63 dwelling houses and 28 flats), a ground floor commercial unit for Class E use, which includes a total of 193 parking spaces on-site and a children's play area

Applicant: H P (Soham) Ltd

Parish: Soham

Ward: Soham North

Ward Councillor/s: Mark Goldsack
Keith Horgan

Date Received: 17 September 2020

Expiry Date: 1 January 2023

1.0 RECOMMENDATION

1.1 Members are recommended to REFUSE the application for the reasons outlined below:

1.2 Affordable housing

The application proposes the provision of 13% affordable housing. This represents a shortfall of 17% below the 30% requirement as directed by Policy HOU 3 and a shortfall of 7% below the 20% level required by the *Viability Assessment Information Report (v2) April 2019*. The proposal has not been supported by an up-to-date viability appraisal reflective of the current scheme that would otherwise be required to justify the under-delivery of affordable housing. The proposal, by reason of the under-provision of affordable housing has failed to demonstrate that it would contribute towards meeting affordable housing needs in Soham. The proposal is

therefore contrary to Policy HOU 3 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

1.3 Open Space

The application proposes to provide 3,347m² of open space on site. That provision is a shortfall of 2,202m² against the requirements of The Developer Contributions SPD. Furthermore. The proposed offsetting of this informal open space provision would be provided to a private enterprise at Soham Town Rangers Football Club. The proposed offset is not considered to be a suitable alternative as it does not provide the required public facilities as an informal open space would. Furthermore, the open space that is provided on the site is considered to be of poor quality due to being located in a noise buffer required to mitigate noise impacts from the adjacent railway line. The proposed development would therefore fail to provide access to a sufficient supply of high-quality public open space and children's play areas. As such, the proposal is contrary to policies ENV 2, SOH 2, GROWTH 2 and GROWTH 3 of the ECDC Local Plan 2015 (as amended 2023), the Developer Contributions SPD and Chapter 12 of the NPPF.

1.4 Highways

The application proposes the use of extensive shared surface streets. The proposal has failed to demonstrate that the road layout provides a safe and convenient route for future occupiers due to the potential conflict between road users and on road parking pressures. The proposal is therefore in conflict with Policies COM 7 and COM 8 in the East Cambridgeshire Local Plan April 2015 (as amended 2023) and paragraph 114 of the NPPF.

1.5 Character and design

The proposed development, by virtue of its design, layout, form and landscaping fails to create a high quality scheme in its own right. Furthermore, the proposal has not been designed in a comprehensive and coherent way to create a strong and attractive sense of place and local distinctiveness. The proposal is therefore contrary to Policies ENV 1, ENV 2 and SOH 2 of the ECDC Local Plan 2015 (as amended 2023), the Design Guide SPD and the NPPF, insofar that it does not create a positive and complementary relationship with existing development and does not create a high quality scheme that enhances and complements local distinctiveness. The proposals also fail to deliver beautiful and sustainable development as required by the NPPF.

1.6 Residential amenity

The proposed development, by virtue of the staggered layout of housing on the central plots and proposed windows in flank walls of some of those properties, the height and massing of the apartment block in close proximity to Plots 1 and 2 and the lack of garden space for flatted development, would result in unacceptable overshadowing, overbearing and lack of privacy for future occupiers of the affected dwellings and an unacceptable lack of private amenity space for occupiers of the affected flats. The proposal would therefore fail to provide its occupants with acceptable living conditions and residential amenity contrary to Policies ENV 2 and SOH 2 of the Local Plan 2015 (as amended 2023), the Design Guide SPD and Chapter 12 of the NPPF which together seek to ensure that development does not have a significant adverse effect on the living conditions of future residents, including through provision of adequate garden space.

1.7 Contrary to allocation policy

The application proposals include the provision of 91 dwellings together with 73m² of commercial space. The proposal fails to deliver the requirements of Policy SOH 2 that requires the development proposals to provide an appropriate contribution to the creation of a station square nor does it relate appropriately to the setting to the station, incorporate public open space, landscaping, and a mix of office/industrial and residential uses. The application has not been supported by justification for such departure from the policy requirements and therefore fails to meet infrastructure needs in accordance with Policy SOH 2, GROWTH 2 and GROWTH 3 of the ECDC Local Plan 2015 (as amended 2023) and Chapter 11 of the NPPF.

1.8 Lack of Legal Agreement

The application proposes a residential housing scheme which would require contributions towards education, open space, and affordable housing, as well as provisions related to the transfer, management, and maintenance of open space, play space and drainage infrastructure. These provisions would need to be secured in the long-term via legal agreement under s106 of the Town and Country Planning Act, however no such agreement has been provided nor completed. On that basis, the necessary mitigation cannot be secured, and the development would therefore be unable to comply with policies HOU 3, GROWTH 3 and COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) and the Developer Contributions SPD.

1.9 Plans

The planning proposals contain a number of inconsistencies and discrepancies on the submitted plans. Planning permission cannot be granted for this proposal as the plans are inconsistent and therefore it is not possible to verify whether the development would comply with the relevant local and national policies.

2.0 SUMMARY OF APPLICATION

2.1 The application seeks full planning consent for the construction of 91 dwellings, one commercial unit for Class E use (comprising 73m² floor area), 193 parking spaces and associated infrastructure.

2.2 The application has undergone a series of amendments. The original application was submitted with a proposal for the erection of 52 houses and 56 flats (totalling 108 dwellings), a ground floor commercial unit measuring 163 sqm GIA for flexible A1-A5 use (nb. previous retail and hot food takeaway use classes), 186 parking spaces (68 demised, 90 allocated, 28 visitor) and associated infrastructure (including open space). The originally submitted application also included a secondary access off Station Road which has since been removed from the application.

2.3 The current proposal would be made up of 63 houses and 28 flats. The flats would be located within four key apartment blocks. Blocks B and C would be located to the Northwestern corner of the site. Block D would be located to the South of the site and Block E would be to the Southwest, closest to the access point with the adjacent railway station. The proposed dwellings are made up of semi-detached and terraced blocks.

- 2.4 The site layout includes one central road that forks off to the South providing access to the main bulk of the houses and Blocks E and D. To the North of the central access road are a further 15 dwellings together with apartment Blocks B and C and the children's play area.
- 2.5 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 **20/00561/P18**
Reintroduction of Soham Railway Station
Grant Prior Approval
26 June 2020

16/01804/NMAA

Non material amendment to previously approved 16/01804/FUM for Demolition of existing buildings and redevelopment of 31 new dwellings with associated and ancillary development including access, servicing, amenity space, landscaping and the establishment of ecological mitigation land

Accepted

23 December 2021

16/01804/FUM

Demolition of existing buildings and redevelopment of 31 new dwellings with associated and ancillary development including access, servicing, amenity space, landscaping and the establishment of ecological mitigation land

Approved

10 June 2019

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The application site comprises c.3.18 hectares and is formed of an irregularly shaped parcel of land. The site currently hosts a mix of buildings that are set back off the existing access from Mereside meaning views from the public realm reveal a redundant light industrial site. Historically, the land has been subject to a mix of land uses comprising railway sidings, builders' yard, construction site compound, engineering works, infilled land and marshy land to name a few.
- 4.2 The site has two main vantage points, one being from Mereside and the other from the Soham railway station. The surrounding development comprises a mix of uses and architectural styles. The frontage along Mereside is made up predominantly of residential properties, with the exception of a care home and children's nursery also in close proximity. To the North, off Spencer Drive, are light industrial buildings and the 'Viva Arts Theatre'. To the South, is the re-opened Soham railway station and the station approach road. To the West is the railway line that provides services to Peterborough and Ipswich together with a public right of way that runs parallel to this North to South.

- 4.3 Within the site are a network of watercourses. The site is predominantly within Flood Zone 1, although a parcel of Flood Zone 3 is present within the centre of the site and further North (on a parcel of land that is not within the applicant's ownership). These small pockets of flooding relate to watercourses on the site which are connected to the Soham Lode to the western side of the railway line bordering the site by a culvert.
- 4.4 The site is allocated in the Local Plan under Policy SOH 2 for a housing-led/mixed use allocation including provision of approximately 90 dwellings, a station building (and associated development) and a minimum of 0.5 hectares of office/industrial space. The site is a large proportion of the land allocated in the policy with a small parcel of land to the North of the allocation excluded due to dual land ownership and the railway station development to the South which have already been delivered also excluded.
- 4.5 A previous application was approved in June 2019 (application ref:16/01804/FUM) that granted the provision of 31 residential units on a smaller central portion of the SOH2 allocation site.

5.0 RESPONSES FROM CONSULTEES

- 5.1 Responses were received from the following consultees in respect of the current scheme, and these are summarised below. Please note, any comments in respect of previous revisions of the application are not included in this report and full responses are available on the Council's web site.

Anglian Water Services Ltd – 4th Consultation: 15 June 2023

We have reviewed the submitted documents and we can confirm we have no additional comments to add to our previous response PLN-0177199 [directly below].

Anglian Water Services Ltd – 3rd Consultation: 12 June 2023

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

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.

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Soham Water Recycling Centre that will have available capacity for these flows.

Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment for Surface and Foul Water Drainage Strategy reference 14044-FRA-RP-01 | REV B

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1)

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.

Section 4 - Surface Water Disposal

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

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. Please note that Anglian Water has no surface water sewers in the area of the proposed development. As such, we are unable to provide comments in the suitability of the surface water management.

The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted 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, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Cadent Gas Ltd – 4th Consultation: 2 June 2023

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application which is in the vicinity of our gas asset/s. We are placing a holding objection on the proposal whilst our engineering team reviews the available information. We will be in touch once we have reviewed the proposals in more detail. In the meantime, we may contact you for more information to help us make the decision.

Cambridgeshire Archaeology – 3rd Consultation: 1 June 2023

Reviewed the additional information provided and can confirm that it does not alter the advice given by this office previously on 18/1/21 and the 29/3/22.

[comments below]

The site boundary is likely to be important sub-surface evidence of 19th century railway infrastructure associated with the former Soham Station, shown illustrated on Ordnance Survey mapping dated to 1885, which should also be recorded in advance of redevelopment of the site.

Records indicate that the site lies in an area of high archaeological potential. Archaeological investigations to the east along Station Road have revealed evidence of Prehistoric and medieval occupation, including inhumation burials of

Iron Age date (Cambridgeshire Historic Environment Record reference MCB18106) as well as evidence of Saxo-Norman occupation (CHER ref 11985) with evidence of Saxo-Norman structures also being discovered at Pratt Street (11932). To the southeast is the Grade I listed 12th century Church of St Andrew (National Heritage List for England reference 1126450) whose cemetery was considered by antiquarian archaeologists, following some small excavations within the churchyard, to overlie a Saxon burial ground (07123a) which may be associated with the site of a monastery founded at 'Seham' in AD630 by St Felix, first bishop of the East Saxons (CHER ref 07124). Archaeological investigations at White Hart Lane have revealed evidence of Iron Age and Roman settlement (MCB18184) as well as medieval remains dating to the 10th-12th centuries, and evidence of the remains of a building and its associated boundaries as depicted on mapping dated to 1656 (MCB18185). Numerous burials have been recorded from the gardens of houses along the Lane (for example, at No 1: MCB17746; at No 11: 11789 and adjacent to No 46: MCB19457). In addition, archaeological investigations to the south have revealed evidence of the medieval development of Soham (for example, ECB2451).

Do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

Cambridgeshire County Council Education – 2nd Consultation: 18 July 2023

Thank you for consulting on the amended planning application for this development in Soham (at Mereside way). The previous scheme was for 94 dwellings, the new scheme for 91 (is this still correct - for the avoidance of doubt I have used the mix below). This results in slightly fewer children as below: -

EY: Old scheme = 5.9 children, new scheme 5.58 children

PS: Old scheme = 14.75 children, new scheme 13.2 children

SS: Old scheme = 8.3 children, new scheme 7.5 children

Based on the new housing mix below.

Education officers have confirmed that they would still consider education contributions as necessary, when taking into account all the development coming forward, however, there has been a change in the forecast numbers for primary level education which has resulted in a reduction of forecast in-catchment children, which in turn has freed up capacity at primary school level. On balance, whilst primary contributions may still be required for the totality of development in Soham going forward, it is hard to maintain a justification for this development, and therefore we currently do not require a primary school contribution.

Updated contributions (June 2023).

- Early Years = £18,187 x 5.58 = £101,483.46
- Primary School = not required
- Secondary School = £25,253 x 7.5 = £189,397.50

It should be noted that the cost per place is based on an updated DfE Scorecard cost, indexed at 1Q2022, for a school expansion place (as opposed to a new school place).

The library contribution would reduce to 91 dwellings x 1.9 x £91 = £15,734.

A monitoring fee of £150 remains.

Cambridgeshire Fire and Rescue Service – 3rd Consultation: 15 June 2023

The Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

County Highways Transport Team – 5th Consultation: 5 June 2023

We have reviewed the additional information provided and can confirm that it does not alter the recommendation given by the TA Team previously on 16/03/2022.

The additional information submitted by the applicant concerns internal site layout of which our Highways Development Management Team will review and respond accordingly.

Comments on 16/03/2022 note the documents reviewed are the additional modelling results produced by YES Engineering Group Ltd for the proposed development of 73sqm commercial floorspace and 94 residential dwellings (comprising 66 houses and 28 flats) on the land off Station Road, Soham.

Transport Assessment Review

Trip Generation

The total development is anticipated to generate 52 vehicle movements in the AM peak and 61 vehicle movements in the PM peak. This is agreed. The development will generate a net increase of +37 vehicle movements in the AM peak and +44 vehicle movements in the PM from the existing permitted use.

Multi-modal trip generation for the proposed development is agreed. The development is anticipated to generate 13 pedestrian trips, 10 cycle trips, and 7 public transport trips in the peak periods.

Highway Impact

The distribution of development trips is agreed. The traffic flow diagrams submitted are acceptable for use within this assessment.

The junction capacity modelling assessment of the Mere Side/Station Road junction demonstrates that the development will not cause detriment to the operation of the junction. The junction is anticipated to operate within capacity during all future assessment year scenarios.

Mitigation

As part of the development, the applicant has proposed to deliver the following:

- Footways to be delivered on each side of the water course running through the site.
- A 3m wide dual footway/cycleway to be delivered on the western side of the site to link to Spencer Drove to the north and to the new Soham Station off Station Road to the south.
- Travel Plan

In addition to the above, the Highway Authority request a S106 contribution.

County Highways Transport Team – 4th Consultation: 21 April 2023

I am happy to provide further clarification regarding the three schemes. My comments are set out in red below:

- The scheme costs at the time of our calculation (Nov 2020) were £12,750 for the Mereside/Station Road junction narrowing, £12,500 for the Station Road/Gardeners Lane junction narrowing, and £6,000 for the footway/pedestrian crossing improvements at the Station Road/Gardeners Lane junction. These costs will have since increased due to inflation and increasing construction costs and as such, the £74,790 requested is considered sufficient to deliver the schemes.
- Our Projects Team are happy to deliver the works at the earliest opportunity once the S106 monies are paid.
- Monies have not been secured for these projects from other developments.
- These projects are required to specifically mitigate this development. The development proposals will result in an increase in residents walking to and from the site to Soham Town Centre and the schools within this vicinity. These projects will improve both amenity and safety for new residents utilising the pedestrian route to these locations via Station Road which in turn will encourage travel to/from these locations by sustainable modes. As such, the off-site highway works are considered essential. The improvements comply with both para's 104 and 110 of the NPPF and Policy SOH2 within the East Cambridgeshire Local Plan.

Cambs Wildlife Trust – 3rd Consultation: 4 July 2023

The Biodiversity Report Update Statement provided by BSG Ecology dated May 2023 reviews the 2020 submitted ecological reports to determine whether any updates or further surveys are required. The report concludes that the original 2020 ecological reports remain valid and suitable documents for the determination of this application. I am happy to accept this conclusion.

Cambs Wildlife previously noted on 23 March 2022:

The proposals for delivery of off-site Biodiversity Net Gain commitments set out below would be an acceptable approach, as the County Council land at Swaffham Bulbeck is well situated close to the Devil's Dyke SSSI. The Devil's Dyke, Newmarket Heath and areas buffering these two SSSIs have been identified as a priority area for nature conservation in the draft Interim Nature Recovery Strategy that the Wildlife Trust is preparing on behalf of ECDC.

Should the land not become available at Swaffham Bulbeck within a reasonable timeframe, delivery of the equivalent habitat and biodiversity units at Lower Valley Farm in South Cambridgeshire would be an ecologically suitable alternative, as it is within one of the priority areas for conservation recognised by Natural Cambridgeshire, and also buffers and extends a chalk grassland SSSI.

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

Design Out Crime Officers – 4th Consultation: 5 June 2023

Thank you for the opportunity to comment on this revised planning application. I have viewed the documents and searched the constabularies crime and incident systems covering this location for the past two years - a two-year period would usually provide sufficient information. I consider this to be a low crime area however Burglary and Vehicle crime have been issues in the past.

Having viewed the documents and changes made, my original comments dated 8th February 2022 still stand. These are in relation to the below...

Residential houses:

- Reducing the dominance of parking on the street scene for residential houses.
- What is the proposed access into rear gardens, particularly for terraced properties and those with rear parking.
- Reduce fence height to properties with rear parking from 1.8m to 1.5m with addition of 300mm trellis.
- Lighting plan including lux levels and calculations once available.
- Softening the street scene with additional planting to 1m, including lack of both natural and physical surveillance over private vehicles.
- If each dwelling is being provided with a rear garden shed, is there a requirement for an additional cycle store to the front of each property.

Apartments:

- Access control - Audio/Visual visitor entry system. No Trade or Call buttons.
- Post boxes
- Cycle/Bin Stores
- Parking courts for flats lighting.

Commercial units:

Windows and Door standards including Curtain walling if applicable.

Bin store - access control.

External cycle stands.

ECDC Trees Team – 3rd Consultation: 13 July 2023

The submitted SPD Compliance Summary includes errors in regards to tree replacements from Policy SPD.NE8 as the groups being removed have only been calculated based on the stem diameter of one individual, some of the Diameters in the Table are different to those provided in the Arboricultural impact assessment and only A and B category trees need replacement.

Excluding the groups of trees where the numbers of trees to be removed have not been provided 44 new trees will be required, group G5 is being partly removed and will require 6 trees for each removed tree, group G13 is being completely removed and will require 4 trees for each one removed. The current soft landscaping scheme includes over 100 new trees. it is disappointing that all the existing trees located internally on the site are being removed and that none of them could have been designed into the sites layout and been retained especially considering the size of them. The layout seems to be based solely on maximizing the occupation rather than integration of any existing features baring the sound barrier trees along the line of the railway which is more out of necessity than design.

The submitted Arboricultural Method Statement is acceptable in that its recommendations coincide with BS 5837:2012 Trees in relation to demolition, design and construction - Recommendations and the submitted layout and should be conditioned for compliance should the application be approved.

The soft landscaping scheme includes some soft fruit producing trees in proximity to hard surfacing these should be reconsidered as if their locations overhanging or are adjacent to parking areas and footpaths it will be unsuitable for their long-term retention. The various soft fruit (apples, Cherries, and berries) pose a slip hazard as well as making a mess and attracting unwanted insects such as Wasps, Ants etc leading to them being removed before they can be of significant benefit. There are also trees included know to support a high aphid biomass such as Oak, and Silver Birch this aphid population results in Honey dew production and coverage of surfaces such as cars and outdoor furniture the locations of these trees should be reconsidered. Consideration of the water demand of the tree species should be considered when location the trees for example Oak and Crack Willow are high water demanding species that are often linked to subsidence issues. It may be more appropriate to use more ornamental tree species in proximity to the built forms and keep the native species trees for the open spaces and wildlife areas. Confirmation of the soft landscaping proposals could be confirmed by condition if required.

Environment Agency – 3rd Consultation: 3 July 2023

We have reviewed the documents as submitted and maintain no objection to this proposed development. We have provided further details below.

Flood Risk Assessment

We strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) reference 14044-FRA-RP-01 prepared by Water Environment Ltd dated 30/05/2023 are adhered to. In particular, the FRA recommends that:

Finished floor levels will set no lower than 3.85 mAOD.

Please refer to our previous letter referenced AC/2020/129645/01 for our comments on water quality and contamination as below:

WATER QUALITY

No objection in principle to the proposed development on the grounds of wastewater provision and impact on environmental water quality. At this stage there appears to have been no direct contact with Anglian Water, regarding foul drainage provision for the proposed development. It is essential that the developer contact Anglian Water to instigate an AWS Pre-Planning enquiry in order to confirm that foul drainage from the site can be accommodated within the existing foul sewerage network.

[comments dated 30/05/2023 below]:

GROUNDWATER & CONTAMINATED LAND

The proposed development site is not located within a Source Protection Zone meaning that it does not lie within the catchment of a groundwater abstraction used for public water supply. It is indicated to be underlain by unproductive strata. There are a number of surface water features on site (ditches and pond) and in the

surroundings (including Soham Lode approximately 30m to the west of the site). We understand that the site history includes potentially contaminative activities (former railway land and commercial / industrial activities). Environment Agency Position Based on the information provided, we do not consider this proposal to be high priority at this time. This development site appears to have been the subject of past activities which poses a risk of pollution to controlled waters. However, we are unable to provide site-specific advice on land contamination issues at this time as we are prioritising the protection and improvement of groundwater that supports existing drinking water supplies. If significant contamination is subsequently discovered that could present a risk to controlled waters, we would wish to be notified.

Due consideration should be given to the impacts that the proposed development may have upon controlled waters receptors during both construction and operational phases.

We consider any infiltration Sustainable Drainage System (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.

Environmental Health – 2nd Consultation: 20 May 2024

We recently discussed the calculated noise levels at the proposed dwellings and Table 8.29 on page 77 of the Basic Environmental Assessment Report which displays the sounds levels for day and night and whether it exceeds the relaxed target. This table accounts for a standard 15dB reduction for a partially open window but also a 20dB reduction if the following criteria is met –

“Primarily, all dwellings that face the two main sources of noise, the railway line to the west and Mere Side to the east, have been designed so that no openable windows face these noise sources. Therefore, all dwellings facing these noise sources have openable windows to side elevations and will have windows that open away from the noise source. By utilising this design practice, the noise attenuation of a flanking window opening away from the noise source is predicted to provide circa 20dB”

Table 8.29 calculates that all dwellings will achieve the relaxed target if this criteria is applied. You have advised me that Block E has been labelled up incorrectly, so all the openings are indicated facing South rather than West, and therefore away from the railway line.

With regard to concerns raised about vibration from proximity to the railway line, vibration from railway lines are usually only an issue with subsurface tracks (such as an underground/tube system) but vibration has been considered in this instance and finds –

“that potential doubling of the passenger usage on the railway line has minimal effect on the predicted VDV [VDV being Vibration Dose Value] at a distance of 10m from the railway track”

I therefore have no concerns to raise.

Housing Section – 4th Consultation: 21 May 2024

Whilst I can confirm that the proposed mix of dwelling sizes and tenure is reasonable for the proposed development, I am not able to be supportive of the application as it seeks to deliver less than half of the minimum 30% affordable housing provision required under Policy HOU3.

It is recommended that the space standards for the affordable dwellings should meet the minimum gross internal floor area as defined within the DCLG; National Describes Space Standards. Please see link:

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

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

1. That 30% Affordable Housing is secure with the tenure requirement of 77% rented and 23% intermediate housing.
2. That the dwellings will be Affordable Housing in accordance with the definition contained in NPPF.
3. That the dwellings will transfer to a provider of social housing approved by the Council, either a Private Registered Provider or an alternative affordable housing provider (including but not limited to a housing trust or company, a community land trust or an almshouses society).
4. That the tenure of each dwelling will be Affordable Rent, Social Rent or Shared Ownership, and no subsequent alteration will be permitted without the Council's prior approval.
5. That the rent charged for the Affordable Rented properties will not exceed Local Housing Allowance rate for the equivalent property size.
6. That the Affordable Dwellings are constructed to DCLG, National Described Space Standards or as a minimum all new dwellings should meet Building Regulation Part M (Volume 1), Category 2, unless there are exceptional design reasons why this is not possible.
7. That the affordable dwellings are not clustered in parcels larger than 15 dwellings as this will help to create a balanced and sustainable community.
8. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
9. That occupation will be in accordance with a nomination agreement.
10. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants.

Local Highways Authority – 5th Consultation: 14 June 2023

The applicant is referred to the previous consultation of the Local Highway Authority dated 4th July 2022, which still requires attention, and should be considered along with the additional observations below.

The site continues to be extensively served by shared surface roads and would not be suitable for adoptable without substantial changes being made. The layout does however appear to accommodate turning of large vehicles within the site to enable vehicles to enter and leave the existing public highway in forwards gear, and I would

not therefore look to object to the internal arrangements on the basis that they remain private.

I note that the vehicular swept path previously shown on Drawing 212 P5 is no longer evident on revision P6 and I have not been able to locate this on other drawings nor the swept paths detailed in the Transport Addendum.

While I have reservations regarding the location of the vehicular access to plot 39A being so close the junction radii, I note that this was previously granted permission with respect to application 16/01804/FUM and I would not therefore look to object in this regard. The applicant should however ensure that the pedestrian crossing at the adjacent junction is positioned clear of the vehicular access to mitigate the risk of collision between pedestrians and motorised users, and particularly those reversing out from the driveway.

Dropped kerbs are now detailed at the junction entering the site, however they are shown to be partially located on private land, whereas suitable crossing provision should be made fully within the public highway; given the observation in the previous paragraph, it may be necessary to locate the crossings further into private land. This is not necessarily a problem providing the area in which the crossings are shown is dedicated as public highway as part of a s278 agreement for construct of the junction. Should agreement however not be reach regarding adoptable extents, then the applicant may later require variation to their permission. The applicant should be invited to clarify their position in this regard.

On Drawing 212 P6 dropped kerbs on either side of the road are not directly opposite one another. This may be confusing for users with impaired vision who would expect them to be in line. The position of all dropped kerbs at this junction should be detailed on plan to enable their relationship to be considered in context. With regard to the driveway visibility splays on Mereside, I would further clarify that the 'y' distance should be measured along the edging kerb, rather than providing a simple 2m by 2m triangle as correctly shown on plan.

Drawing 212 P6 now included additional details of the junction on Mereside, showing a 4m and 5m radii, with the road width transitioning within the site from approximately 8m to 6m. The standard for adoptable junction radii on a 30mph road is 6m and should be amended accordingly on plan. This requirement may be relaxed if the radii proposed can be proven by swept path analysis to be the most appropriate for the road layout proposed.

Please let me know if the applicant is unable or unwilling to amend the plans and/or provide additional information as requested above and in previous correspondence, so that I can consider making alternative recommendations.

Local Highways Authority – 4th Consultation: 29 July 2022

Further to our discussion, please find below a list identifiable and avoidable hazards evident in the proposed layout which would prevent the Highway Authority from considering this site for adoption.

This list is not intended to be exhaustive and is likely to be extended should the site be considered in greater detail by a road safety practitioner with experience in considering residential developments.

The developer should be aware of the duty of care they have for the future residents of this development and their legal responsibility as designers to eliminate foreseeable risks to anyone effected by their project or to take steps to reduce or control any risks that cannot be eliminated.

1. Absence of any turning provision in the roads serving plots 43 to 54. This is likely to result in vehicles reversing up to approximately 60m along a shared surface and across footpath crossings, risking conflict with non-motorised users, before reversing out a junction where visibility will be limited.

2. It is unclear how waste collection from dwellings is proposed. Should this be edge of individual curtilage, this would exacerbate the problem identified in point 1. The presence of larger vehicles with potentially restricted visibility would compound the risk of conflict and severity of any resultant collision. Problem 1 would also extend to other roads, such as those serving plots 40 to 42 and 60 to 66, where turning is unlikely to be suitable for larger vehicles such as refuse freighters or fire tenders.

3. While approximately 6m of turning area appears to be provided to the rear of parking spaces, reverse maneuvering may be difficult for those at the end of driveway parking area, such as spaces 43A, 46A, 49A, 20A, 21B Etc., especially where larger domestic vehicles are involved. Similarly, to point 1., this may result in reversing along the shared driveway.

4. There appears to be limited visibility at the two junctions serving plots 40 to 42 and 43 to 48 which will be obstructed by adjacent parking. While edge of carriageway is to be in some way demarcated some distance from the edge of the trafficable surface, it is unclear what form this will take, how durable it will be or how effective it will be in preventing vehicle incursion. Failure to ensure that visibility appropriate for the speed of traffic using the road is provided and maintained may result in turning out collisions. This could include collisions with more vulnerable road users (e.g., pedestrians and cyclists) as there is only a partial footway meaning such users could reasonably be expected within the carriageway.

5. From the limited vehicular swept path details provided on plan 212 p5, it is evident that significant incursion by large vehicles will occur into the demarcated footway to the front of plots 15 to 18. While it remains unclear what form the edge of carriageway demarcation will take, providing what would reasonably assumed to be a segregated footway may give pedestrians a false sense of security while failing to giving any significant protection from passing road vehicles. This is of particular concern for visually or mobility impaired users who may be less able to anticipate the risk or take avoiding action. Incidentally, this plan also shows that turning vehicles will be required to overrun parking space 57A to turn at the adjacent junction.

6. Visibility splays at the junctions adjacent to plots 18 and 52 have not been defined and may be obstructed by subsequent landscaping or in the case of that

adjacent to plot 52, by pedestrian guard rails or vehicular restraint systems that may be required to prevent incursion into the watercourse on the driveway to the west. Failure to provide visibility at a junction appropriate to the speed of approaching road users is likely to result in conflict and possible collision between opposing flows.

7. The access onto Station Road is not clearly defined, with very limited radii shown. With likely entry speeds into the road unclear. The presence of parking areas in close proximity to the junction, some of which are likely to involve reversing out on to the highway, will introduce a risk of side impact, late braking and shunt type collision.

8. No separate provision is to be made for pedestrians beyond the junction adjacent to plot 18, essentially making the road to the west and north a shared space. This shared surface serves 72 parking spaces and has a main run in excess of 100m with single sided development and no significant deflection or other physical traffic calming measures to mitigate speeds. This environment would present a conflict hazard between pedestrians and motorised road users, which would be of particular concern for those with visual impairment, who may also find the area difficult to navigate.

9. A number of parking spaces are shown directly adjacent to the carriageway such as spaces 24B to V8, where visibility of those leaving the spaces will be obstructed by adjacent parked vehicles and where those travelling on the road will have very little opportunity to recognise and anticipate a vehicle leaving the parking space. While traffic calming is to be provided on this road, the form this will take has not been clearly identified and it is unclear whether this would be sufficient to mitigate speeds on a road which will provide an alternative route to/from the adjacent station. Failure to provide appropriate visibility to parking spaces may result in side impact collisions.

10. The access to parking spaces 19A to 21B is located very close to the junction. Vehicles entering from Station road to access these spaces may be obstructed by vehicles waiting to exist the junction, where they will be vulnerable to rear end shunts from vehicles following them into the junction.

11. From the consultation response from Network Rail dated 07/04/2022 It appears that the southern access on to the private station road is likely to be subject to condition (Recommended condition 4), although this is outside of the red line boundary and therefore unclear whether this is within the scope of this application. Should this access not be secured prior to formalising a southern access to the public highway, there is a risk that the site is constructed without sufficient turning at the southern extent of the proposed access road, which will result in vehicles reversing in the road in a location with only limited fully segregated footway, risking conflict with non-motorised users.

12. The site is located adjacent to a train station where parking charges may displace vehicles onto adjacent roads. Narrowing of shared roads by on street parking may further exacerbate problems identified previously with respect to reversing on shared surfaces and visibility at junctions.

13. The site layout may result in rat-running vehicles between Soham Station and Mere Side. Rat-running vehicles typically travel at speeds ill-suited for a residential environment.

14. It is unclear how junction tables will be constructed within roads that includes adjacent surfaces that are both kerbed and un-kerbed. Turning into adjacent parking spaces across ramped sections may itself cause problems for road users, but should this ramp extend into the parking area, it will also create an unlevel surface that may be unbalancing for pedestrians entering or alighting parked vehicles. This would be of particular concern for such users with restricted vision or mobility impairment are to be .

15. It is unclear what measures are to be provided to prevent pedestrians and vehicle entry into the watercourse from the three crossing points. While level differences are unknown, this may result in falls from height or risk of drowning in the event of this being water filled.

16. It is unclear whether this development is to be illuminated with a system of street lighting. In the absence of such provision, the risk of vehicle human road interaction on shared surfaces or crossing points is likely to be increased.

Local Highways Authority – 3rd Consultation: 4 July 2022

I note that drawing extract 134-WGA-visibility splays, included in the applicant's correspondence of 8th April 2022 to which my e-mail of 11th April 2022 refers, has not been published in this consultation, and it is not therefore possible to recommend appropriate conditions in reference to this plan.

In any event, the other issues raised in my e-mail 11th April 2022 do not appear to have been addressed in the most recent submission. I would therefore ask that the applicant be invited to formally submit the visibility splay plan, with amendments as previously requested, the principal issues of which are listed below:

2.5m by 5m parking spaces to plots 37 and 38 must be detailed and relocated clear of the visibility splay, with sufficient offset from the building line to encourage full use of the space, to mitigate risk of the visibility splay being obstructed by parked vehicles.

2m by 2m pedestrian visibility splays must be correctly detailed on plan between the vehicular access and the back edge of the footway.

A pedestrian dropped crossing located fully within the public highway must be provided on either side of the proposed junction, in a position that optimises both visibility and crossing width.

Drawing 212 p5 demonstrating turning of a refuse freighter shows the vehicle overhanging and overrunning the footways at the junctions with Mereside and Station Road.

It is recommended that the applicant be invited to provide revised plans showing the junctions retracked at an appropriate speed for this type of manoeuvre.

Should it not be possible to avoid such overrun, the junction should be amended to accommodate appropriate safe movement.

Please advise me if the applicant is unable or unwilling to provide amended plans as suggested, so that I can consider making alternative recommendations.

Lead Local Flood Authority – 4th Consultation: 22 June 2023

We have reviewed the following documents:

- o Flood Risk Assessment Surface and Foul Water Drainage Strategy, Water Environment, Ref: 14044-FRA-RP-01 Rev C, Dated: 30 May 2023

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving across all access and parking areas. Additional attenuation will be provided in cellular storage below the permeable paving where required. Surface water will discharge through four separate outfalls at the greenfield equivalent rate. It is noted that there is an area of surface water flood risk in the centre of the site and it must be clearly demonstrated in any future submission that the development will not displace this risk of flooding.

Requests the following conditions; detailed design of the surface water drainage, details of measures indicating how additional surface water run-off from the site will be avoided during the construction works and completion of the surface water drainage system, including any attenuation ponds and swale a survey and report from an independent surveyor

Natural England - 6 June 2023

Please refer to Natural England's letter dated 12 July 2019 regarding appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI).

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Network Rail - 7 June 2023

Thank you for consulting Network Rail regarding the above application. We have previously responded to this application and our comments remain the same.

Previous comments note:

The proposed development is located adjacent to Network Rail's operational infrastructure and the site of Network Rail's proposed new Soham Station. Network

Rail obtained Prior Approval (20/00561/P18) for the new Soham Station on the 26th June 2020.

Interaction between the proposed development and Soham Station / Level Crossing

At the western end of Spencer Drove, there is a level crossing where FP12 Soham crosses the railway. Network Rail has applied to divert this public footpath to a new footbridge to be built at Soham Station as a necessary consequence of the development of the new station (the introduction of stopping trains near the crossing), in addition to normal safety concerns surrounding level crossings. Users will be diverted along the station approach road. In the interests of safety, Network Rail objects to any direct link being made available between the development site and Spencer Drove until the Rail Crossing Diversion Order is confirmed and the level crossing is closed to the public. This is in the interests of safety; more users of a level crossing will lead to more risk of an accident.

No public cycle access along the station approach road, which is owned by Network Rail, is currently proposed. Use by cyclists will be permissive for access to the station and a private right to access the developer's land as being arranged between the developer and Network Rail at present.

Spencer Drove also has a private vehicular level crossing, although it is currently believed to be out of use. It appears from the application that the developer is the owner of the land served by this level crossing (or has an option with the owner), to be used as an environmental mitigation site. Network Rail's preferred arrangement is that Spencer Drove level crossing is closed to vehicular users and the developer makes alternative access arrangements to prepare and maintain the mitigation land (for example by taking access on foot only or via an alternative route). If it is not possible to close this level crossing, then Network Rail would wish to see the vehicular gate enhanced and securely padlocked (at the developer's expense) and all access to be tightly controlled.

Network Rail believes that there may be some drains underneath the developer's land adjoining the proposed new station. Network Rail does not want the capacity of any existing drains to be diminished, to avoid possible flooding upstream.

The site is to be drained to the sewage system and not to any drainage system passing beneath the railway, which has not been designed to drain residential areas.

Land Ownership

Part of the land which forms the application site was formerly in railway ownership. Network Rail therefore requires the developer to comply with the covenants contained within the Transfer documents.

Fencing

The fencing along the boundary between the proposed development and Network Rail's operational boundary will need to be improved/altered as a result of the proposed development. The developer will need to contact Network Rail to discuss this in more detail and the specific fencing requirements.

Asset Protection and Optimisation comments

For Asset Protection acceptance the applicant will need to ensure the following:

- Trees on the boundary line shall comply with the Network Rail approved tree types to prevent leave nuisance and potential train delays or accident.
- Vehicle incursion system along the boundary shall be incorporated in the development to prevent errant vehicles or lorries onto the electrified and hazard area of the railway.
- Developer's attention is drawn to the presence of a 25kV overhead line on the adjacent railway line and the sensitive train signal equipment (both buried and surface mounted). Interference and disruption to the operations shall be mitigated and measures put in place to ensure their safe operation.
- The prevention of the Electromagnetic Compatibility and Frequencies from the high voltage cables on the railway property shall need to be considered and with any necessary protection incorporated in the design. This may involve clearances in compliance with the required British and Network Rail Standards and other relevant industry standards for the safety of the occupants and users.
- No Storm/surface water or effluent should be discharged from the site into Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage.

Section A identifies the main issues specifically derived from the application ... and Section B are generic comments from our Asset Protection (ASPRO) team which aim to ensure high standards of Network Rail's operation.

Soham Town Council – 4th Consultation: 28 June 2023

NOTED Soham Town Council's previous comments still stand.

NOTED IN CONCERN & OBJECTION: 2 flats (D6 & D10, 2x 2 bedroom[4 person]) are smaller than the National Space Standards (breach of Standards)

NOTED IN CONCERN & OBJECTION: out of 42 flats listed, 8 are affordable & 66 houses listed as 3 are affordable this equates to 11.1% affordable housing which is considerably less than stated in the Local Plan 2015 (30%). The build standard has not been addressed in this and should contain a detailed energy and sustainability statement using BREEAM or passive house compliance. No reference is made to the supplemental documents recently adopted by ECDC in regards to

NOTED IN CONCERN & OBJECTION -no statement is provided to the inevitable vibration created by piling and heavy machinery will cause to those existing houses that are in close proximity to the site built in the 19th century and have little or no substantive foundations.

NOTED IN CONCERN: re Transport Assessment report states that it is expected that 54% of resident homeowners on this development will travel by car-where was this data sourced as it seems unsupported by existing town statistics.

NOTED IN CONCERN: The traffic survey report is inaccurate when compared to the data received in the recent Soham Market Town master plan which states that 56% of residents leave the town for work and this impacts on traffic movement throughout the Town.

NOTED IN CONCERN & OBJECTION - Width of Mereside road is 5.5 metres (widest) at the exit point to the development with suggested permanent parking on one side. The aspect of road and adoption suitability needs to be reviewed and mitigation to junction and road improvements provided by the Developer.

NOTED IN CONCERN & OBJECTION: The introduction of this housing development along now with the adjacent reintroduction of the railway station will only add to current roads issues and to the detrimental impacts wrt traffic management in this area already has for existing Mereside residents.

NOTED IN CONCERN: general site issue- ongoing maintenance responsibilities for the SUDS on the proposed site noting that if there was no proper ongoing maintenance agreement for these specific structures the site would be exposed to increased drainage/flood problems.

NOTED IN CONCERN & OBJECTION: procedurally that whilst the Developer had undertaken on on-line consultation where the plans could be viewed over the summer it had not demonstrated the results of providing any effective reach in the community to assure that there had been any public consultation to the proposal (noted that the town council had not been invited)

NOTED IN CONCERN & OBJECTION: Ecological concerns were raised again regarding the (loss of the) Great Crested Newts which as a Protected Species under current legislation had been identified inhabiting the adjacent site (reintroduction of railway station) but had not been identified by Consultants at the time of reporting. Cllrs expressed that this was likely to be the case given that commencement on the adjacent site had failed to mitigate (provide alternate site) for these creatures being stripped of trees and levelled contra to the planning conditions for this site. This matter of breach has been reported to ECDC Enforcement Officer but to date no action has been taken.

NOTED IN CONCERN & OBJECTION: Flooding -The adjacent river Lode is higher than parts of the proposed development and if the calculated '1 in 100 year flood event' happens here then this whole site will be subsumed. No consideration of this aspect nor the effects of global warming with regards to known rising sea levels. In the event of the sea overtopping the defences at Kings Lyn the Environmental Agency has the right to (and will) close the defences at Lyn causing the Ouse to back up causing land flooding as far as Cambridge. With this site at or below sea level and relying on the Lodes current capacity for drainage will inevitably cause flooding. A statement from the Environmental Agency needs to be obtained to address this issue.

NOTED IN CONCERN & OBJECTION: to accommodate the number of houses on the site the proposal is for (relatively) narrow and small ground floors (footprints) including outside garden space amenity with build upwards to provide further

accommodations. Given the effects of Coronavirus and the increasing need to work from home the lack of overall amenity space within these houses is of significant concern.

NOTED IN CONCERN & OBJECTION: The lack of dedicated space (2 car minimum) per residence and the 'demised' arrangements are both insufficient and in positions that would encourage obstructions on the residential roads.

APPROVED UNANIMOUSLY: members to recommend that ECDC Planning Committee refuse this development.

The Ely Group Of Internal Drainage Board - 16 June 2023

The Board has no further comment to make on this application from a drainage point of view.

Waste Strategy (ECDC) – 4th Consultation: 31 January 2024

The collection point for properties 12- 18 should be located closer to the boundary of the access road. We would advise to clarify the bin collection point for block D (flats) and particularly where the bin store would be located to ensure there is no proximity to parking bays/cars parked, as it would be unsafe to pull bins nearby them. Irregular parking may prevent collection vehicles from reversing at the back of block D. Although a swept path analysis has been provided, it is based on a smaller vehicle than the one specified in the Recap Waste Management and Design Guide.

5.2 A site notice was displayed near the site on 16 December 2020 and a press advert was published in the Cambridge Evening News on 29 June 2023.

5.3 Neighbours – 66 neighbouring properties were notified, and the responses received are summarised below. A full copy of the responses are available on the Council's website.

Nine responses were received raising the following comments:

- Concerns with the development restricting privacy and causing overshadowing into nearby residentially occupied dwellinghouses.
- Concerns with the additional traffic causing highways safety issues.
- Concerns with the development in relation to flood risk.
- Concerns the proposal would impact the trees.
- Concerns with the number of parking spaces provided within the proposal.
- Concerns with the additional population causing a strain on the local services.
- Concerns with the proposals effect on the wildlife in particular the great crested newts.
- Concerns with the proposed development not being compliant with policy.
- Concerns of the site being of archaeological importance.
- Concerns with the proposal causing harm to the green belt.
- Concerns with the safety precautions involved with the proposed demolition and the noise from construction.
- Concerns with the developments effect on the conservation area.

6.0 THE PLANNING POLICY CONTEXT

6.1 *East Cambridgeshire Local Plan 2015 (as amended 2023)*
GROWTH 1 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
SOH 2	Housing-led / mixed use allocation, land off Station Road
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 and water efficiency and renewable energy in construction
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
ENV 11	Conservation Areas
ENV 14	Sites of archaeological interest
COM 1	Location of retail and town centre uses
COM 5	Strategic green infrastructure
COM 7	Transport impact
COM 8	Parking provision

6.2 *Soham and Barway Neighbourhood Plan*

The Soham Neighbourhood Plan was submitted for examination on 12 April 2024. This has triggered a final round of consultation between 23 April and 3 June 2024. Immediately thereafter an Examiner will consider representations made and decide whether the plan should proceed to referendum. At the time of writing (late May), there remains uncertainty as to the final content of the emerging plan, and outstanding objections may arise as a consequence of the consultation. This limits the weight to be given to the policies in the Plan for the time being. Nevertheless, as the plan is at a relatively advanced stage of preparation, at least some limited weight should be given to emerging policies relevant to the application. Therefore, the following policies in the emerging Plan are noted as being relevant to the consideration of the application, and the degree of compliance with such policies is set out below:

SBNP 1 – Spatial Strategy
 SBNP2 – Affordable Housing
 SBNP3 – Allocation of Affordable Housing
 SBNP4 – Housing Mix and Accessible Standards
 SBNP10 – Health, Wellbeing and Health Impact Assessments
 SBNP12 – Biodiversity and Wildlife Habitats
 SBN13 – Landscape Character
 SBNP15 – Conservation Area
 SBNP17 – High Quality Design
 SBNP18 – Sustainable Building Fit for A Net Zero Carbon Future
 SBNP20 – Water Efficiency
 SBNP21 – Flood Risk
 SBNP22 – Road Safety and Parking
 SBNP25 – Connectivity and Permeability

6.3 Supplementary Planning Documents

*Developer Contributions and Planning Obligations
Design Guide
Contaminated Land
Flood and Water
Natural Environment SPD
Climate Change SPD
Soham Conservation Area*

6.4 *National Planning Policy Framework (December 2023)*

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

6.5 *Planning Practice Guidance* - Noise

6.6 *ProPG: Planning and Noise for New Residential Development, May 2017*

6.7 *Cambridgeshire and Peterborough Minerals and Waste Plan 2021*

6.8 *Viability Assessment Information Report (v2) April 2019*

6.9 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted East Cambridgeshire Local Plan (2015)(as amended 2023) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7.0 **PLANNING COMMENTS**

7.1 Key Issues:

- Principle of Development
- Market Housing Mix
- Affordable Housing
- Design, Character and Density
- Residential Amenity
- Highways, Access and Movement

- Historic Environment
- Biodiversity and Trees
- Flood Risk and Drainage
- Contamination
- Energy Efficiency and Renewables
- Infrastructure
- S106
- Other matters

7.2 **Principle of Development**

- 7.3 Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015 provides the locational strategy for development within the district and provides a hierarchy for the location of housing development. That hierarchy seeks to focus the majority of development on the market towns of Ely, Soham and Littleport. It provides for more limited development within villages within a defined development envelope. The policy states that outside defined development envelopes, development will be strictly controlled to protect the countryside and the setting of settlements and will be restricted to the exceptions listed within the policy.
- 7.4 The application site is located wholly within the defined development envelope of Soham and is therefore considered compliant with the locational strategy set out within Policy GROWTH 2 of the East Cambridgeshire Local Plan 2015.
- 7.5 In addition, the site is part of a wider site allocated under Policy SOH 2 for a housing-led / mixed use scheme. Consideration of the schemes compliance with Policy SOH 2 is set out below.
- 7.6 Policy SOH 2 allocated 3.6 hectares of land for a housing-led / mixed use development. The policy sets out that development proposals will be expected to:
- Provide an attractive station square or potential setting to the station, which incorporates public open space, landscaping and appropriate orientation of buildings – and includes a mix of office/industrial and residential uses.
 - Provide or identify sufficient safeguarded land for a station building and associated facilities, including drop-off/pick-up facilities for cars and buses, and cycle and car parking.
 - Have particular regard to the layout and the scale, height, design and massing of buildings, and landscaping, in order to minimise amenity impact on adjoining properties, and to provide an attractive setting to Soham.
 - Demonstrate through a Transport Assessment that safe vehicular (car and bus), pedestrian and cycle access can be provided into and within the site.
 - Provide a pedestrian and cycle link to the town centre, via the current station approach road – and a pedestrian and cycle link onto Spencer Drove.
 - Provide good pedestrian and cycle links across the site, between the housing, station and commercial uses.
 - Provide a new pedestrian link to the farmland to the west, via a new bridge which serves the railway platforms (and at the same time, effect the closure of the existing crossing point at the southern end of the site).

- Provide necessary highway improvements and traffic calming measures on nearby roads, as demonstrated in a Transport Assessment
- Demonstrate that vibration and noise pollution from the adjacent railway line can be adequately mitigated.
- Demonstrate that the flood risk on the site can be adequately mitigated.
- Demonstrate there is adequate capacity in the sewage treatment works and the foul sewerage network.
- Provide an element of affordable housing (currently 30%) as required under Policy HOU 3.
- Provide a mix of dwelling types and sizes to reflect current evidence of need within Soham.
- Provide high speed broadband and a proportion of flexible live-work units; and
- Comply with the other policies of the Local Plan.

- 7.7 The application site comprises a significant portion of the wider allocation site. The train station itself (that was constructed under application reference 20/00561/P18 and opened in December 2021) is located in the allocation area to the South West. A parcel of land outside of the applicant's ownership is located to the North West, this is subject to a current live application under reference number 23/00997/OUT seeking outline consent for 3 dwellinghouses; this parcel of land is also part of the allocation site but due to dual land ownership is excluded from the application proposals.
- 7.8 In respect of the specific criteria of the allocation policy, taking the requirements in turn.
- 7.9 As detailed in the design section, below, the proposal does not provide an appropriate contribution to the creation of a station square nor does it relate appropriately to the setting to the station. It does not include an appropriate supply of public open space, landscaping, or orientation of buildings (as elaborated upon below). In addition, no industrial uses are proposed. These limitations of the scheme are contrary to criterion one of the allocation policy.
- 7.10 The drop off and pick up facilities for cars, buses, cycles and car parking were approved within application reference 20/00561/P18.
- 7.11 The proposal has been submitted with a Landscape Visual Impact Assessment (LVIA) and the conclusions of this and the impacts of the setting of Soham and the amenity of neighbouring properties are discussed in the relevant sections below.
- 7.12 The application has been submitted with a Transport Assessment that has been reviewed by the Highways Authority. The contents and conclusions of this are discussed below.
- 7.13 It is not considered reasonable to request the pedestrian and cycle link to connect the train station to the town centre, given the train station has already been brought forward. However, a pedestrian and cycle link are shown to connect the station with Spencer Drive.

7.14 Under application 20/00561/P18 a footbridge was approved and constructed to provide access to the West, this had the effect of closing the Spencer Drove level crossing. This broadly accords with the requirements of the allocation policy and does not form part of this applications proposals.

7.15 The remaining considerations including highways, noise and vibration, flood risk, affordable housing and type and mix of dwellings will be assessed in the relevant sections below, noting that the allocation policy calls for consideration to all these aspects.

7.16 **Market Housing Mix**

7.17 Policy HOU 1 of the Local Plan requires housing developments of 10 or more dwellings to provide an appropriate mix of dwelling types and sizes that contribute to current and future housing needs.

7.18 The applicant sets out that the market housing mix across the whole site would be as follows:

Number of Bedrooms	Number of Units
1 Bed	3
2 Bed	44
3 Bed	32

7.19 The proposed market housing mix is weighted predominantly at 2-bedroom properties which makes up 56% of the mix, followed by 3-bedroom properties which makes up 40% of the mix. Whilst the mix is tilted towards 2-bedroom and 3-bedroom properties, as outlined within the East Cambridgeshire, as set out in the current Strategic Housing Market Assessment (SHMA) the mix of individual development sites should be flexible enough to have regards to the nature of the site and the area, this should also be reflective of need. Given the size of the site and the contextual arrangement along Mereside, a mix tilted towards smaller and mid-size units it not considered to be out of character and would respond most appropriately to the site's constraints. Policy HOU 1 of the Local Plan suggests that there is a need for more 2 and 3 bed dwellings which this proposed development would provide, therefore the mix is considered acceptable.

7.20 **Affordable Housing**

7.21 Policy HOU 3 of the Local Plan 2015 sets out that all new open market housing developments which incorporate more than 10 dwellings will be required to make appropriate provision for an element of affordable housing. A minimum of 30% of the total number of dwellings to be provided will be sought in the north of the district unless it can be demonstrated by the applicant via a financial viability assessment that this would not be viable. Policy HOU 3 explains that Soham, for the purpose of the policy, is within the north. Notwithstanding the requirement of Policy HOU 3, while the developer has not done this, the Council has, in its *Viability Assessment Information Report (v2) April 2019* concluded on a strategic basis that sites in Soham would be unlikely to be viable while providing more than 20% affordable housing.

7.22 The Soham and Barway Draft Neighbourhood Plan is at final round of consultation and whilst at time of writing the final content of the emerging plan is uncertain, limited weight should be given to the policies in the Plan for the time being. The Neighbourhood Plan recognises that there is a current backlog of households on the Housing Register for Soham in need of social / affordable rented housing, this was informed by a Housing Needs Assessment undertaken in 2023.

7.23 Of the 91 units proposed, the applicant proposes 12 affordable dwellings which equates to 13% of the total units.

7.24 *Mix and Tenure*

7.25 The applicant proposes 75% of the total affordable housing to be affordable rent and 25% to be shared ownership. This mix is broken down into the following:

Number of Bedrooms	Number of Units
9 Rented Units	
2 Bedroom flat	4 Units
3 Bedroom flat	2 Units
4 Bedroom house	3 Units
3 Shared Ownership Units	
1 Bedroom flat	1 Unit
2 Bedroom flat	2 Units

7.26 The affordable housing tenure is in broad accordance with the SHMA which recommends 77% rented and 23% intermediate housing. The data on the register suggests 1 bed units appear to be highest demand, however this does not reflect the priority which sits with 2 and 3 bed units. The Housing Officer has confirmed that the proposed mix of dwelling sizes and tenure is reasonable for the proposed development.

7.27 *Amount of affordable housing*

7.28 With only 13% of the units proposed as affordable housing, this leaves a shortfall of 17% below the 30% requirement as directed by Policy HOU 3 and a shortfall of 7% below the 20% level required by the *Viability Assessment Information Report (v2) April 2019*. Information available to the Council (accurate as of 9 May 2024) indicates that there are currently 281 applications on the housing needs register with a local connection Soham. This data is from the live housing register for affordable rental demand and can only be taken as indicative for shared ownership.

7.29 The pre-amble to Policy HOU 3 recognises that in some cases there may be exceptional development costs which may affect delivery of a policy compliant level of affordable housing. Applicants seeking to justify a lower proportion of affordable housing will be required to demonstrate why it is not economically viable to make the minimum level of provision in Policy HOU 3. The financial viability assessment should be prepared by the applicant and provided to the Council for its

consideration. A viability appraisal was submitted with the application in 2020 (the originally proposed 108 residential dwellings), this was subsequently revised in January 2022 when the scheme was reduced to 94 dwellings. This was reviewed by an external consultant (Bespoke Property Consultants 'BCP') on behalf of the Council.

- 7.30 The BCP report concluded that the scheme could generate a surplus over the benchmark land value (BLV) that has been established from the existing use value (EUUV). This surplus would be achieved by excluding the decontamination costs until proven as a realistic allowance and basing the costs on a reduced estimate of the gross internal area for the flats. Furthermore, the applicant was advised to consider slightly higher sales values before a final conclusion on the viability of the scheme can be made and thus the viable level of Affordable Housing provision.
- 7.31 A subsequent viability appraisal was submitted dated May 2023 by the applicant in response to the BCP report. However, since the commissioning of the BCP report and the revised viability appraisal, the proposal has been amended with a lesser quantum of development, proposing 91 dwellings and thus three fewer houses than the BCP report concluded on. The viability report dated May 2023 does not account for the reduced quantum of development and does not take into consideration the reduced primary contributions that are no longer required as a result of the reassessment of the need for contributions by Cambridgeshire County Council.
- 7.32 Given the below referenced concerns regarding layout that would require a new approach to the site's development, the Council did not consider it prudent to have a viability report re-appraised that did not comment on the scheme in front of them, nor a scheme that was of sub-standard design. As such, the Council did not re-commission a new review of the May 2023 viability appraisal. Notwithstanding this, given the conclusions reached in the BCP report in response to the January 2022 viability appraisal and the fact that the appraisal relates to a previous scheme and is now somewhat out of date, the Council are not content that the application has demonstrated that the scheme could not deliver 30% affordable housing as required by HOU 3 or the 20% figure indicated as being viable in Soham in the *Viability Assessment Information Report (v2) April 2019*.
- 7.33 The application would therefore result in a shortfall of affordable housing against policy HOU 3 and the Council's Viability Assessment report of 17% and 7% respectively.
- 7.34 **Design, Character and Density**
- 7.35 LP Policy ENV 1 requires that development proposals demonstrate that their location, scale, form, design, materials, colour, edge treatment and structural landscaping will create positive, complementary relationships with existing development and will protect, conserve, and where possible enhance distinctive landscape features; the settlement edge, space between settlements, and their wider landscape setting; visually sensitive natural and man-made skylines, hillsides and geological features; key views into and out of settlements; the unspoilt nature and tranquillity of the area, public amenity and access; and nocturnal character of rural areas free from light pollution.

- 7.36 Paragraphs 131 and 135 of the NPPF seek to secure visually attractive development which improves the overall quality of an area and is sympathetic to local character and history. The NPPF indicates that development should be refused, which fails to improve the character and quality of an area and the way it functions.

Wider views

- 7.37 The applicant has submitted a Landscape and Visual Appraisal (LVA). It states that the wider area is characterised by several landscape elements and features typical of an urban fringe landscape. The residential townscape fringe character has been eroded by the industrial fringe development, particularly to the north and west. Therefore, the proposed re-development presents an opportunity, if successfully demonstrated through appropriate design, to improve the residential fringe character through the demolition and replacement of the vacant light industrial warehouse and associated outbuildings. This echoes the appraisal in the preamble to the allocation policy which states that “the re-development of this area could help to regenerate this part of Soham and improve the interface between Soham and the surrounding countryside...and provide an attractive approach and setting to the new station building”.

- 7.38 The LVA acknowledges that, in terms of the effects on people’s perception of the landscape, the introduction of residential built form will alter people’s perception of the site substantially in terms of its character. The LVA notes that development proposals will introduce features of an urban character in an area that is characterised by several features typical of urban fringe landscape. Therefore, the inclusion of open space and green corridors within the development will soften the perception, although noted that it will not mask the change. As a result, the LVA concludes that the re-development of the site will allow the site to no longer be perceived as an overgrown open green space, but as a residential development and extension to Soham’s urban form.

- 7.39 Therefore, whilst it is acknowledged that a substantial change to people’s perception will result due to the introduction of built form, this is limited to the immediate context where integration features and mitigation can lessen this impact. The site is mostly contained by established boundary vegetation and due to the adjacent railway line does not sit in the context of the surrounding open fenland, to the west. The development proposals are therefore unlikely to affect the perception of the neighbouring arable farmland. With this in mind, the LPA consider that from a wider context development of the site in principle can be naturally accepted and integrated. However, the success of such scheme integrating with the surrounding form rests on its design and place making principles.

Density

- 7.40 Policy HOU 2 states that the appropriate density of a scheme will be judged on a site-by-site basis and should take account of the densities of housing in the area, make best use of land, accommodate biodiversity, open space and parking and protect and provide residential amenity.

7.41 Development along Mereside is generally made up of semi-detached dwellings and a small amount of terraced blocks. Whilst overall the density of the scheme appears to be approximately 35 dwellings per hectare and this does not give undue concerns with regards to an unreasonable density, the layout and design gives the feeling of a higher density scheme. This is due to the site's constraints and the tight terrace formation that results in compressing the necessary infrastructure (i.e. road layout and parking) to confined areas. As a result, place-making principles typically used to soften development, such as street landscaping is limited within the site, as outlined below. Failure to provide these green corridors and landscaped streets means the mitigation measures suggested by the LVA cannot be achieved. Given those concerns and the concerns detailed below in respect of biodiversity enhancement, open-space provision and parking provision, while the density of 35 dwellings is not unacceptable in isolation, it is considered that the proposed scheme has not demonstrated that such a density can be achieved while delivering an acceptable scheme in other regards.

Design and Character

7.42 Policy SOH2 requires regard be had to the layout and scale, height, design and massing of buildings and landscaping in order to minimise amenity impact on adjoining properties and to provide an attractive setting to Soham. The policy also requires the provision of an attractive setting to the station, providing for landscaping, public open space and appropriate orientation of buildings. The station environment has already been provided by Network Rail, so it is necessary for this development to offer an attractive transition between the two.

7.43 The SOH 2 allocation policy calls not only for an attractive station square and setting to the station, but also for a mixed use scheme comprising a minimum of 0.5 hectares of office/industrial development. The policy notes that a limited number of small retail units may also be appropriate in the station quarter, to meet the needs of station users/employees. The mixed use the policy calls for would help towards creating a cohesive visual and character transition across this area of Mereside.

7.44 The proposals lack high quality gateway features to transition the built environment between the adjacent railway station and the residential nature of the application site. The proposed block E would be sited closest to the railway station and is located to the South-easternmost corner of the site. Whilst this building does provide a frontage to Station Road, and accommodates 73m² of commercial space at ground floor, its remaining elevations are bulky, stark and do not address the transitional arrangements required of this building. Instead, the North and Western elevations do not provide attractive or active frontages, that would typically be expected given its location adjacent to the pedestrian routes through the site including those that link it to the station.

7.45 Residential block D, that houses 9no. flats, also fronts Station Road with a curve to its Southern elevation bending with the road and site boundary. The building's principal elevation addresses the site's internal parking court, with a secondary frontage seemingly seeking to address Station Road. The principal elevation incorporates an excessive amount of glazing that exacerbates the proportions of the already dominant and building. The building does not appear to have any association with the remaining development in terms of its design, due to a long

expanse of blank elevation abutting plot 1 that does not relate to the surrounding residential nature.

- 7.46 Both blocks E and D feel oppressive within the site itself and along their frontages that are exposed to public routes through. The oppressive, bulky and dominant building are as a result of proposed design solutions, trying to integrate mansard roofs. These appear to be used to disguise the bulk of the units, which appears awkward when their asymmetrical profiles are exposed at the end of terraces within the development. Mansard roof form typically only works on orthogonal plan forms such as the terraced units. In this situation, the roofs generate awkward, unresolved forms and since these are prominent blocks which form the southern edge of the development, their design is not strong enough to occupy this position where you would expect high quality, gateway buildings to frame the development.
- 7.47 Blocks B and C have both been designed in such a way that their elevations fronting the landscaped walk and public right of way to the West do not have openable windows or fenestration that softens the buildings impact on the public right of way. This is due to noise impacts from the adjacent railway line. However, the elevation that fronts the East is the elevation with the active frontage that would typically be seen fronting public areas. The orientation proposed means the Eastern elevations of these blocks, with the active frontage, is one with more limited public views and closest to the parking courts. As a result, the active frontages do not benefit the street scene to the West and these blocks are not well integrated to their surrounding public realm as their stark and bulky elevations are not broken up with details that gives the illusion of a less intrusive massing to the public realm.
- 7.48 Within the site more generally, the proposal is made up of sporadic close nit pockets of development, which appear to be developed around the site's constraints. The proposal does not respond to these parameters where an opportunity could be taken to provide attractive landscaped walks and routes through the site.
- 7.49 Specifically, within the site, terminating views are met with turning heads and parking courts, rather than introducing visual interest and features to help navigate through the development. The long straight roads do not have landmark buildings to terminate long distance views or contribute to any specific character. Buildings on corner plots do not provide active frontages to both streets and some buildings do not directly address a frontage, instead the proposals include uneven building lines and create a disorganised development. The development proposals feature a huge expanse of shared surface and frontage parking within the central core at plots 1 – 32 and again at plots 52 – 59 that would result in confusion to occupiers and visitors to the site. In addition, the proximity of turning heads at plots 66, 49 – 50, and parking courts at block D to the boundaries of the site limit boundary landscaping, together with the parking provision meaning that street landscaping is minimal. The overall parking strategy for the site is sporadic and chaotic, there is no pattern or approach to parking provision which means that streets will be car dominated. As a result of the above highlighted concerns, the experience of visitors of the site will be disorganised and confused.

- 7.50 Mereside itself is made up of more compact residential dwellings of a smaller terrace and semi-detached formation than proposed in the longer terraces and staggered street form proposed for the site. This lack of obvious reference to the Mereside is not considered a problem in theory as the application site will not be read as a part of Mereside and has the opportunity to present itself as an area with its own distinct character. However, it is not clear what the decisions taken regarding layout and design are based on or what the place-making approach is. As a result it is not clear what sense of place the scheme is attempting to create and in light of the number of weaknesses in the layout of the site as highlighted above, together with the architectural form of the flat blocks, the scheme is considered to be uninspiring and confusing and would result in a poor quality development.
- 7.51 The proposal is therefore considered contrary to Policies ENV 1, ENV 2 and SOH 2 of the ECDC Local Plan 2015 (as amended 2023), the Design Guide SPD and the NPPF, insofar that it does not create a positive and complementary relationship with existing development, it fails to deliver fundamental requirements of the site's allocation policy and does not create a high quality scheme that enhances and complements local distinctiveness. The proposals also fail to deliver beautiful and sustainable development as required by the NPPF.
- 7.52 **Residential Amenity**
- 7.53 Policy SOH 2 requires the proposal to demonstrate that vibration and noise pollution from the adjacent railway line can be adequately mitigated. The policy also requires the proposal to have regard to the layout and the scale, height, design and massing of buildings, and landscaping, in order to minimise amenity impact on adjoining properties, and to provide an attractive setting to Soham.
- 7.54 Policy ENV2 of the Local Plan seeks to protect the residential amenity which would be enjoyed by both future occupiers of the development and occupiers of existing properties close to the site. There are a number of residential properties within close proximity fronting Mereside. It should also be borne in mind that part of the site has in the past been used for light industrial use.
- 7.55 LP Policy ENV 9 seeks to protect residential occupiers from noise, smell, vibration and other forms of pollution.
- 7.56 *Existing Occupiers*
- 7.57 The change from a largely open piece of land to a residential development will naturally have an impact on the outlook and setting of neighbouring residents, and they will be likely to experience an increase in noise and disturbance, including traffic movements, from the occupants of that new development.
- 7.58 The proposal would result in a low level of overlooking into neighbouring gardens along the boundaries of the site. The closest neighbouring properties would be the in depth development at no.13 and no.15 Mereside that are single storey dwellings. Despite built form increasing to the boundary of these properties, plots 26 – 28 that lie closest to these neighbouring properties all benefit from reasonable length gardens. The depth of the gardens are a minimum of 13.8m away from the

boundary of the plots which is considered sufficient to overcoming any significant overlooking or overbearing concerns. This distance accords with the Design guide SPD which recommends a minimum of 10 metres to the boundary of the plots.

- 7.59 Consideration has also been given to the introduction of built form adjacent to the two storey dwellings at no. 19, no. 21 Mereside and no.25 Mereside that border the access to the proposed site. Plot 39 proposed adjacent to no.25 Mereside has been set away from the common boundary to allow space between the two dwellings. Whilst there is one first floor side window in this dwelling this appears to be obscurely glazed and not likely to be a habitable room. No windows are proposed in the side elevation of Plot 39. Therefore, the proposal would result in acceptable mutual relationship in this regard.
- 7.60 With regards to impacts to no. 21 Mereside, at ground floor there is one side window and conservatory to the rear that is already overshadowed and dominated by overgrown hedgerow. There are no first-floor side windows. The proposed plots would be set back slightly from the existing building line with these adjacent properties to allow for off street parking and visibility. Due to the position of the dwellings on the plot, together with the absence of side windows, views would be tunnelled towards the end of the plots own garden, as opposed to views into no.21 Mereside where the angles would make views more oblique and indirect. Therefore, whilst the presence of the new dwelling may result in some low-level overbearing impacts, the overall amenity of this occupier would not be significantly detrimental to warrant refusal on this basis.
- 7.61 The proposal is considered to have acceptable impacts in terms of overbearing, overlooking, and overshadowing to all other remaining neighbouring properties due to the orientation of buildings, location of dwellings and distances from the boundaries.
- 7.62 The proposed development would result in additional vehicle trips to the site which would result in more traffic movements along Mereside. However, given the adjacent train station that has been recently re-opened, this is not considered to be out of context for its surroundings and therefore the effects of this are not considered to be at a level that would cause any significant harm to the amenity of existing residents through noise or other disturbance.
- 7.63 The construction phase has the potential to result in some noise and disturbance to neighbouring properties. However, given construction would be a short-term impact, its effects are not considered significant providing that mitigation measures to control matters such as noise, dust and lighting etc are controlled. Were permission being granted, it would therefore be relevant and necessary to apply conditions relating to submission of a Construction Environmental Management Plan (CEMP) and to restrict construction hours to 07:30-18:00 Monday – Friday, 07:30 – 13:00 Saturdays and none on Sundays and bank holidays. In addition, if the application were being approved a condition requiring a pilling method statement to be submitted for agreement would be necessary.
- 7.64 The proposal is therefore not considered to create overbearing, overlooking or overshadowing impacts to surrounding properties and would therefore accord with policies ENV2, SOH 2 and ENV9 in respect of existing occupiers.

7.65 *Future Occupiers*

- 7.66 The Council's Design Guide requires that plot sizes be in excess of 300m² and that private garden is at least 50m². As referenced above, the development areas suitable for built form are restricted due to the sites constrained. This means that the arrangement of dwellings are closer and plot sizes are smaller than would typically be allowed for a site of this size. The plot sizes range from c. 130m² to 185m² which will result in a closer living arrangement, despite most plots (with the exception of the flats) having access to private external amenity space in excess of 50m².
- 7.67 The internal site arrangement is such that the central road accommodating plots 4 – 18 results in a staggered housing arrangement. Plots 4 – 8 face the Western site of the site, with their parking and garden space located to the East, this is then alternated at plots 9 – 42 (nb. plot 42 is assumed a numerical error) whose gardens are located to the West and their frontages to the East. This is then repeated three more times. This arrangement means that plots at the end of the terrace formations are subject to a long flank elevation abutting their rear private amenity space. This will result in significant overbearing impacts to plots 8, 9, 12, 14, 15, 16 and 17. In addition, whilst the floor plans do not show windows in the side elevations, the elevational drawings for plots 8, 12, 14 and 17 show full height windows in the first-floor side elevation. Given this ambiguity over the drawings, the worst-case scenario shown on the elevations needs to be accounted for. If first floor side windows are present, then this would result in direct views to garden spaces and thus significant overlooking impacts. If these windows were to be secondary windows serving habitable rooms, or serving non-habitable rooms, they could be mitigated by obscured glazing, however it is not clear from the plans what rooms the windows would be serving.
- 7.68 In addition to the overbearing and potential overlooking impacts, it is relevant to note the orientation of the buildings and assess impact from loss of light. The plots are orientated in such a way that gardens alternate between facing East and West. For occupiers in plots 9, 12, 15 and 17 the adjacent flank elevations that face South of the neighbouring terraced properties would mean that that gardens to these plots are all overshadowed for a significant portion of the day. Therefore, these plots would be subject to significant impacts from overbearing, potential overlooking and lack of natural light.
- 7.69 Apartment block D houses 9 flats in a block varying in height (due to ground topography) between 10.1m and 10.7m. The total span of this block measures c.18.9 metres. This block is set c. 1.8m away from the rear garden of plot 1. The garden of plot 1 would therefore be exposed to c. 9m of blank elevation, that extends as high of 10.7m. Plot 1 would therefore suffer from significant overbearing from the apartment block and give rise to an unacceptably poor outlook from their private amenity space. In addition, whilst set away from plot 2 by 8 metres, given the sheer expanse and height of block D, it is likely that occupiers of plot 2 would also be subject to oppressive and dominating impacts resulting from the proximity of block D. Therefore, the proximity, height and bulk of the three-storey development would also result in a significant loss of daylight to the private amenity space of future occupiers.

- 7.70 With regards to the flatted development, apartment block B (housing 6 flats) and apartment block C (housing 9 flats) would have access to communal garden areas. Apartment block D (housing 9 flats) would have no external garden space. The same situation arises for apartment block E (that houses 4 flats) which would also have no external garden space. Whilst it is accepted that it is not an uncommon situation for flatted development to share amenity space, access to good quality private outdoor amenity space is important to quality of life and well-being. The flats are served with Juliette balconies; however, these do not offer a platform or outside space to mitigate in the absence of a formal garden. Therefore, the overall amount of outdoor amenity space provided by the development for the proposed flats would be poor and would not provide its occupants with acceptable living conditions.
- 7.71 The above highlighted impacts mean that the development proposals are contrary to Policies ENV 2 and SOH 2 of the Local Plan 2015, the Design Guide SPD and Chapter 12 of the NPPF which together seek to ensure that development does not have a significant adverse effect on the living conditions of future residents, including through provision of adequate garden space.
- 7.72 *Noise*
- 7.73 The application site is located in proximity to two existing sources of environmental noise, these being road traffic from Mereside and train movements on the adjacent railway site.
- 7.74 The ProPG Guidance at NOTE 5 sets out;
Designing the site layout and the dwellings so that the internal target levels can be achieved with open windows in as many properties as possible demonstrates good acoustic design. Where it is not possible to meet internal target levels with windows open, internal noise levels can be assessed with windows closed, however any façade openings used to provide whole dwelling ventilation (e.g. trickle ventilators) should be assessed in the “open” position and, in this scenario, the internal LAeq target levels should not normally be exceeded, subject to the further advice in Note 7.
- 7.75 NOTE 7 of the same goes on to say;
Where development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal LAeq target levels may be relaxed by up to 5 dB and reasonable internal conditions still achieved. The more often internal LAeq levels start to exceed the internal LAeq target levels by more than 5 dB, the more that most people are likely to regard them as “unreasonable”. Where such exceedances are predicted, applicants should be required to show how the relevant number of rooms affected has been kept to a minimum. Once internal LAeq levels exceed the target levels by more than 10 dB, they are highly likely to be regarded as “unacceptable” by most people, particularly if such levels occur more than occasionally. Every effort should be made to avoid relevant rooms experiencing “unacceptable” noise levels at all and where such levels are likely to occur frequently, the development should be prevented in its proposed form

- 7.76 The scheme forms part of an allocated site, of which it has been accepted that residential development would come forward. As such, it would be reasonable to apply the +5dB uplift.
- 7.77 The Planning Practice Guidance provides advice regarding how to determine the impact of noise, including whether or not a significant adverse effect or adverse effect is occurring or likely to occur and whether or not a good standard of amenity can be achieved. It provides more descriptive detail for the definitions of NOEL (No Observed Effect Level), NOAEL (No Observed Adverse Effect Level), LOAEL (Lowest Observed Effect Level) and SOAEL (Significant Observed Adverse Effect Level) and sets out a noise exposure provides a summary table setting out the presence of noise, the outcomes, the effect level and the recommended action.
- 7.78 It sets out that where NOAEL is present and not intrusive, the example outcomes could be;
Noise can be heard and causes small changes in behaviour, attitude or other physiological response, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a small actual or perceived change in the quality of life.
- 7.79 In following the recommendations set out in the PPG, the recommended action would be to 'mitigate and reduce to a minimum'.
- 7.80 The applicant has considered mitigation measures by ensuring that the orientation of buildings and the internal layout of the plots closest to the railway line either; do not have windows on the Western elevation, the windows on the Western elevation would be secondary windows (and therefore can be fixed shut), or do not serve habitable rooms (and therefore can be fixed shut as do not need to provide an outlook). Basic Environmental Assessment Report submitted with the application assumes a 20dB reduction if the following criteria is met:
"Primarily, all dwellings that face the two main sources of noise, the railway line to the west and Mere Side to the east, have been designed so that no openable windows face these noise sources. Therefore all dwellings facing these noise sources have openable windows to side elevations, and will have windows that open away from the noise source. By utilising this design practice the noise attenuation of a flanking window opening away from the noise source is predicted to provide circa 20dB".
- 7.81 However, as shown on the Day Noise Plan - Opening Windows to Living Rooms and Night Noise Plan - Opening Windows to Bedrooms, plots 37, 38 and 39 are all measured with an assumed closed window position on the Eastern elevation. The plans submitted indicate that windows to the Eastern portion of these units would serve habitable rooms that would not have access to a secondary window. As all habitable rooms should have access to an openable window, the 20dB reduction (applied if windows are non-openable for dwellings that face the sources of noise) cannot be applied and the standard reduction of 15dB for a partially open window would apply. This means for plots 37 and 38 noise would be 3dB over target during

the day and achieving the target at night. For plot 39, this would mean exceeding the target by 1dB during the day.

- 7.82 Whilst this is not an ideal situation, it is acknowledged that the level of exceedance over an acceptable level is relatively low and that previous planning permission 16/01804/FUM approved a similar situation, with these dwellings fronting Mereside and habitable rooms having openable windows. In addition, considering the surrounding context, this is not an uncommon situation with most of the dwellings along Mereside fronting the road. Therefore, whilst this does weigh against the application, it would not warrant refusal on this basis.
- 7.83 It should be noted that with regards to Block E, all plans are submitted with incorrectly demonstrated 'North arrows'. In addition, plan numbers 540 P5, 545 P2 and 542 P4 show conflicting information. Plan 545 shows a full height window in Eastern side elevations serving the living room together with a first floor window in the Western elevation serving the bathroom. Neither of these windows are demonstrated on the flood plans on drawings 540 Rev P3 and 540 Rev P4.
- 7.84 When reading the elevations in accordance with an accurate north arrow, it is noted that the windows showing habitable rooms all face away from the noise source to the West of the site.
- 7.85 The Environmental Health Officer has not raised any objections to the application proposals, or the mitigation measures proposed.
- 7.86 With regards to vibration from the railway line, although the data collected to inform the findings was observed in 2016 and 2019 the report accounted for the re-opening of the Soham train station and its findings are on the "doubling the passenger usage". The report found that on this basis *"the railway line has minimal effect on the predicted VDV at a distance of 10m from the railway track"* [VDV being Vibration Dose Value].
- 7.87 Notwithstanding the acceptance of the noise impacts, the overall amenity of the site for future occupiers is considered poor. The proposal would have an unacceptable impact on future residential amenities, failing to achieve the best possible quality of living environment for future occupiers of the dwellings. The proposal is therefore contrary to the requirements of Policies ENV 2 and SOH 2 of the Local Plan 2015 (as amended 2023), and the NPPF that seek to ensure that they create safe, inclusive and accessible development which promotes health and wellbeing and provides a high standard of amenity for existing and future users.
- 7.88 **Highways, Access and Movement**
- 7.89 Policy ENV 2 of the East Cambridgeshire Local Plan 2015 sets out that development proposals will be required to incorporate the highway and access principles contained in Policy COM7 of the Local Plan 2015 to ensure minimisation of conflict between vehicles, pedestrians and cyclists; safe and convenient access for people with disabilities, good access to public transport, permeability to pedestrian and cycle routes; and protection of rights of way.

- 7.90 Policy COM 8 of the Local Plan 2015 seeks to ensure that proposals provide adequate levels of parking, and policy COM7 of the Local Plan 2015 require proposals to provide safe and convenient access to the highway network.
- 7.91 Paragraph 114b of the NPPF seeks to ensure “safe and suitable access to the site can be achieved for all users”. Paragraph 108c of the NPPF sets out that “opportunities to promote walking, cycling and public transport use are identified and pursued” and that “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.”
- 7.92 Policy SOH 2 requires the proposals to provide the necessary highway improvements and traffic calming measures on nearby roads, as demonstrated in a Transport Assessment.
- 7.93 *Highway Safety*
- 7.94 The scheme has been subject to a series of amendments with regards to a number of planning matters that through the course of the application have also been considered in relation to highways due to extensive highways safety concerns.
- 7.95 The proposed access is located off Mereside which served the abandoned engineering works. Planning permission 16/01804/FUM approved this vehicular access for the purposes of serving 31 dwellings.
- 7.96 The Highways Officer has confirmed that the proposed works in the highway, the kerb radii and access to plot 39A are not materially different to those previously approved under application 16/01804/FUM. With appropriate visibility being achieved and suitable access width proposed for the number of dwellings served, no objection is offered in this regard.
- 7.97 The Transport Assessment Team have confirmed agreement to the distribution of trips contained within the Transport Assessment. As part of the development, the applicant has proposed to deliver the following:
- Footways to be delivered on each side of the water course running through the site
 - A 3m wide dual footway/cycleway to be delivered on the western side of the site to link to Spencer Drove to the north and to the new Soham Station off Station Road to the south
 - A travel Plan
- 7.98 In addition to the above, the Highway Authority request a S106 contribution of £74,790 to be secured towards off-site highway works to be included within the mitigation package for this development.
- 7.99 In consultation with the County Highways Authority, it has been noted that The Highway Authority would not adopt the internal roads as they do not meet the requirements for shared space roads as described in section 2.7 of

Cambridgeshire Highways - Development Management, General Principles for Development, which states:

“Adoptable shared surface streets may serve a maximum of 12 dwellings culs-de-sac. This limitation reflects the LHA’s experience of the function and safety of shared space streets, and is considered to accord with government advice, applying shared space principles to “residential streets with very low levels of traffic, such as appropriately designed mews and cul-de-sacs”. This approach will be reviewed in the context future national guidance”.

- 7.100 It is acknowledged that this policy document was adopted March 2023, during the lifetime of the application. However, the underlying principles have been included in correspondence since the inception of the planning application in 2020 and have been discussed with the applicant in respect of advice from the Ministry of Housing, Communities & Local Government, and the Department of Transport. It is therefore relevant to apply these principles from the Development Management, General Principles of Development document to the consideration of the application.
- 7.101 It is considered that the use of the shared roads would not be conducive to low traffic flows or low speeds that are required to for shared use, due to the potential conflict with pedestrians. Shared surface schemes work best in calm traffic environments where they seek to create an environment in which pedestrians can walk without feeling intimidated by traffic, making it easier for people to move around and promote social interaction. The internal layout for the scheme does not allow for these principles.
- 7.102 The proposed plans indicate a ‘threshold pavement’, this shows a road with which would be insufficient for two-way traffic, with traffic calming passing through both surfaces. The plans appear to show visual grading / separation is proposed which results in confusion over pedestrian priority within the road. This feature does not transition in accordance with the Cambridgeshire County Council Housing Estate Road Construction Specification (HERCS) and is not therefore suitable for adoption. The LPA consider this to result in confusion to users and could result in highways safety implications.
- 7.103 Within the site itself internal junctions do not have suitable visibility splays and in the current layout this is considered unachievable. This is highlighted between plots 3 and 4 which would be obstructed by parking provision together with the junction adjacent to plot 52 that would be obstructed by a bridge abutment. Therefore, it is the Local Planning Authority’s view that given the amount of houses the shared surface roads are serving, there are significant opportunities for conflict and safety implications.
- 7.104 The proposed traffic calming features would require ramps to be constructed across parking spaces. This is not a feature that is suitable for adoption and the LPA are concerned this would not be a workable situation and could result in conflict with parking areas.
- 7.105 *Parking provision*

- 7.106 Policy COM 8 of the Local Plan is also relevant and refers to car and cycle parking provision. The Council's car parking standards require 2 parking spaces per dwelling and 1 visitor parking space for every 4 residential units. The proposal would provide 2 car parking spaces per house, 1.5 spaces per flat and 1 visitor parking space per 4 residential units. The argument has been advanced that this would be reflective of sustainable location of the site and its location within 100m of Soham Station. Whilst this does hold limited weight in the consideration of appropriate provision, in the current proposals, the provision would equate to an under delivery of 14 parking spaces. Whilst that the flatted development may have lower parking demand due to housing fewer occupants, given the above highlighted concerns with regards to the safety of the streets, any additional on street parking that could result from the under-provision of off-street parking is considered to exacerbate the safety concerns of the proposal.
- 7.107 *Waste collection*
- 7.108 East Cambs District Council will not enter private property to collect waste or recycling, therefore it would be the responsibility of the owners/residents to take any sacks/bins to the public highway boundary on the relevant collection day. The Waste Strategy Team have provided comments as part of the proposal and noted that the collection point for plots 12- 18 should be located closer to the boundary of the access road. 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).
- 7.109 The Waste Team noted that clarification is needed with regards to the bin collection point for block D as the present arrangement results in concerns with regards to where the bin stores would be located to ensure there is no proximity to parking bays/cars parked, as it would be unsafe for the bin lorries to be pulled in adjacent to these areas. The Waste Team also note that the irregular parking may prevent collection vehicles from reversing at the back of block D. Although a swept path analysis has been provided, it is based on a smaller vehicle than the one specified in the Recap Waste Management and Design Guide. These concerns have not currently been addressed.
- 7.110 Given the above highlighted concerns, it is considered that the proposal could result in difficulty for waste lorries to serve the site. The concerns from the Waste Strategy Team exacerbate the extensive highways concerns and internal layout issues.
- 7.111 The proposal has not provided adequate information to demonstrate the proposal would not result in an unacceptable impact on highway and pedestrian safety due to the internal road layout and undersupply of parking provision. The proposal therefore does not comply with COM 7 and COM 8 in the East Cambridgeshire Local Plan April 2015 (as amended 2023) and paragraph 114 of the NPPF.
- 7.112 **Historic Environment**
- 7.113 A portion of the application site to the south lies within the designated conservation area. Section 72 (1) of the Listed Buildings and Conservation Areas Act 1990 requires special attention to be paid to the desirability of preserving or enhancing

the character or appearance of an area, with respect to any buildings or other land in a conservation area.

- 7.114 The Southern portion of the site is located within the conservation area. Soham Conservation Area SPD descriptions Soham as a linear village that has resulted from its growth along the route from Fordham to Ely. The SPD acknowledges that the town is wider at certain points, in particular at St Andrew's Church. Modern development has expanded the village, encroaching further upon the Commons to the east and west towards the railway line at Mereside. From this perspective, the size and shape of the application site broadly accords with the wider pattern of settlement for Soham and thus the conservation area. The proposal would occupy already established margins from surrounding development that means the sites development would not appear as unduly prominent in this regard.
- 7.115 The current site houses redundant light industrial buildings and has a historic mix of uses comprising agricultural, buildings yard and railway sidings. Re-development of the site therefore presents an opportunity to enhance the setting of the conservation area.
- 7.116 Notwithstanding the specific character and design concerns above, it is accepted that re-development of the site would create a greater frontage within the conservation area. Therefore, the principle of integrating the site within the wider context is considered to be of neutral impact to the conservation area and is acceptable in respect of policy ENV 11.
- 7.117 Policy ENV 14 states that development proposal affecting sites of known archaeological interest should have regard to their impacts upon the historic environment and protect, enhance and where appropriate, conserve nationally designated and undesignated archaeological remains, heritage assets and their settings and require the submission of an appropriate archaeological evaluation/assessment of significance.
- 7.118 Cambridgeshire County Council Archaeology have advised that the site is in an area of high archaeological potential and have raised no objection subject to a condition requiring investigative work.
- 7.119 The Historic Environment Team have therefore requested a condition is imposed to safeguard potential archaeology within the site, this is considered necessary and reasonable to ensure the development is compliant with Policy ENV 14.
- 7.120 **Biodiversity and Trees**
- 7.121 Policy ENV 1 requires proposals to protect, conserve and enhance traditional landscape features and the unspoilt nature and tranquillity of the area. Policy ENV 7 seeks to protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds. The Natural Environment SPD Policy NE 6 also requires that all new development proposals should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

- 7.122 The proposal would require the loss of a number of trees within the site, with all trees and groups of trees located internally within the development proposed for removal and only trees located to the perimeter of the site show for retention in place.
- 7.123 The schedule of species has not shown the number of trees within each group, and therefore the required replacement planting cannot be accurately calculated. Excluding these groups where the quantum of trees proposed for removal is unknown, planting of 44 replacement tree is required as mitigation for the loss of category A and B trees.
- 7.124 The current landscaping scheme shows over 100 new trees. However, retention of existing trees could have been designed into the site's layout. Overall, the species proposed in the landscaping scheme are not considered compatible with their proposed location. For example, the water demand of the tree species should be considered when location the trees for example Oak and Crack Willow are high water demanding species that are often linked to subsidence issues and soft fruit producing trees in proximity to hard surfacing for parking or footpaths are unsuitable.
- 7.125 Whilst soft landscaping could be secured through condition, in this instance there is a concern regarding the amount of landscaping proposed. The development being constrained and creating high density corridors does not allow for sufficient space for new planting and landscaping that is necessary to create a high-quality public realm and soften the development. The Local Planning Authority are therefore not content that an appropriate landscaping scheme could be brought forward with the current site layout and consider the proposal to be in conflict with Policies ENV 1 and ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023) together with the Natural Environment SPD.
- 7.126 With regards to biodiversity, paragraph 130 (d) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 7.127 Noting the age of the application, in 2023 the biodiversity Report was subject to an update statement. This confirms that during the course of the application there has been no change in the presence, number and location of internationally and nationally designated sites. In addition, it confirms that there has been no significant change in the presence and location of Great Crested Newt habitats, recognising that this species has not been present in a breeding pond on the site since 2016; and there has been recent habitat enhancement work to benefit this species to the west and north of the site. Furthermore, the report notes that there has been a reduction in the habitat suitability for protected species and species of conservation value both within the Site and adjacent to the site as a result of actions associated with the construction of Soham Station.
- 7.128 Therefore, referring to the BNG reports, it remains valid that the information gained by the habitat survey provides the pre-development baseline for the biodiversity net gain (BNG). The Biodiversity Net Gain report includes a realistic assessment of both the baseline habitats (prior to site clearance winter of 2019-20) and the post development habitats.

- 7.129 The Wildlife Trust have been consulted as part of the application process and agree that the net biodiversity loss of 5.33 Biodiversity Units is a basis for planning a biodiversity offsetting scheme. In order to achieve a net gain of 10% on the original site habitat value of 12.30 biodiversity units, an additional 1.23 biodiversity units will be required in addition to the 5.33 biodiversity units lost on site.
- 7.130 The applicant therefore proposes to enter a legal agreement sufficient to finance and deliver a biodiversity offsetting scheme worth 6.56 biodiversity units and for the future management of this to be secured for a minimum period of 30 years. The applicant has explored options of delivering the net gain within East Cambridgeshire at Swaffham Bulbeck which is situated well in relation to the Devil's Dyke SSI. The Devil's Dyke, Newmarket Heath and areas buffering these two SSSIs have been identified as a priority area for nature conservation in the draft Interim Nature Recovery Strategy. This Priority Area is defined by a combination of where the underlying chalk geology comes to the surface and where the major remnants of calcareous grassland priority habitat occur. However, should this not be successful the applicant intends to deliver the units at Cambridgeshire County Council Lower Valley Farm in South Cambridgeshire which the Wildlife Trust have confirmed to be an ecologically suitable alternative, as it is within one of the priority areas for conservation recognised by Natural Cambridgeshire, and also buffers and extends a chalk grassland SSSI.
- 7.131 Whilst it would be preferable for biodiversity improvements to be delivered on site, it is acknowledged that the applicant proposes a significant amount of off-site units in one of the identified priority areas for conservation. Therefore, providing the works are secured through legal agreement, the development would be broadly in accordance with the Natural Environment SPD in delivering an offsite net gain in. However, it should be noted that the significant loss of onsite trees weighs against the onsite biodiversity given that these trees would be home to existing species habitats. This element of the proposal is in conflict with the relevant local and national policies as referenced above.
- 7.132 **Flood Risk and Drainage**
- 7.133 Paragraph 6.9.1 of the East Cambridgeshire Local Plan 2015 is clear that "flood risk is an important issue for the district, particularly given the topography of the area and the context of climate change with related sea-level rises and increased incidents of heavy rainfall". The Cambridgeshire Flood and Water SPD sets out that the general approach to flood risk and planning is that development should be directed to the areas at the lowest risk of flooding.
- 7.134 Policy ENV8 of the Local Plan 2015 sets out that all developments should contribute to an overall flood risk reduction and that the sequential and exception test will be strictly applied across the district. It sets out that development should normally be located in Flood Zone 1. The policy states that development will not be permitted where it would:
- Intensify the risk of flooding during the lifetime of the development taking into account climate change allowances, unless suitable flood management and mitigations measures can be agreed and implemented.

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

- 7.135 The application site is located within flood zones 1 and 3, and varies across the site. The site is allocated as part of a wider residential allocation within the East Cambridgeshire Local Plan 2015 (SOH2). As the site is allocated it has passed the sequential test in so far as development has been accepted on this site. In addition, most of the built development is located outside of the pockets of Flood Zone 3 which are the areas at the highest risk of flooding.
- 7.136 The LLFA have raised no objection in principle. It has been successfully demonstrated that surface water from the proposed development can be managed through the use of permeable paving across all access and parking areas. Additional attenuation will be provided in cellular storage below the permeable paving where required. Surface water will discharge through four separate outfalls at the greenfield equivalent rate. Although it is noted that there is an area of surface water flood risk in the centre of the site, a condition has been recommended to ensure detailed design of the surface water drainage scheme shall be agreed in writing together with conditions relating to measures of surface water run-off avoidance during construction and reports demonstrated that the surface water drainage system has been constructed in accordance with the details approved under the planning permission.
- 7.137 The Environment Agency have accepted the FRA and recommended that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) reference 14044-FRA-RP-01 prepared by Water Environment Ltd dated 30/05/2023 are adhered to. In particular, the FRA recommends that: Finished floor levels will set no lower than 3.85 mAOD.
- 7.138 Anglian Water have confirmed that the foul drainage from this development is in the catchment of Soham Water Recycling Centre that will have available capacity for these flows together with the sewerage system having available capacity for the flows indicated in the Flood Risk Assessment for Surface and Foul Water Drainage Strategy.
- 7.139 Were permission being granted appropriate conditions would be appended to ensure compliance with the FRA and drainage strategy, detailed design of the surface water drainage and conditions relating to measures of surface water run-off avoidance during construction. With these in place, the proposal would be in compliance with Policy ENV 8 of the Local Plan 2015.
- 7.140 **Contamination**
- 7.141 Policy ENV 9 of the East Cambridgeshire Local Plan, 2015 states that all development proposals should minimise and where possible, reduce all emissions

and other forms of pollution, including light and water pollution and ensure no deterioration in air or water quality. Proposals will be refused where there are unacceptable pollution impacts, including surface and groundwater quality.

- 7.142 The Phase I Desk Survey submitted with the application confirms that contamination risks have been identified from a number of historical activities from on site and off site sources (i.e. railway sidings, builders yard, construction site compound, engineering works, infilled land, marshy land and off site former coal yard) which have potential to have resulted in contamination of the underlying soils and surface water ditches.
- 7.143 The Phase I survey recommends a further Phase II intrusive site investigation be carried out prior to development and the Council's Scientific Officer is in agreement that this is necessary and to ensure any contamination is identified and pollution linkages to the sensitive residential end use broken.
- 7.144 Were permission being granted, conditions would therefore be applied requiring such investigation and any necessary remediation and verification and another condition would be applied in respect of the procedures for dealing with any unanticipated contamination identified during construction. On that basis, it is considered that the proposed development is acceptable in terms of the risks of land contamination in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 7.145 **Energy Efficiency and Renewables**
- 7.146 Policy ENV4 of the Local Plan 2015 sets out that all proposals for new development "should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable". The policy requires that developments for 5 or more dwellings "are required to achieve Code for Sustainable Homes Level 4 (or its replacement pending implementation of the zero carbon homes requirement)".
- 7.147 The Council's Climate Change SPD sets out that applicants could demonstrate their approach to the following:
- a. Minimising demand for energy through design;
 - b. Maximising energy efficiency through design;
 - c. Carbon dioxide reduction achieved through items a and b above, and through incorporation of renewable and low carbon energy sources;
 - d. Water efficiency (including whether, for residential development, the design intends to voluntarily incorporate the Part G Building Regulations option of estimated water consumption set at no more than 110 litres per person per day, rather than the standard 125l/p/d);
 - e. Site waste management;
 - f. Use of materials (such as low carbon-embodied materials); and
 - g. Adaptability of the building, as the climate continues to change
- 7.148 The applicant has submitted a Sustainability Statement which sets out a range of measures from sustainable procurement to water efficiency and heating design.

The report sets out that the site's final gross emission level of 62246Kg/year representing a total reduction in emission over the baseline model, taking into account unregulated energy, of 44.21%. Part L 2021 of building regulations requires at least a 31% reduction in emissions compared to current standards, of which the site betters by 13% and will exceed the requirements of ENV4 of the adopted Local Plan.

7.149 Infrastructure provision

7.150 LP Policy GROWTH 3 states that there should be appropriate physical, social and green infrastructure in place to serve the needs of new development within the district. The policy requires that this will be delivered by development proposals making contributions towards infrastructure in accordance with the Council's adopted Community Infrastructure Levy Charging Schedule, or where this is not provided via CIL that development will provide or contribute towards the cost of providing infrastructure and community facilities made necessary by the development through on or off site provision or through financial payments, and secured via planning conditions or planning obligation as part of Section 106 agreements.

7.151 With regard to contributions sought from the development, these can be summarised as following:

7.152 Education

7.153 The County Council has requested financial contributions towards the provision of early years places, primary education, secondary education and library contribution in order to mitigate the impact of the development on local facilities. During the course of the application, updated comments have been received from The County Council Development & Policy Team which note there has been a change in the forecast numbers for primary level education which has resulted in a reduction of forecast in-catchment children, which in turn has freed up capacity at primary school level. Therefore, as of July 2023 no primary school contribution was required. The required contributions were as follows:

Updated contributions (June 2023).

Early Years = £18,187 x 5.58 = £101,483.46

Primary School = not required

Secondary School = £25,253 x 7.5 = £189,397.50

Library = £15,734

7.154 Providing the applicant were willing to agree the contributions, the proposed development could make adequate provision for education facilities to serve the development, however there is not currently a s106 in place to secure this. The impact of this absence of a s106 is discussed at the end of this report.

7.155 Open Space and Play Space

- 7.156 Policy GROWTH 3 combined with the Council's Developer Contributions SPD requires that development make provision of open space and play areas. In the first instance this would be expected to be made on site.
- 7.157 According to the Council's calculations in line with the Developer Contributions SPD, the development is expected to provide:
Informal space: 5,143m²
Toddler space: 41m²
Junior space: 165 m²
Youth space: 201 m²
- 7.158 This would require a total on site provision of 5.549m².
- 7.159 The applicant puts forward their open space provision on page 13 of the supporting GL Hearn Open Space Assessment (2023). The types and amount of open space proposed is as follows:
- 100 sqm of Local Area of Play space (LAP) for children 2 to 5 years old.
 - 201 sqm of Locally Equipped Area of Play (LEAP) for ages 6 to 12 years will be provided.
 - A 'Trim Trail' will provide approx. 2,000 sqm of informal open space for ages 13 to 18 years.
 - 3,347 sqm of 'Informal Open Space'.
- 7.160 The applicant's submission notes guidance recommends 5,177.5 sqm of 'Informal Open Space' for the development. Therefore, the applicant proposes the shortfall of 1,830.5 sqm of 'Informal Open Space' will be met with a financial contribution of £83,000 which will go towards upgrading the existing facilities at Soham Town Rangers Football Club located on Julius Martin Lane.
- 7.161 The applicant's submission includes a useable open space plan (ref CS098524-GLH-PLN-DRN-05). This drawing appears to locate the 'trim trail' in an area already occupied by the landscaped buffer offered by the noise buffer. This would not be considered as a high-quality open space area and brings the opportunity for users to enjoy their environment, given that it is susceptible to high levels of noise from the adjacent train line. This area is indicated to cover approximately 2802m². Given the low value amenity attributed to this, and this forming an exclusion / buffer zone for development, it is relevant to exclude a significant portion of this from the total on site open space provision. This is also the case for the proposed toddler space that is also capture by the buffer zone.
- 7.162 The Council therefore conclude that the on-site provision would comprise only of the informal open space located in the Northern wedge of the site, together with the LEAP located to the North of the site, in front of plots 64 – 66. This would result in a significantly lesser total of usable area than that calculated by the applicant, and thus a greater shortfall.
- 7.163 The applicant is willing to enter into a S106 to provide financial contributions to offset the shortfall of on-site open space. However, this is proposed to upgrade the facilities at Soham Town Rangers Football Club, a private establishment made up

of formal and dedicated sport space. The shortfall of open space is made up of predominantly informal space. Therefore, this is not considered an appropriate offset given that the facilities at the Football Club would not provide the same opportunities as an informal space and would not be for the benefit of all residents.

- 7.164 In addition, good design involves an integrated approach involving landscape and green space as a key component rather than being reliant on provision elsewhere. In the first instance, it would be expected to be demonstrated that this cannot be sufficiently delivered on site.
- 7.165 In summary therefore, the proposed development would be significantly deficient in public open space and children's play areas, both in terms of quality and quantity. The proposal therefore fails to provide access to a high-quality public realm, as required by with Policies ENV2, SOH 2, GROWTH 2 and GROWTH 3 of the ECDC Local Plan 2015 (as amended 2023), The Developer Contributions SPD and Chapter 12 of the NPPF.
- 7.166 *NHS*
- 7.167 Primary Care Team have advised that there is one GP practices within a 2km radius of the proposed development, Staploe Medical Centre. This practice does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore, a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact. On that basis, no contributions would be requested as part of a s106 agreement.
- 7.168 *Fire Service*
- 7.169 The Fire Service requests that adequate provision of fire hydrants be made for the development either by way of a s106 agreement or planning condition. Were permission being granted such provision would be secured by an appropriately worded planning condition requiring the developer to submit details of fire hydrant location and connection.
- 7.170 **S106 Agreement**
- 7.171 The provision of affordable housing and education contributions would be expected to secured via planning obligations within a s106 agreement as would the transfer and ongoing management and the provision of open space/play space and the maintenance of open space, play areas and SuDS. No such s106 agreement has been provided with the application nor have any heads of terms for such been provided and, given the other issues with the proposed development, detailed below, such an agreement has not been prepared during the course of the application. While the necessary affordable housing, education infrastructure and on site infrastructure, transfer and management contributions which would be necessary to make the scheme acceptable in planning terms could be secured by a s106 agreement, the absence of such an agreement at this stage forms an additional reason for refusal as, at this current time of determination, it is not possible to secure the necessary infrastructure

7.172 **Other matters**

7.173 *Plans*

7.174 Is noted in the above relevant sections, a number of plans are labelled inaccurately. In addition to this, it has been noted that the elevational details when compared with the floor plans show conflicting information, and therefore cannot be read cohesively together. In the absence of a full set of accurate plans, showing a true reflection of the proposed development, a full assessment of potential impacts cannot be said. This therefore result in a reason for refusal for failure to provide accurate plans demonstrating the proposed development.

7.175 *Soham Neighbourhood Plan*

7.176 With regards to the policies contained within Soham and Barway Neighbourhood Plan, there is some conflict regarding affordable housing, allocation of affordable housing, biodiversity and wildlife habitats, high quality design, road safety and parking and connectivity and permeability. In addition, the proposal has not been supported by additional reports as required by SBNP10 (health, wellbeing and health impact assessments). It is noted that there is some uncertainty regarding the final content of the emerging plan and what objections may arise as a consequence of the consultation. While the plan is at a relatively advanced stage of preparation and some limited weight is therefore given to its emerging policies relevant to the application, given this more limited weight afforded to the plan, the conflicts with the NP policies have not been referred to in refusal reasons.

7.177 **Planning Balance**

7.178 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.179 The application site is located within the development envelope for Soham and is an allocated site under Policy SOH 2 of the East Cambridgeshire Local Plan 2015 (as amended 2023). Therefore, the general principle of development is considered acceptable.

7.180 However, despite a series of amendments, an appropriate, policy compliant scheme has not come forward.

7.181 The proposal fails to a sufficient supply of affordable housing, with a shortfall of 17% under the 30% as required by policy HOU 3 and 7% against the *Viability Assessment Information Report (v2) April 2019*.

7.182 The proposal fails to provide a high-quality living environment for its future occupiers. This is through both impacts from the proposed built form on residents together with the under delivery and lack of quality open space.

7.183 The proposal is subject to significant highways safety concerns as a result of the internal layout and extensive use of shared surfaces that cause confusion to road users and pedestrians. The proposal fails to provide suitability internal visibility

splays together with a policy compliant level of parking provision that would exacerbate these issues.

- 7.184 The proposal does not include a high quality and well-designed place, by virtue of its failure to deliver a strong and attractive development. The proposal does not include gateway buildings, a transition between the railway station or the required mixed uses as prescribed by Policy SOH 2.
- 7.185 Finally, no legal agreement has been entered into that is necessary to secure the relevant off site contributions.
- 7.186 On balance therefore, the proposal would be contrary to a number of local and national policies and would fail to deliver on fundamental elements required by these policies as highlighted above. Whilst the proposal would bring some short-term benefits during the construction phase, together with an offsite contribution to biodiversity, this does not outweigh the significant pitfalls of the application as outline above.
- 7.187 Members are therefore recommended to refuse the application, for the reasons outlined in section one of this report.

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:
- Under delivery of affordable housing
 - Under delivery and poor-quality open space
 - Highways safety concerns
 - Residential amenity concerns
 - Character and design concerns
 - Conflict with allocation policy
 - Incorrect plans
 - Lack of S106 agreement

Background Documents

20/01174/FUM
16/01804/NMAA
16/01804/FUM

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

23/01338/OUM

Land At Cambridge Road
Stretham
Cambridgeshire

Outline planning application for the erection of up to 83 Affordable Homes with associated access, parking and landscaping - all matters reserved except for means of access

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

<https://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S57EU9GGHP100>



TITLE: 23/01338/OUM

Committee: Planning Committee

Date: 5 June 2024

Author: Senior Planning Officer

Report No: Z9

Contact Officer: Holly Chapman, Senior Planning Officer
holly.chapman@eastcambs.gov.uk
01353 616360
Room No 011 The Grange Ely

Site Address: Land At Cambridge Road Stretham Cambridgeshire

Proposal: Outline planning application for the erection of up to 83 Affordable Homes with associated access, parking, and landscaping - all matters reserved except for means of access

Applicant: Long Term Land Limited

Parish: Stretham

Ward: Stretham

Ward Councillor/s: Bill Hunt
Caroline Shepherd

Date Received: 5 December 2023

Expiry Date: 12 August 2024

1.0 RECOMMENDATION

- 1.1 Members are recommended to DEFER the application in accordance with the following terms:
- a) In order to allow the submission, formal consultation, and presentation of an acceptable highways scheme at Planning Committee within a period of 6-months; AND
 - b) The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the statutory determination period to enable the completion of the works set out under (a) and final determination of the application.

2.0 SUMMARY OF APPLICATION

- 2.1 This item was previously discussed at the April 2024 Planning Committee and the previous committee report (including detailed planning consideration assessment and detailed condition list) is attached as Appendix 1.
- 2.2 The committee deferred the application to allow for the preparation of an independent assessment on the safety of the proposed highways scheme and if it mitigated the additional number of houses from the 38 already approved. This was specifically in reference to the proposed pedestrian crossing across the A10. The deferral request was made without prejudice to the final decision to be made by the Planning Committee.
- 2.3 The independent assessment was prepared by Stantec, and a copy of the report is attached at Appendix 2.
- 2.4 The application has not been amended and no further consultation with statutory consultees has been undertaken since the April Planning Committee.
- 2.5 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 See Appendix 1

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 See Appendix 1

5.0 RESPONSES FROM CONSULTEES

- 5.1 See Appendix 1
- 5.2 See Appendix 2 for independent report prepared by Stantec.

6.0 PLANNING COMMENTS

- 6.1 All material planning considerations are addressed within the original report (Appendix 1) and this report only addresses matters of highway safety and transport impacts.
- 6.2 Highway Safety and Transport Impacts**
- 6.3 The independent report prepared by Stantec can be read in full at Appendix 2. Based on the report's overall findings and summarised conclusions (Page 22), Stantec makes the following recommendations (Page 23):

- i. The applicant reviews the site access design to ensure the construction of the access and visibility splay to the right can be achieved without the need for third-party land.
- ii. The existing street lighting on the A10 is extended past the proposed site access at the detailed design stage.
- iii. That 'KEEP CLEAR' road markings are provided across the site access at the detailed design stage to maintain access in/out of the site at peak times.
- iv. Further discussions are held between the developer, ECDC, and the local highway authority to ascertain whether CCC Highways would accept a standalone controlled crossing in this location given the analysis set out in this independent review.
- v. That the footway provision be reviewed, with either:
 - a. a service margin strip be provided, to decrease the proximity between pedestrians and the carriageway, or
 - b. the footway being re-routed through the site and emerging at the pedestrian crossing only.

6.4 Based on the independent Stantec report, which is a new material consideration in the assessment of this application, it is considered the current highways scheme does not appropriately support the proposed development and therefore introduces highway safety concerns of significant weight and potential new transport considerations of any revised highway scheme.

6.5 Notwithstanding, following receipt of the report, the Applicant has indicated their intention of engaging further with the Local Planning Authority (LPA) and Cambridgeshire County Council's Highways Authority to explore the delivery of an alternative highways scheme, including provision of a controlled crossing.

6.6 It is therefore recommended that Members resolve to defer the application to enable further investigation into the preparation of an acceptable highways scheme as per the recommendation as set out at 1.1.

6.7 The Applicant is encouraged to follow all recommendations of the Stantec report when designing any alternative highway scheme to reach an acceptable proposal in terms of highway safety.

6.8 Planning Balance

6.9 A full planning balance has been set out within the previous committee report at Appendix 1. Notwithstanding the matter of highway safety, the conclusions of the report are considered to remain unchanged in all respects.

6.10 It is considered that significant weight should be afforded to matters of highway safety, particularly for a development of this size. The independent report prepared by Stantec has raised new material concerns regarding the highway safety impacts of the proposed development, and the adequacy of the proposed infrastructure to serve the development proposals. Based on the conclusions and

recommendations of the Stantec report, in the eventuality that an acceptable highways scheme was not delivered in accordance with the recommendations of the report, it is considered that the harm caused by the absence of this infrastructure would be so significant as to outweigh the benefits of the proposal and warrant a recommendation of refusal.

- 6.11 However, as above, the Applicant has indicated their intention to work with the LPA and County Council to consider an alternative solution. On the basis of the Stantec report and conclusions of the previous committee report, the LPA are satisfied that there is a realistic prospect of an acceptable highways scheme being designed and that there are significant merits of the application proposals to justify further exploration of this.

7.0 COSTS

- 7.1 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.
- 7.2 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.
- 7.3 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.
- 7.4 In this case members' attention is particularly drawn to the following points:
- The conclusions of the Planning Inspectorate when approving the development under LPA Ref. 22/00180/OUM.
 - The two previous approvals under LPA Ref. 22/00180/OUM and 23/00712/OUM.

8.0 APPENDICES

Appendix 1 – Previous Committee Report (April 2024 Planning Committee) with detailed assessment of planning considerations and detailed list of recommended conditions.

Appendix 2 – Independent Report prepared by Stantec

Background Documents

23/01338/OUM

22/00180/OUM

23/00712/OUM

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

23/01338/OUM

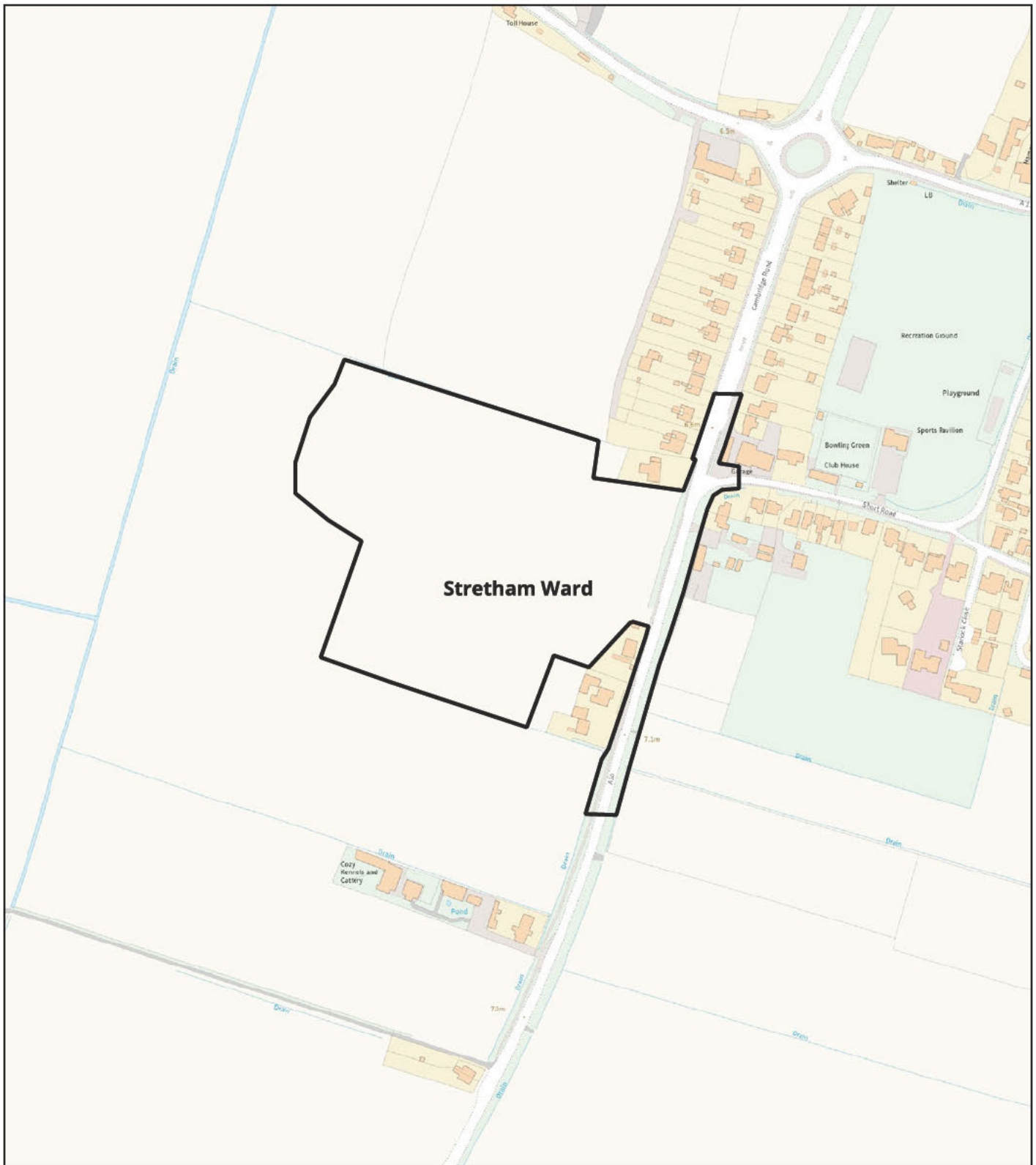
Land At Cambridge Road
Stretham

Outline planning application for the erection of up to 83 Affordable Homes with associated access, parking and landscaping - all matters reserved except for means of access

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

<http://pa.eastcambs.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S57EU9GGHP100>





23/01338/OUM



Land At Cambridge Road
Stretham

East Cambridgeshire
District Council

Date: 15/03/2024
Scale: 1:4,000



© Crown copyright.
All rights reserved 100023279 (2023)

TITLE: 23/01338/OUM

Committee: Planning Committee

Date: 3 April 2024

Author: Senior Planning Officer

Report No: Y187

Contact Officer: Holly Chapman, Senior Planning Officer
holly.chapman@eastcambs.gov.uk
01353 616360
Room No 011 The Grange Ely

Site Address: Land At Cambridge Road Stretham Cambridgeshire

Proposal: Outline planning application for the erection of up to 83 Affordable Homes with associated access, parking and landscaping - all matters reserved except for means of access

Applicant: Long Term Land Limited

Parish: Stretham

Ward: Stretham

Ward Councillor/s: Bill Hunt
Caroline Shepherd

Date Received: 5 December 2023

Expiry Date: 5 April 2024

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application in accordance with the following terms:

1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement to the Planning Manager; and,
2. Following the completion of the S.106, application 23/01338/OUM be approved subject to the planning conditions at Appendix 1 (and summarised below); or,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the statutory determination period to enable the completion of the S106 legal agreement.

(summarised conditions)

- 1 Approved Plans
- 2 Reserved matters
- 3 Time Limit - OUT/OUM/RMA/RMM
- 4 Quantum of development
- 5 Archaeology 1
- 6 Archaeology 2
- 7 CEMP
- 8 Reporting of unexpected contamination
- 9 Drainage
- 10 Foul drainage
- 11 Levels
- 12 Noise mitigation
- 13 Biodiversity
- 14 Fire hydrants
- 15 Access
- 16 Access closure
- 17 Access drainage
- 18 Passive design
- 19 Maintenance of streets

2.0 SUMMARY OF APPLICATION

- 2.1 The application seeks outline planning permission for the residential development of the site for up to 83 affordable dwellings. Only matters of access are committed, meaning that matters of layout, scale, appearance and landscaping are reserved for future consideration.
- 2.2 The application is supported by an access plan (2006310-004 Rev B) detailing how the access is proposed to be configured, which details an access directly from Cambridge Road (the A10 highway) into the site, with a general access arrangement also proposing amendments to Cambridge Road, in summary; by way of footway widening leading northwards towards the roundabout and to the kerb radii and footway at the junction of Short Road (north east), with a refuge island providing a crossing point across the A10. All on/off-site highway works are to take place within the 40mph speed-restriction zone.
- 2.3 The application is accompanied by an illustrative layout plan and illustrative aerial layout plan to show how the quantum of dwellings could be arranged within the site, which shows a terrace of dwellings fronting the highway north of the access, with a looser planned development of dwellings behind, extending southwards behind No. 46 Cambridge Road and westward into the countryside. An area of open space is shown at the site's frontage with Cambridge Road (inclusive of indicative play space), with an indicative community orchard along the southern/western site boundary. SuDS are shown indicatively along the site's northern boundary.
- 2.4 Whilst the detailed matters of the dwellings are not committed, the applicant has indicated that dwellings will be between 1 and 2 storeys in height, and passivhaus ('passive house') principles will be adopted for construction. However, this does mean that the proposed dwellings may not necessary be constructed to Passive

House certification standards. A Design and Access Statement (DAS) has also been submitted with the proposals to provide an assessment of the site's context, and the proposals are also supported by a Landscape Visual Impact Assessment (LVIA).

- 2.5 The application is being presented to Planning Committee in accordance with the Council's Constitution as it comprises an outline application of more than 50 dwellings.
- 2.6 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 Relevant planning history for the application site is set out below:

22/00180/OUM

Outline planning application for the erection of up to 19 Affordable Homes with associated access, parking and landscaping - all matters reserved except for Means of Access

Refused

17 November 2022

Appeal Allowed (Appeal ref: APP/V0510/W/23/3317675)

22 August 2023

23/00712/OUM

Outline planning application for the erection of up to 38 Affordable Homes with associated access, parking and landscaping - all matters reserved except for Means of Access

Approved

28 November 2023

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site comprises circa 5.18-hectares (12.8 acres) of agricultural land located to the southwest of Stretham, immediately adjoining the policy-defined settlement boundary to the north.
- 4.2 To the north of the site is a linear development of semi-detached properties and to the south is a loose knit arrangement of 3 dwellings, which the proposed development would partially sit behind. To the west of the application site is open countryside, and immediately opposite the site (to the east) beyond the A10 is paddock land enclosed in part by corrugated fencing along the A10 boundary.
- 4.3 The site lies in Flood Zone 1 in respect of flooding from rivers and sea, and mainly at a low risk of flooding from surface water.
- 4.4 There are no nearby listed buildings or conservation areas that would be affected by the application proposals.

5.0 RESPONSES FROM CONSULTEES

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

Parish - 7 February 2024

States: "Stretham Parish Council considered this matter at the meeting held last night (6th February 2024) and recorded a decision to OBJECT to this application on the following grounds:

Inadequate access: insufficient provision for motorised vehicles; safety concerns for non-motorised vehicles and public safety

Highways issue: exceptionally fast road; busy junction; insufficient provision by developer to address these concerns

Flooding risk - insufficient provision for surface water drainage."

Parish - 8 March 2024

States: "Stretham Parish Council considered this matter at the meeting held on Tuesday 5th 2024 and recorded to make no comment on the additional surface water drainage and flood risk assessment information provided.

As previously advised, Stretham Parish Council decided to OBJECT to this application, due to the inadequate provision of highway and pedestrian safety issues."

Ward Councillors - No Comments Received

Design Out Crime Officers - 25 January 2024

States: "I have viewed the documents in relation to crime, disorder, and the fear of crime.

I note the updated documents. My additional comment is that safety signage is placed near to the SUDS to alert residents of the risks."

Design Out Crime Officers - 18 December 2023

States: "Thank you for the opportunity to comment on this application. I have viewed the documents in relation to crime, disorder, and the fear of crime. I have searched the Constabulary crime and incident systems covering location and ward for the last 2 years and have provided an updated crime analysis of the ward. I would consider the proposed location to be an area of medium to high risk to the vulnerability to crime based on the figures below.

Total Crime: 2121	Stretham Ward	Cambridge Road
Criminal Damage	54	3
Robbery	1	0
Theft from person	0	0
Bicycle Theft	1	0
Theft from a vehicle	24	2
Theft of a vehicle	6	1
Vehicle Interference	3	0
Public Order	34	3
Burglary Business	10	0
Burglary Dwelling	30	2
Possession of drugs	1	0
Theft other	39	6
Trafficking of drugs	5	0
Possession of weapons	2	1
Violence (including Stalking/Harassment)	143	2
Total Incidents: 1022		
Rowdy Nuisance	27	2
Vehicle Nuisance / Stolen Vehicle	22	0
Suspicious Circumstances	112	1
Drugs	3	1

I note section 4.8 - Safety and Security on page 42 of the Design and Access Statement (DAS). It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for people living, working in, and visiting this location.

NPPF Para 130(f) states - Planning policies and decisions should ensure that developments - create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposed development looks very nice, with most gardens being back-to-back, and the orientation of plots appear to overlook the public realm, this will help reduce the vulnerability to crime and provide natural surveillance. Due to the limited detailed drawings available, this office will reserve further comment until we have received the reserved matters/full application. In the meantime, I have the following recommendations for your consideration.

- External lighting - Our recommendation for external lighting is that all adopted and un-adopted roads, private roads, shared drives, footpaths, and parking areas/courts should be lit with columns to BS5489 1 2020. Care should be taken in relation to the location of lighting columns with the entry method for most of the

dwelling burglary being via rear gardens, especially where there is little surveillance from neighbouring properties as they can be used as a climbing aid if positioned too close to the fence/wall. Home security lights to the front and rear of the properties should be dusk to dawn LED lights, including car ports for the safety of the resident. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting. A qualified lighting engineer will be able to produce a lighting plan appropriate for the safety and security of residents and their property as well as ecology and wildlife. I would like to see the lighting plan, including lux levels and calculations when available please.

- Boundary Treatments - All boundary treatments should be 1.8m close boarded fencing or walls for each dwelling. It is important to note that most burglaries occur at the rear of the property and is therefore essential to reduce that risk where possible.

- All private gates should be fitted with a self-closer and are lockable from both sides and any shared gates should have a self-closer.

- Our recommendation is that no rear footpaths are created to the rear of properties to allow the resident to move bins, these will only increase the vulnerability to crime.

- It is important that boundary treatments to the site are considered as Cambridgeshire experience hare coursing on open fields.

- Rear access footpaths - There is a rear footpath within the cluster of plots 1-12. As mentioned above, shared gates should be as close to the front building or fence line as possible fitted with a self-closer, private gate should be fitted with self-closers and lockable from both sides. Whilst the shared gates to the front are not be lockable, they will provide a defensible space and help to deter un-authorised access, this will also allow the residents to challenge anyone seen within these areas. It is recognised that most burglaries occur via the rear garden so it important that security measures are always considered. The fence to the rear of the garden should be lowered to 1.5m with 300mm trellis to improve the surveillance over the footpath.

- The Community Orchard - The plots with the fence line backing onto the Orchard and open field should be lowered to 1.5m and 300mm trellis added to allow the resident to have some surveillance at the back of their dwelling.

- Residents parking (houses) - The parking is to the front, side, or opposite dwelling. The parking areas opposite side of the road appear to be overlooked by properties, this will provide some natural surveillance. Those parking areas should be lit by columns - see lighting standard above.

- Cycle Storage (houses) - There is a proposal to have sheds in the rear garden to allow the resident to store and secure their bikes (this is our preferred option for bike security).

- Minimum requirements are as follow:

- Shed construction and security 38x50mm (min) planed timber frame.

- Floor and roof constructed from 11mm boards (minimum).

- 11x125mm (min) Tongue & Grooved board walls and door.

- No window to be present.

- door hinges should be coach-bolted through the shed structure or secured with security or non-return screws.

- Two hasp and staples that meet 'Sold Secure' Silver should be used. One positioned 200mm - 300mm down from the top of the door, and one positioned 200mm - 300mm up from the bottom of the door. Additionally, hasp and staples should be coach bolted through the shed structure or secured with either security or non-return screws.
- Both padlocks should meet 'Sold Secure' Gold or LPS 1654 Issue 1.1:2014 Security Rating 1. Specialist Cycle Parking (Page 20 section 5.8) - Please click on the link for more information: [05132-Cycle-Parking-and-Security-Standards-June-2021-REV-6.pdf \(securedbydesign.com\)](#)
- Apartments - Doorsets & Access Control - The communal entrance doors to the flats should be access controlled with a video entry system to allow the resident to see/speak to any visitors before allowing access, there should be no trade buttons. All doorsets allowing direct access into to the home, e.g., front, and rear doors, interconnecting garage doorsets, French doors, bi-fold or sliding patio doorsets, dedicated private flat or apartment entrance doorsets, communal doorsets, easily accessible balcony doorsets should be certificated to one of the following standards:
 - PAS 24:2016 (Note 23.4b), or
 - PAS 24:2022 (Note 23.4b), or
 - STS 201 Issue 12:2020 (Note 23.4c), or
 - LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 23.4d), or
 - LPS 1175 Issue 8:2018 Security Rating A3+, or
 - STS 202 Issue 10:2021 Burglary Rating 2 (Note 23.4d), or
 - LPS 2081 Issue 1.1:2016 Security Rating B (Notes 23.4d and 23.4e), or
 - STS 222 Issue 1:2021
- Cycle Parking (Apartments) - Can you confirm what the provision is for the apartments please. Our recommendation is as follow.
 Internal Cycle (Apartments blocks) - Cycle storage should be enclosed within a solid structure, well-lit and the doors should have LPS1175 SR1 rated security enhanced door-sets fitted with self-closers and a thumb turn or push to exit for egress to ensure that people cannot be locked in. There should be no visibility inside the stores to prevent criminals viewing the cycles (no windows). Stands should be secured (cemented 300mm) into the ground (not bolted down) as per Secured by Design guidelines. Minimum requirements for such equipment are:
 - Galvanised steel bar construction (Sheffield stands).
 - Minimum foundation depth of 300mm with welded 'anchor bar'
 - The cycle stands must facilitate the locking of both wheels and the crossbar.
 Clarification required what construction will these doors be?
- Will there be provision for E-bikes and cargo bikes?
- Secondary doors within the storage area providing access to the main core of the block should be access controlled and not a push to release. This is to mitigate against any technical problems or if the door is left insecure.

- Covered by CCTV both internal and external

Please be aware there are now tested products available and are listed on the SBD site which would be advisable when taking into consideration the high cycle crime rates within Cambridgeshire. Specialist Cycle Parking Page 20 section 5.8 - Please click on the link for more information [05132-Cycle-Parking-and-Security-Standards-June-2021-REV-6.pdf](#) [securedbydesign.com](#)

- Footpath, Open Space, Landscaping, whole development including - pedestrian links on this proposed development, footpaths should be straight with clear visibility and a minimum 2m wide, the landscaping along these paths should be maintained with a good management plan in place. Please ensure that tree crowns are raised above 2m in height and ground planting and hedging is kept to a minimum of 1 - 1.2m in height, this will allow for ongoing natural surveillance across the development, open spaces, and footpaths and to reduce possible conflict with lighting. Care should also be taken not to place column lighting within 5m of trees to reduce conflict or within 1m of private residential fences as they could be used as a climbing aid most dwelling burglaries are committed via rear gardens. These should encourage residents to use the green space and further improve natural surveillance which is always a proven deterrent to crime and anti-social behaviour as well as being a positive to health and wellbeing and a safe route. See lighting standard above

Our office would be happy to discuss Secured by Design and measures available to reduce the risk to vulnerabilities of crime. Please be aware that the secured by design homes guide has been updated, the latest edition is the SBD homes 2023 guide

Design Out Crime Officers - 22 December 2023

States: "I have viewed the documents in relation to crime, disorder, and the fear of crime.

I note the additional documentation. I have no further comment or objection. "

Anglian Water Services Ltd - 24 January 2024

States: "We have reviewed the submitted documents and we can confirm we have no additional comments to add to our previous response PLN-0201002."

Anglian Water Services Ltd - 2 January 2024

ASSETS

Section 1 - Assets Affected

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

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.

Therefore the site layout should take this into account and accommodate those assets within either prospectively

adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption

agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Stretham Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: Design and Access, Illustrative layout plan.

The sewerage system located in Cambridge Road at present has available capacity for these flows. If the developer

wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act

1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - 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. 2.

INFORMATIVE - Protection of existing assets - 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. 3.

INFORMATIVE - Building near to a public sewer - 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. 4. INFORMATIVE: 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.

Section 4 - Surface Water Disposal

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

The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. A flood risk assessment or surface water strategy has not been submitted, there is insufficient information to allow us to comment make comments on the surface water proposal. We would like to note that Anglian Water has no designated surface water sewers within the area of the proposed development site and we are unable to offer a solution for the surface water discharge at a later stage. We would expect the developer to consider the use of a Suds scheme as the surface water strategy. We recommend that once the surface water information is submitted that the Cambridge LLFA is re-consulted as per their response to the planning application dated 20-12-2023 We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - Development hectare size
 - Proposed discharge rate (Our minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website - <http://www.uksuds.com/drainagecalculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
- Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

Anglian Water Services Ltd - 14 December 2023

States: "We are unable to make an accurate assessment for the proposed development because no drainage strategy has been submitted with the application and therefore it is not clear where the applicant is proposing to connect to Anglian Water network."

Cambridgeshire Archaeology - 22 January 2024

States: "Thank you for the re consultation regarding the archaeological implications of the above referenced planning application. We have reviewed the additional documents and confirm that this does not alter our previous advice, 22/12/2023 and 11/12/23.

Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (Wintertree Software Inc.) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the Wintertree Software Inc., no demolition/development shall take place other than under the provisions of the agreed Wintertree Software Inc., which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of 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 and digital archives.

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

Informatives:

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the Wintertree Software Inc..

A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges."

Cambridgeshire Archaeology - 22 December 2023

We have reviewed the newly uploaded documentation and can confirm they do not alter the advice given by this office on 11/12/23.

Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/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 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 and digital archives.

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

Informatives:

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

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.

Cambridgeshire Archaeology - 11 December 2023

States: "Our records indicate that this site lies in an area of archaeological potential, immediately adjacent to the west of the 18th century Ely turnpike road (Cambridgeshire Historic Environment Record reference 05353) and less than 200m west of the projected line of a former Roman Road running north to Ely and Littleport (CHER ref 05352). To the east and south of the application area extensive artefactual evidence of Prehistoric-Roman occupation (for example, MCB17005, MCB17019, MCB16998, 06928a, MCB17002, MCB17023) is recorded in proximity to a settlement site of Romano-British date visible on historic aerial photographs as

cropmarks and which was mapped as part of the East Cambridgeshire Aerial Investigation and Mapping project (ECB6189, MCB31404). Archaeological investigations to the north within the village have revealed evidence of early through to late medieval remains, including structures possibly associated with an early manor (CHER refs MCB19851, 09833, MCB17659, 10199 and MCB17658). Earthwork remains of ridge and furrow cultivation and known to the north and south of the development area, including levelled earthwork remains within the development area itself (CHER refs MCB31270 and MCB30384).

We have commented on development within the area previously (22/00180/OUM and 23/00712/OUM) and advise that our previous recommendations remain for this application also. Namely that due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/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 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 and digital archives.

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

Informatives:

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

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."

Cambridgeshire County Council Education - 8 January 2024

States: "A summary of the County Council's Education and Libraries/Lifelong Learning contributions are set out in the extract below. Their full response is available on the Council's Portal, and should be read in conjunction with the below table:

2. S106 Summary Table

- 2.1 Table 1 below summarises the contributions requested by the Council. Subsequent sections of this response provide the detailed explanation as to how these contributions have been calculated. The Council provides a cost for the proposed education mitigation projects calculated in accordance the standards as set out in Building Bulletin 103. Where there is no project cost available, the most recent Department for Education scorecard costs will be used.

Table 1: s106 contributions – summary table

	Contribution	Project	Indexation date	Trigger
Early Years	To be calculated in accordance with appendix 3	Additional Early Years Places in Stretham	1Q2022	50% prior to commencement 50% prior to occupation of 50% of the scheme
Primary	N/A	N/A	N/A	
Secondary	To be calculated in accordance with appendix 3	Expansion of Witchord Village College	1Q2022	
Libraries	£12,272	Enhanced provision at Ely Library	1Q2021	100% prior to occupation of 50% of the development
Strategic Waste	n/a			

CCC Growth & Development - No Comments Received

Cambridgeshire Fire And Rescue Service - 23 January 2024

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

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

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

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

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

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

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

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

Cambridgeshire Fire And Rescue Service - 12 December 2023

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

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

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

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

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

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

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

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

Should you require any further information or assistance I will be pleased to advise."

County Highways Transport Team – 29 February 2024

States:

"Background

The document reviewed is the transport assessment dated December 2023, written by Ardent for a proposed 83 dwellings.

Transport Assessment Review

2.3

A review of the existing network has been undertaken.

It is noted that there is a missing section of footway just to the north of the proposed development.

2.16

Stretham is a small, isolated village with very limited facilities, its unlikely many residents would walk/cycle at peak times to schools or employment.

A site in this location is likely to be reliant on the private motor car as demonstrated by the census data and mode share.

2.18

It is noted that Stretham is served by a limited bus service.

2.24

it is noted that accident data has only been provided for a few hundred metres fronting the site and not an agreed study area.

2.28

The use of 2021 census data is not acceptable, due to covid and restrictions the results are not a true reflection.

2.30

MCC were undertaken at the Cambridge Road junction with Short Road on 15 sept 2021.

3.5

It is proposed to provide a pedestrian refuge island and a new section of footway on the eastern side of the A10. This will enable pedestrians from the site to walk north into the village centre. It should be noted that the footway and pram crossing at the petrol filling station whilst may be within public highway, looks difficult to deliver.

3.18

The LPA are the parking authority and will provide comments on parking.

5.1

The use of TRICS is acceptable.

5.8

The use of census 2011 data to determine modal split is acceptable.

As expected for a site in such a rural location there are just a handful of walking/cycling trips in the peaks.

6.2

The network peaks have been determined from the 2021 traffic surveys,

6.3

2027 does seem a bit optimistic, but the future years are noted.

6.4

The use of TEMPRO is acceptable.

6.7

The proposed distribution is acceptable.

6.9

A percentage impact assessment is not acceptable as this does not show how a junction is operating. If a junction is operating over capacity, then any new vehicles could have a severe impact.

6.18

The modelling results are noted.

The Highway Authority is aware that the A10/A1123 roundabout already suffers from being over capacity and leads to queuing on more than one arm at peak times. Queuing at the roundabout is also shown on google earth.

It is likely that vehicles will queue from the A10 roundabout past the proposed site access at peaks times, this could prevent vehicles from exiting the site. Queuing of vehicles trying to exit the site on a small side road is not a concern to the Highway Authority. A planning application of this size is not able to “fix” the existing capacity issues at the A10 roundabout.

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

1. Prior to first occupation of any dwelling, the applicant shall deliver on the ground the footway improvements, refuge island and pram crossings as show in principle on drawing 20 0 6310-0 0 4 Rev B. Full details to be submitted to and approved in writing by the local planning authority.”

Environment Agency - No Comments Received

Environmental Health - 22 January 2024

States: “I have no additional comments to make at this time.”

Environmental Health - 5 January 2024

States: "I have read the Design & Access Statement dated June 2023 prepared by Metropolis which indicates that this is a greenfield site. I recommend that a condition requiring investigation for contamination is not required. Due to the proposed sensitive end use of the site (residential) I recommend that standard contaminated land condition 4 (unexpected contamination) is attached to any grant of permission."

Environmental Health - 14 December 2023

States: "We have commented on a similar proposal at this location in the past.

If Peter wishes to make any comments he will respond separately.

I would advise that construction times and deliveries during the construction phase are restricted to the following:

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

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

If it is necessary to undertake ground piling I would request that a method statement be produced and agreed in writing with the Local Planning Authority (LPA) before work takes place. This document should include the commitment to notifying nearby properties prior to the work commencing to advise how long the works will last. This notification should also provide a contact number so that if there are any concerns while the piling is taking place they can contact the contractor. If the method of piling involves impact driving I would request a commitment to the following restricted hours specifically for piling - 09:00 - 17:00 each day Monday - Friday and None on Saturdays, Sundays or Bank Holidays.

If there is no intention to utilise ground piling then I would request this be confirmed in writing and a condition which prevents it be attached until such time as a ground piling method statement is agreed with the LPA.

For the previous application at this site there was a NIA included. There isn't one visible on the Portal for this application. It may be useful to have a discussion concerning noise at this site before I comment further.

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

Housing Section - 16 February 2024

States: "The application will support East Cambridgeshire District Council to address housing need.

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

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

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

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

1. That Affordable Housing is secure with the tenure requirement of 77% rented and 23% intermediate housing.
2. That the dwellings will be Affordable Housing in accordance with the definition contained in NPPF.
3. That the dwellings will transfer to a provider of social housing approved by the Council, either a Private Registered Provider or an alternative affordable housing provider (including but not limited to a housing trust or company, a community land trust or an almshouses society).
4. That the tenure of each dwelling will be Affordable Rent, Social Rent or Shared Ownership, and no subsequent alteration will be permitted without the Council's prior approval.
5. That the rent charged for the Affordable Rented properties will not exceed Local Housing Allowance rate for the equivalent property size.
6. That the Affordable Dwellings are constructed to DCLG, National Described Space Standards or as a minimum all new dwellings should meet Building Regulation Part M (Volume 1), Category 2, unless there are exceptional design reasons why this is not possible.
7. That the Provider will not dispose of any dwelling by outright sale (except any sale to a tenant under statutory provisions)
8. That occupation will be in accordance with a nomination agreement.
9. That these affordable housing conditions shall be binding on successors in title, with exceptions for mortgagees in possession and protected tenants."

Local Highways Authority - 1 February 2024

States: "Following a review of the updated information submitted, I have no further comments

or recommendations following my response on the 2nd January 2024.

I have not provided comment on the layout presuming it is illustrative and noting it is not to CCC adoptable standard."

Lead Local Flood Authority - 5 March 2024

States: "We can remove our objection to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed using a step swale (planted step) and an attenuation basin which will be discharged to an ordinary watercourse site via a pump, restricting surface water discharge to greenfield equivalents.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

We request the following conditions are imposed:

Condition 1

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

The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Foul and Surface Water Drainage Strategy for Planning prepared by Unda Consulting (ref: 90709d-FuturePD-Stretham) dated 15th January 2024 and shall also include:

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

Reason

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

Condition 2

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.”

Lead Local Flood Authority - 5 February 2024

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

1. Limited SuDS

It is appreciated that the applicant proposes basins and step swales. However, interception source control should be sought on every site, such as permeable paving, rain gardens, bioretention, or green roofs. This sets up the start of the SuDS Management Train and provides the first stage of treatment and surface water management before discharging into the watercourse. The applicant has not incorporated source control into the site, nor provided evidence of why they would be inappropriate.

2. Impermeable Areas

It is currently unclear whether the applicant has included the surface area of the attenuation basin as part of the total impermeable area. The attenuation basin must be treated as an impermeable surface in calculations these areas will be positively drained into the system.

3. Further information required about proposed outfall

It is acknowledged that images provided appear to show a well-maintained watercourse, however clarification of maintenance on the downstream extents is required. In addition, the following information is also required:

- capacity of the watercourse (the applicant must demonstrate that the watercourse has sufficient available capacity to cope with the influx of surface water from the site). An approximate assessment of channel capacity based on its dimensions should be undertaken. As a worst-case scenario, the smallest part of the watercourse should be assessed.

- outfall of the watercourse (the applicant must identify a final effective outfall of the watercourse). We would accept a desktop trace, but the applicant should also include any other available information, such as aerial photography, that proves the physical presence of a watercourse.

Informatives

Ordinary Watercourse Consent

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/business/planning-and-development/water-minerals-and-waste/watercourse-management/>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas

Pollution Control

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

Assistance For Developers

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

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

Lead Local Flood Authority - 5 January 2024

States: “At present we object to the grant of planning permission. The applicant has not provided any new information since our last response. Therefore, the LLFA would like to reiterate the following:

Paragraph 173 of the National Planning Policy Framework requires planning applications to be supported by a site-specific flood risk assessment. Such an assessment should include a surface water strategy and must demonstrate that the proposed development incorporates sustainable drainage systems (SuDS), unless there is clear evidence that this would be inappropriate. The SuDS should:

- a) Take account of advice from the Lead Local Flood Authority;
- b) Have appropriate minimum operational standards;
- c) Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) Where possible, provide multifunctional benefits

As a flood risk assessment/surface water strategy containing the above information has not been submitted there is insufficient information in order for us to determine the impacts of the proposal.

In order to assist developers with the preparation of surface water strategies Cambridgeshire County Council has prepared a guidance document which is available to view [here](#).

For an outline application the following should be included within the surface water strategy:

- i. Existing impermeable area
- ii. Proposed impermeable area / developable area (including an allowance for urban creep)
- iii. A description of site topography
- iv. A description of ground conditions (using site investigation where possible)
- v. Identification of any surface water flood risk
- vi. Existing site drainage arrangements
- vii. Proposed method of surface water disposal
- viii. Existing and proposed runoff rates (if discharging off-site)
- ix. Existing and proposed runoff volumes (if discharging off-site)
- x. Required volume of attenuation (m³ per m² of impermeable area)
- xi. Preliminary SuDS proposals
- xii. Infiltration test results in accordance with BRE365 (or second viable option for surface water disposal if testing hasn't yet been undertaken)
- xiii Details of proposed phasing"

The Ely Group Of Internal Drainage Board - 9 February 2024

States: "The Board has no further comment to make from our letter dated 21 st December 2023.

You may wish to contact Haddenham Level IDB regarding this application."

The Ely Group Of Internal Drainage Board - 21 December 2023

State: "This application for development is outside of the Littleport and Downham Internal Drainage District.

The Board has no comment on this aspect of the application."

Haddenham Level Drainage Commissioners - No Comments Received

Waste Strategy (ECDC) - 30 January 2024

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

o

A swept path analysis will be required to comment on the safe access and reversing of our vehicles for collection, assuming the roads are built to adoptable standards. We advise the applicant to refer to the Recap Waste Management and Design

Guide, which includes the specifications of our collection vehicles and road dimensions.

o

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

o

Each new property requires a set of receptacles; the contribution is currently £57 per set. We would recommend the developer made the contribution on behalf of the residents. Please note that the bins remain the property of East Cambridgeshire District Council.

o

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

5.2 A site notice was displayed near the site on 14th December 2023 and a press advert was published in the Cambridge Evening News on 21st December 2023.

5.3 **Neighbours** – 87 neighbouring properties were notified of the proposal. 74 responses were received with 4 objections to the proposal and 70 comments in support. The responses have been summarised below. A full copy of the responses are available on the Council's website.

All of the supportive comments were received from contributors through the 'Just Build Homes' service, a service established by 'Shared Voice', a communications agency.

- Many people were supportive of the application due to its high affordable housing scheme and rent- to- buy options. This was stated to be "a step towards addressing the housing affordability issues in the area" and providing "fantastic opportunities for families starting out."
- The inclusion of the community orchard and play area within the scheme was also praised.

Four objections were also raised to the proposal stating:

- Concerns with highways safety in particular with how the A10 and highway network would be able to accommodate the additional traffic.
- It was also noted that many concerns were raised with pedestrian safety when crossing the A10 and that many felt a solution should be provided.
- Neighbouring properties raised concerns with a lack of parking being provided for future occupiers on site.
- It was also raised that residents have concerns with the existing water pressure and drainage systems being unable to accommodate the additional development.
- Concerns with flooding of the site were also raised.

6.0 THE PLANNING POLICY CONTEXT

6.1 *East Cambridgeshire Local Plan, 2015 (as amended 2023)*

- GROWTH 1: 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
- HOU 4: Affordable housing exception sites
- ENV 1: Landscape and settlement character
- ENV 2: Design
- ENV 4: Energy and water efficiency and renewable energy in construction
- ENV 7: Biodiversity and geology
- ENV 8: Flood risk
- ENV 9: Pollution
- ENV 14: Sites of archaeological interest
- COM 7: Transport impact
- COM 8: Parking provision

6.2 *Cambridgeshire & Peterborough Waste and Minerals Local Plan, 2021*

6.3 *National Planning Policy Framework, 2023 (December)*

- 1 Introduction
- 2 Achieving sustainable development
- 3 Plan-making
- 4 Decision-making
- 6 Building a strong competitive economy
- 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

6.4 *Planning Practice Guidance*

- Noise

6.5 *ProPG: Planning and Noise for New Residential Development, May 2017*

6.6 *Supplementary Planning Documents (SPD)*

- East Cambridgeshire Design Guide
- Flood and Water
- Contaminated Land
- Natural Environment
- Climate Change

- 6.7 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted East Cambridgeshire Local Plan (2015)(as amended 2023) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7.0 PLANNING COMMENTS

7.1 Key Issues:

- Principle of Development
- Access and Highway Safety
- Indicative Layout and Visual Amenity
- Residential Amenity
- Flood Risk and Drainage
- Biodiversity
- Infrastructure
- Other matters

7.2 Background to the Application

- 7.3 An application for outline planning permission at the site for 19-affordable dwellings was recently refused in 2022 (see history section above) on the following grounds;

- 1 The application site is located in an area exposed to noise from the adjacent transport network. The application proposes to mitigate the noise by relying on closed windows and mechanical ventilation throughout all properties. Whilst this would reduce internal noise levels to acceptable levels, it would not be possible for occupiers to open any windows without being affected by noise levels in excess of recommended limits. Consequently, the development would fail to provide a high-quality living environment contrary to policy ENV 2 of the East Cambridgeshire Local Plan (2015) and paragraph 130(f) of the NPPF.*
- 2 The application site is located in an area exposed to noise from the adjacent transport network. The application proposes to mitigate the noise by arranging dwellings fronting the highway in a terrace formation. The site sits outside of the development envelope of Stretham where buildings are looser knit and as such the introduction of a terrace of properties in this location would fail to complement and enhance the local distinctiveness of the area, contrary to policies ENV 1 and ENV 2 and paragraph 130 of the NPPF.*
- 3 The application proposes a residential housing scheme which would require contributions towards education, open space as well as securing affordable housing as a rural exception site. However, the application is not supported by a legal agreement deemed necessary to secure this, contrary to policy GROWTH 3 and HOU 4 of the East Cambridgeshire Local Plan, 2015.*

- 7.4 An appeal against the Council's refusal was subsequently lodged and the appeal dismissed, thereby granting outline planning permission. In summary, the following key conclusions were drawn by the Planning inspectorate;

- That the proposal would be built to passive-house standards, whereby it is not necessary to open windows,
- That through the appeal submission and notwithstanding the passive-house standard, the development demonstrates that at least 1 window on the quieter façade of all properties and serving habitable rooms could be opened whilst achieving acceptable internal noise levels,
- That the use of a terrace design would not result in unacceptable visual harm to the character of the area
- That, through the appeal submission, the infrastructure contributions necessary to make the development acceptable were secured via legal agreement.

7.5 A subsequent application for a 38-dwelling scheme was then submitted (23/00712/OUM), incorporating some of the same design solutions to the appealed proposal e.g., passive-house standard design, quieter facades and terrace design along the frontage. Significant weight was afforded to the appeal decision when considering the most recently approved 38-unit scheme, given its similarities with the appeal proposals.

7.6 It is considered, as above, that significant weight should again be afforded to the appeal decision and the recently approved 38-unit scheme when considering the current scheme as material considerations in the planning consideration process. Albeit a larger proposal, the scheme seeks to incorporate the same design-principles as above.

7.7 Principle of Development

7.8 The site is located outside of the defined development envelope of Stretham and comprises an agricultural field. Policy GROWTH 2 of the adopted Local Plan 2015 seeks to strictly control development outside of defined development envelopes, having regard to the need to protect the countryside and the setting of towns and villages. Development will be restricted to the main categories listed below, and may be permitted as an exception, providing there is no significant adverse impact on the character of the countryside and that other Local Plan policies are satisfied;

- Affordable housing exception schemes (see Policy HOU 4).

7.9 The site comes forward as 100% affordable housing, with a provider, Stonewater Ltd. confirming that they intend to take on the scheme. In this regard, the proposal would meet with the exception set out in policy GROWTH 2 under Policy HOU 4, subject to compliance with the development plan and consideration of impacts on the character of the countryside.

7.10 Policy HOU 4 supports Affordable Housing exception sites, subject the following being met;

- There is an identified local need which cannot be met on available sites within the development envelope (including allocation sites), or sites which are part of community-led development.
- The site is well related to a village which offers a range of services and facilities, and there is good accessibility by foot/cycle to those facilities.
- No significant harm would be caused to the character or setting of the settlement and the surrounding countryside.

- The scale of the scheme is appropriate to the location and to the level of identified local affordable housing need.
 - The scheme incorporates a range of dwelling sizes, types and tenures appropriate to the identified local need; and
 - The affordable housing provided is made available to people in local housing need at an affordable cost for the life of the property.
- 7.11 It is acknowledged that there is a significant need for affordable housing in East Cambridgeshire (paragraph 4.5.1 of the Local Plan) with an accepted under-delivery of sites in the plan period so far.
- 7.12 The application is supported by a Housing Needs Assessment (HNA) (January 2024) which considers the needs of the villages of Stretham and Little Thetford, both of which are in the Stretham ward. The inclusion of Stretham and Little Thetford as part of the HNA was agreed for both of the previous consents within the application site, and has therefore been taken forwards under the current scheme. The results indicate a need for at least 44 affordable dwellings, with only 63 affordable dwellings granted in the last 6 years in Stretham and Little Thetford (57 of which have been granted within the application site under the two recent approvals, one of which at appeal). The other 6 of these 63 units were delivered as part of the Plantation Gate housing scheme and passed to the Stretham Community Land Trust (CLT).
- 7.13 The Council's Housing team have advised that as of late February 2024, there are 75 people on the housing register with a 'local connection' to Stretham and Little Thetford (49 Stretham/26 Lt. Thetford), with 327 and 317 people also indicating a preference to live within either Stretham or Little Thetford respectively.
- 7.14 The Council's Housing team has reviewed the proposal and confirmed that the scheme would meet an identified local need (subject to the final tenure and mix) and in this regard, the proposal would comply with policy HOU 4. Furthermore, with the proposed highway improvements, the site would be well-linked to local services and facilities within Stretham itself including the recreation ground, garage and central village amenities.
- 7.15 With regard to tenure, following review of the Housing Needs Assessment, the Council's Strategic Housing Team have also agreed that a tenure split of circa 50/50 rent to intermediate housing across the site is also acceptable in the context of the need within the local area, as opposed to the usual preference of 77/23 rent to intermediate housing. This also includes a tenure mix of affordable rent, shared ownership and rent-to-buy, offering a range of tenure as required by Policy HOU 4. Further details of Heads of Terms and S106 legal agreement are provided in following sections of this report, including matters of affordable housing.
- 7.16 On the above basis, it is considered there is sufficient evidence of local need for affordable housing in the Stretham ward, and the scheme would satisfy this local need. Whilst the 83-unit scheme would slightly exceed the current local need as understood from the Council's Housing Team, it is relevant that the scheme is for 'up-to' 83-units, and this is a maximum not a minimum number subject to future reserved matters submission(s).

- 7.17 The understanding of local need for affordable housing is also highly unlikely to be static, and the scheme has the potential to therefore in-build a small degree of flexibility in meeting a growing local need, which has itself increased across applications within the site since 2022 (from 45 to 75 individuals with a local connection). This flexibility should also be considered in the light of the district's aforementioned significant need for affordable housing and accepted under-delivery of sites in the plan period so far, and limited delivery of affordable housing in the Stretham ward over preceding years, which itself should be afforded weight in the decision-making process. It is therefore considered that the scale of the scheme is appropriate to the location and to the level of identified local affordable housing need, in compliance with Policy HOU 4.
- 7.18 In respect of policies GROWTH 2 and HOU 4 and the impact of the development on the countryside; the site is straddled by built form, but it is acknowledged that the development extends notably beyond existing built form within the village. It is also acknowledged that views of the openness in this section would be lost through the development. This would need to be balanced against the benefits of delivering an affordable housing scheme where there is an identified need, and that the Local Plan accepts some loss of open countryside through rural exception sites. In this respect it is likely that a scheme could come forward (subject to detailed design) which would not significantly harm the open character of the countryside. Further comments on landscape and settlement impacts are provided within later sections of this report.
- 7.19 It is considered therefore, that the principle of the development can be supported through strategic policy GROWTH 2 and housing policy HOU 4 and other relevant policies of the development plan.

7.20 Access and Highway Safety

- 7.21 The Local Highways Authority (LHA) has confirmed that, as agreed under the previous scheme (LPA Ref. 23/00712/OUM) the access arrangements and wider mitigation as set out on plan ref: 2006310-004 B are acceptable, subject to conditions. The LHA has confirmed in further discussions that the highway mitigation works are acceptable to mitigate the impact of the development in highway safety terms. Subject to the scheme being delivered in accordance with the arrangement and conditional requirements, it is considered that the proposal would be served by safe and suitable access as required under policy COM 7 of the ECLP and paragraph 114(b) of the NPPF. The additional works beyond the site access including footpath widening, refuge island and tactile paving could also provide benefits to residents accessing Short Road e.g. to access the recreation ground.
- 7.22 The County Council's Transport Assessment Team have also raised no objections to the proposals, subject to the proposed highway works being completed prior to occupation of the proposed development. It is noted in their comments the Transport Assessment Team have raised a few technical concerns with the data used in the Transport Assessment, and deliverability of the off-site highway works. However, in further clarification with Officers, the Transport Assessment Team have concluded that making further amendments to the submitted Transport Assessment to address the technical issues raised would not affect the current outcome of the assessment. On this basis, there are no objections raised, and no further amendments technical or otherwise to the Transport Assessment required.

- 7.23 Regarding the deliverability of the off-site highway works, the Local Highways Authority (LHA) have confirmed that all works proposed are understood to take place within the highway boundary which benefits from highway rights. However, it has been advised that matters of existing encroachment into the highway boundary may potentially need to be addressed when the highway works are undertaken (for example under S278 and S38 works for adoption and works in the highway). This is a separate legislative process and relates to third-party disputes, not the technical acceptability or deliverability of the proposals to mitigate the development's impacts. This legal process is also independent of the planning system, and Officers have been advised by the LHA that given the land is subject to highway rights, the LHA cannot in principle refuse highway mitigation works within it. The highway mitigation works are therefore considered to be deliverable to mitigate the impacts of the development, and the Grampian condition trigger suggested at Condition 15 would preclude occupation of the site until such a time these mitigation works were completed.
- 7.24 Car parking in accordance with Policy COM 8 (two spaces per dwelling – maximum requirement) is also shown indicatively on the submitted plans as being possible.
- 7.25 On the above basis the proposed development is considered to be acceptable in terms of its highway impacts and in terms of highway safety as per the policies of the Local Plan and NPPF.
- 7.26 Indicative Layout and Visual Amenity**
- 7.27 Whilst layout is not a committed detail with this application, it is generally necessary for the applicant to demonstrate that the quantum of development could be satisfactorily accommodated within the site. In this respect, the applicant has submitted an indicative layout plan and an assessment of the scheme in the context of the wider Stretham village as set out within the Design and Access Statement (DAS).
- 7.28 The indicative layout demonstrates that the quantum could likely satisfactorily fit into the site and could achieve rear garden sizes and open space (inclusive of play space) compliant with standards expected within the adopted Design Guide and Developer Contributions SPDs. An indicative density of c.18.2 dwellings per hectare (7.4 units per acre) is shown within the DAS suggesting a density generally commensurate with the density of development along Cambridge Road immediately to the north of the application site.
- 7.29 The Council previously raised concerns under LPA Ref.22/00180/OUM that a terrace of dwellings along the frontage would be at odds with the prevailing looser-knit character of the area. However, as noted above, this concern has recently been tested at appeal, whereby the Inspector considered that, whilst only in outline, such an arrangement would not result in visual harm sufficient to warrant refusal of the application and that a suitable scheme could likely be secured at reserved matters which could respond positively to the character and settlement pattern of the area. In this respect, having regard to the significant weight to be afforded to the appeal decision, the Council found under the subsequent scheme for 38-dwellings (23/00712/OUM) that the proposal to repeat the indicative frontage of terrace dwellings does not warrant sufficient grounds to refuse the application. It is considered that the same conclusions can be drawn for the current proposals on this matter.

- 7.30 The previous application proposed only up to 38 dwellings and therefore occupying a smaller area of the site, with the above-mentioned indicative terrace of dwellings across the site's frontage with a looser-knit secondary row of rearward units. This latest proposal utilises a deeper area of the agricultural field, introducing more dwellings and a greater amount of supporting infrastructure e.g., roads, landscaping and open space and therefore extends further into the open countryside.
- 7.31 The application is supported by a landscape and visual impact assessment (LVIA), which considers the visual impact of the development from various viewpoints across the open countryside.
- 7.32 It is to be noted that the proposed development would result in adverse landscape impacts during construction and at completion stages, with these impacts diminishing with the establishment of the site and the proposed mitigative planting, and with distance from the site itself. The perceptibility of the development itself contributes to these adverse impacts, albeit the presence of development itself is not inherently harmful, rather how it's introduction impacts upon the characteristics of a visual composition/landscape and the ability to enjoy the view. It is also to be noted that as a rural exception site, it is accepted by local and national policy that such schemes will more often than not come forwards on sites not normally used for housing and in rural areas (Policy HOU 4 and Paragraph 82 of the NPPF), and that a degree of countryside incursion and associated adverse landscape and character impacts is likely in order to meet local affordable housing needs.
- 7.33 In terms of specific landscape/character impacts, the LVIA concludes that at a local scale at completion (taken to be Year 1), the proposed development could potentially result in development of a minor adverse landscape effect on the cusp of Significant and Not Significant. Officers concur that the development at Year 1 and beyond, in the absence of any mitigation, would be clearly perceptible and would affect how the landscape/character of the area is appreciated, with the most perceptible impacts within the immediate locality of the site and its frontage to Cambridge Road. The development at completion / Year 1 is therefore likely to result in moderate to high adverse impacts upon the immediate local landscape character, but these impacts quickly diminish with distance from the site, which is acknowledged itself to be adversely characterised by the A10 highway.
- 7.34 To mitigate these potentially significant effects, mitigative planting is proposed predominantly south/west boundaries, with reinforcement of existing eastern and northern boundaries. After this planting has established after the 15 year mark (where planting establishment becomes effective and effects are then considered to be permanent) the development would have a Low Adverse Landscape Impact with a Negligible to Minor Landscape Effect/Not Significant/Long Term.
- 7.35 In simplified terms, the LVIA concludes that after established mitigative planting, the development will result in perceptible albeit small, long term (permanent and irreversible) changes in the components of a landscape and how it is appreciated, with further mitigation beyond that already set out deemed unnecessary or to be a consideration of only limited weight. The resulting permanent impacts of the development upon the character of the area would not ultimately therefore be significant.

- 7.36 It is to be noted that the use of landscaping to make an unacceptable scheme acceptable is rarely an acceptable approach adopted by the LPA. However, there is an overall planning balance to be reached (as set out within the later section of this report).
- 7.37 At a county and national level, the LVIA also concludes that the Magnitude of Landscape Impact/Effect is judged to be Low Adverse Impact/Minor Landscape Effect/Not Significant/Long Term at completion and after planting would have established. In simple terms, at the national/county scale the scale of change as a result of the development would be perceived as indiscernible at both completion and after establishment of planting (15 years onwards).
- 7.38 The LVIA therefore ultimately concludes that the Site is capable of accommodating change and would not be an incongruous new development at a local scale or county/national scale and would not result in significant harm to the character of the countryside or village with mitigative planting once established. Officers concur with this assessment at the outline stage.
- 7.39 Cumulative impacts, impacts upon public viewpoints (including Public Right of Ways) as well as nighttime (lighting) impacts have also been considered within the LVIA, concluding that impacts would also not be significant, with lighting in particular seen in the context of the existing village.
- 7.40 Consequently, the development as indicated would conflict with policies ENV 1, ENV 2 or HOU 4 at completion/Year 1. However, with mitigation and establishment of landscaping, it is likely a detailed design scheme could come forward (based on the indicative arrangement proposed) which would complement the local distinctive character of the area which protecting the intrinsic beauty of the countryside, and not result in significant harm to the character or setting of the settlement and the surrounding countryside, and therefore comply with the overall aim of Policy HOU 4.

7.41 Residential Amenity

- 7.42 Whilst matters of precise layout, scale and appearance e.g., specific location of window positions, would be matters to be considered at future time, the indicative layout suggests that it is unlikely that the development would result in any severe overlooking, overshadowing or overbearing impacts on existing residents. Furthermore, and as noted above, each property would likely achieve adequate garden sizes for future occupiers.
- 7.43 Whilst the construction of the development could cause some disruption to living conditions for existing residents, this could reasonably be managed through an agreed Construction Management Plan, for example to ensure that hours of construction, use of plant and machinery and dust and mud suppression is controlled appropriately. The plan could reasonably be secured through planning condition as recommended by the Council's Environmental Health team.
- 7.44 As noted, the Noise Impact Assessment (NIA) submitted by the applicant indicates that ambient noise levels across the site are dictated by constant road traffic noise from Cambridge Road adjacent, with some noise impacts from the Cosy Kennels to the south of the site also. These impacts, predominantly road traffic noise, would need

to be carefully managed, with confirmation that the proposed layout would fail to achieve acceptable internal noise levels for a high number of units without some reliance on closed windows and a Mechanical Ventilation and Heat and Recovery system (MVHR).

- 7.45 The indicative layout plan is supported by an acoustic modelling plan which demonstrates that the exposed facets of a large number of dwellings would be affected by noise exceeding 50dB, meaning that it would not be possible for occupiers to open windows on these affected facades without being affected by noise levels in excess of current guidance (35dB LAeq daytime (resting and bedrooms) and 30dB LAeq at 23:00hrs to 07:00hrs for bedrooms) in accordance with the acceptable levels set out at Figure 2 of the ProPG Guidance. Indicative plots 55-83 would however be able to rely on openable windows to control overheating and for general amenity purposes whilst achieving reasonable internal noise levels.
- 7.46 The scheme is for affordable housing for which, as established above there is a significant need for. As such, it would be reasonable to apply the +5dB uplift and this relaxation does result in a number of dwellings (in their indicative locations) falling into 'acceptable' noise levels. Nonetheless there would still be a reliance on a number of facets needing the MVHR mitigation to maintain acceptable internal noise levels.
- 7.47 It is acknowledged that this approach would likely achieve adequate ventilation, in-line with passivhaus standards/principles which the NIA concludes will be applied across the site's construction, and is a recognised and sustainable means of building, effectively recycling and re-circulating air to maintain internal temperatures and clean air in an energy efficient way. It is also recognised that ProPG guidance identifies this method as an acceptable means to mitigate noise, as previously acknowledged by the Council's Environmental Health Officer when assessing the previous scheme for 38 dwellings under 23/00712/OUM.
- 7.48 As set out above in the background section of this report, the Council previously objected the scheme on the basis of a significant reliance on MVHR to manage noise interference, concluding that its degree of use would not achieve high standards of amenity for future occupiers. However, given the weight to be afforded to the associated appeal decision, and the acceptance of MVHR under the 38-unit scheme (23/00712/OUM), the repeated proposal to design the development to passivhaus principles, it is considered that a refusal on this basis would not be supported at appeal and therefore that this approach should be supported with this application. The Environmental Health Officer has raised no objections to this MVHR approach.
- 7.49 With regard to noise from the kennels, the NIA concludes that the proposed glazing and MVHR strategy would ensure acceptable internal noise levels to address any noise interference from this nearby use, reducing its impact to 'present and not intrusive', requiring no further specific measures. The Council's Environmental Health Officer has not raised any concerns with this approach. It is also concluded on this basis that the presence of the development would not result in detrimental impacts upon the operation of the existing business.
- 7.50 With regard to external amenity areas of the development, noise levels are predicted to be acceptable and compliant with national guidance, provided that 2m high close-

boarded timber fencing is used around all gardens. The Environmental Health Officer has raised no objections to this approach.

- 7.51 As such, it is concluded based on the design standards and mitigation proposed and in giving significant weight to the associated application history to the site, the development would achieve high standards of general amenity as required under NPPF Chapter 12 and Local Plan Policy ENV 2.

7.52 Flood Risk and Drainage

- 7.53 The application site is generally agreed to be in an area at low risk of flooding (wholly within Flood Zone 1). The Flood Risk Assessment nevertheless suggests that the site is subject to surface water flooding, with the site frontage subject to a low risk of surface water flooding, and very small parts of the site at medium to high risk of surface water flooding (area already has planning approval). Flood depths are predicted to be between 150mm to 300mm (c.6 to 12 inches) in the 'High' 1 in 30-year model (3.3% probability), and a maximum of 600mm (c. 24 inches) in the 'medium' (1:100 year) (1% probability) and 'low' (1:1000 year) (0.1% probability) events. Residential development should usually be considered as being in-situ for a minimum of 100-years, and there is no reason to consider this development as especially time-limited (i.e. no impacts of coastal change) to warrant a shorter flooding probability forecast.
- 7.54 In terms of alternative sites at a lower risk of surface water flooding, whilst it is not considered that a sequential test is required to consider whether alternative sites are available at a lower risk of surface water flooding, it has been previously accepted by the LPA (on the basis of evidence submitted previously by the Applicant) that there are no other areas of land reasonably available at a lower risk of surface water flooding that could accommodate the proposed development. It is considered unreasonable for the LPA to conclude differently for the current proposals.
- 7.55 In terms of a site-specific sequential approach, the Applicant's Flood Risk Assessment puts forward a strategy for locating development, with the majority of residential development *indicatively* shown to avoid the majority of the low, medium and high surface water flood risk areas. Raised thresholds above finished floor levels of 300mm (12 inches) are recommended for the majority of the site within the FRA, with raised thresholds of 600mm (24 inches) for the parts of the site with the deepest flood depths, to mitigate the worst flooding impacts in a flood event (low risk). It is considered that at a detailed design stage, this strategy could be appropriately realised and a condition has been imposed to secure compliance of the detailed scheme with the recommendations of the FRA.
- 7.56 Ultimately, the application is supported by a flood risk assessment which demonstrates that surface water can be adequately managed on site without causing flooding elsewhere, and that solutions are available to make the development safe for its lifetime. This would be subject to further demonstration a detailed design stage – but nonetheless the Lead Local Flood Authority has accepted the outline drainage strategy and it is considered that the proposal complies at this stage with the aims of Local Plan policy ENV 8 and the NPPF.
- 7.57 Matters of foul drainage would also need to be secured at detailed design stage (reserved matters) and there is nothing to indicate that solutions would not be

available to the developer in achieving a satisfactory scheme in this regard, with Anglian Water confirming that the Stretham wastewater recycling centre has available capacity for the development.

7.58 Biodiversity

- 7.59 Policy ENV 7 of the adopted Local Plan seeks to protect biodiversity and geological value of land and buildings and requires that through development management processes, management procedures and other positive initiatives, the council will among other criteria, promote the creation of an effective, functioning ecological network. The Council's adopted Natural Environment SPD sets out that all development proposals would be expected to provide environmental enhancements proportionate to the scale and degree of the development proposed.
- 7.60 The application is supported by a preliminary ecological appraisal (PEA), comprising a Phase 1 habitat survey which formed consideration for the previous planning applications and assess the application site and the wider area for constraints and opportunities for biodiversity protection and enhancement. The PEA was undertaken in 2020 and is therefore out of date in accordance with CIEEM guidance, but it has nevertheless informed the two previous (extant) consents and provides a general overview of the site as follows.
- 7.61 The site features generally comprise arable bare ground with boundary hedgerow, perimeter scrubland and dry ditches. Whilst the site area has been extended further with this latest application, the previous conclusions of the PEA (which captured a much wider site area in any case) can be generally relied upon and are proportionate to the nature and scale of the application and are sufficient to guide the Local Planning Authority in their statutory duties at this outline stage when considering the principle of development and access only.
- 7.62 The site is agricultural land with the main feature being the front and northern boundary hedge. It is considered that whilst at present the site likely yields low to modest biodiversity value; most likely in respect of invertebrates, and nesting/ foraging for birds and commuting/foraging bats through the hedge, it is likely that a scheme could come forward which would demonstrate biodiversity net gain through the retention of the hedge (with exception to where the access is proposed and highway visibility is necessary) and additional planting and habitat creation.
- 7.63 Members are advised that given the submission date of 5 December 2023, the current proposals (and any future reserved matters pursuant to it) would not be the subject of mandatory 10% biodiversity net gain (as established by the Environment Act 2021 and secondary legislation). Nevertheless, the Local Plan and Natural Environment SPD are still applicable during this transitional period, and a significant biodiversity net gain would still be required to be demonstrated with any reserved matters consent.
- 7.64 It is noted that recommendations of the PEA include further pre-development surveys, such as for reptiles and badgers due to the transient nature of these species. Given the date of the PEA, it is also considered a future reserved matters submission would need to be supported by an up-to-date ecological appraisal of the site. It is considered that this can be incorporated into an updated ecological survey and mitigation scheme to accompany any future reserved matters application(s) and would meet the aims of

Local Plan policy ENV 7 and the aims of the SPD. This strategy was adopted when approving LPA Ref. 23/00712/OUM for the 83-unit scheme and is therefore considered to be applicable to the current proposals.

7.65 Infrastructure and S106 Planning Obligation

- 7.66 Policy GROWTH 3 of the East Cambridgeshire Local Plan, 2015 requires developments to mitigate their impacts through infrastructure provision, by way of planning conditions and / or S106 obligations – this includes where affordable housing, open space, sustainable drainage, and education contributions are to be secured.
- 7.67 As with the previous 38-unit consent, given the quantum of dwellings proposed it is considered that the education and library contributions sought by the County Council, the open space requirements (comprising on-site infrastructure inclusive of play-space and orchard), the sustainable drainage (SuDS), and the affordable housing (which would include details of a nomination agreement and a guarantee of being retained as affordable housing and future transfer agreements), are necessary to mitigate the impacts of the development and meet the tests as set out under CIL 122 Regulations (necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development).
- 7.68 With specific regard to the affordable housing obligations, the Applicant has agreed to include a cascade mechanism within the S106 to ensure priority is first given to those with a local connection to Stretham and/or Little Thetford, with this then widening out to surrounding parishes and then the wider district. This is considered pertinent given the notable uplift in affordable units being proposed under the current scheme, and to ensure that the housing is genuinely meeting the local identified needs as per Policy HOU 4. The S106 obligation will also include details of tenure split (c.50/50 rented to intermediate housing as agreed with the Council's Strategic Housing Officer) to reflect locally identified need.
- 7.69 It would be necessary to secure the above via S106 legal agreement to make the development acceptable and the applicant has confirmed their agreement to the heads of terms set out by the Council. Subject to the completion of the necessary S106 agreement(s), the development would accord with the requirements of policies GROWTH 3 and HOU 4 of the Local Plan.

7.70 Other matters

- 7.71 Archaeology
- 7.72 The County Council's Archaeology team has advised that the site lies in an area of potential interest and has sought a planning condition to secure a written scheme of investigation, in the interests of safeguarding archaeological assets. It's considered this would be necessary having regard to the aims of policy ENV 14 of the Local Plan and such a pre-commencement condition could be reasonably secured.

7.73 Community safety and security

7.74 The comments from the Local Policing team are noted and it would be for the developer to bring forward a detailed scheme which considers the recommendations as set out by the Police, in order to address security and the fear of crime in accordance with Local Plan policy ENV 2.

7.75 Planning Conditions

7.76 A number of conditions have been recommended by consultees during the assessment of this application. Whilst most have been accommodated with the conditions schedule as set out below, as with the approved 38-unit scheme, regard is had to the suite of recommended conditions set out by the Planning Inspector under the previous appeal for LPA Ref. 22/00180/OUM, which considered the conditions suggested by the Council, against the tests of planning conditions. A number of conditions recommended by consultees were not accepted by the Inspector. These included;

- The Council's Environmental Health team's previous recommendation for a full ground contamination site investigation. Instead, the standard unsuspected contaminated land condition was imposed, and this has been accepted by the Council's Scientific Officer under the current application;
- The Council's Environmental Health team's recommendation to restrict construction hours which the Inspector felt could be secured via an overarching Construction Management Plan. A condition is recommended to secure such a plan;
- The Local Highway Authority's recommendation to remove permitted development to erect gates across the access, which they have requested under the current application but will not be imposed for the above reason;
- The Lead Local Flood Authority's request for a condition controlling construction surface water run-off. Pollution control measures are captured under their first condition requiring an overall drainage strategy. This requirement has been repeated in the LLFA's latest consultation response, and will not therefore be incorporated into the recommended conditions list.

7.77 In the interests of consistency, the conditions set out within Appendix 9 are generally identical to those imposed upon the approved 38-unit scheme with minor updates where necessary.

7.78 Planning Balance and Conclusion

7.79 The scheme would achieve significant benefits in bringing forward a wholly affordable housing scheme to meet a robustly evidenced locally identified need (significant benefit), contribute to district-wide need for affordable housing (limited weight), with a variety of tenures indicated. The dwellings themselves would be built to sustainable passivhaus principles (high benefit), which would likely result in a development with low energy usage. These factors together would carry substantial positive weight,

primarily in social benefits. Furthermore, there would be economic benefits (limited benefit), through local spend by future occupiers, thereby helping to sustain the village.

- 7.80 As with the previous 38-unit scheme, it is acknowledged that the scheme would rely, in part, on closed windows and mechanical means of ventilation to mitigate the effects of transport noise from the A10 highway (and nearby kennels), which carries negative weight. However, the associated appeal decision, which concluded that this is an acceptable means of mitigation and would achieve high levels of amenity, having regard to the passivhaus principles relied upon, carries significant weight in the determination of this application. This is in conjunction with the subsequent approval of the 38-unit scheme adopting such Passivhaus principles, and it would therefore be unreasonable for the LPA to object to this strategy for the current scheme.
- 7.81 Notwithstanding the above, the scheme would be expected to secure net gains in biodiversity, in-line with current national and local policy, and would introduce highway upgrades which would likely also provide some very modest benefit to existing nearby residents on the western side of the A10 highway.
- 7.82 Finally, and based on the indicative layout, it is likely a details scheme could come forward which would positively respond to the built environment of Stretham and would not result in significant harm in the long term to the character of the countryside. Whilst the development could have potential significant harm to the immediate locality in the short term, in the long term with the establishment of mitigative planting, any resulting adverse impacts upon the landscape character and settlement at a local, county and national scale (which are likely to be at a low level) are also considered to be outweighed by the benefits of delivering a 100% affordable housing scheme to meet an evidenced local need, which itself is afforded significant weight in the decision-making process.

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:

- There are no technical objections from statutory consultees. Specifically, this includes no objections regarding noise impacts, highway safety impacts (including pedestrian crossing of the A10), flooding/drainage or contamination; and
- The conclusions of the Planning Inspectorate when approving the development under LPA Ref. 22/00180/OUM.

9.0 APPENDICES

9.1 Approve subject to completion of the necessary s106 agreement(s) and the following planning conditions (Appendix 1).

Appendix 1

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

<i>Plan Reference</i>	<i>Version No</i>	<i>Date Received</i>
3288-D1000: Location Plan	06	5th December 2023
FRA & Drainage Strategy	1	15th January 2024
Unda Consulting Letter 250224		26th February 2024
2006310-004: Access Plan	B	22nd December 2023
Noise Impact Assessment	1	22nd December 2023

- 1 Reason: To define the scope and extent of this permission.
- 2 Approval of the details of the Layout, Scale, Appearance and Landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and shall be carried out as approved. Application for approval of the reserved matters shall be made within 3 years of the date of this permission.
- 2 Reason: The application is for outline permission only and gives insufficient details of the proposed development, and to comply with Section 92 of the Town and Country Planning Act 1990.
- 3 The development hereby permitted shall be commenced within 2 years of the date of the approval of the last of the reserved matters.
- 3 Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended.
- 4 The total development hereby permitted within the site shall comprise not more than 83 dwellings.
- 4 Reason: To define the planning permission having regard to the proposal put forward and assessed by the Local Planning Authority for a maximum of 83 dwellings.
- 5 No demolition/development shall take place until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions and:
- i) the programme and methodology of site investigation and recording;
 - ii) the programme for post investigation assessment;
 - iii) the provision to be made for analysis of the site investigation and recording;
 - iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - v) the provision to be made for archive deposition of the analysis and records of the site investigation;
 - vi) the nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- 5 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 6 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under Condition 5.
- 6 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

- 7 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) wheel washing facilities;
 - v) measures to control the emission of dust and dirt during construction;
 - vi) in the event of the foundations from the proposed development requiring piling, detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration
 - vii) measures to control surface water run-off from the site during any construction works;
 - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - ix) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 7 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 8 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 9 Concurrently with the submission of reserved matters, a detailed design of the surface water drainage of the site shall be submitted, include a timetable for implementation. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Foul and Surface Water Drainage Strategy for Planning, prepared by Unda Consulting Limited (ref: Ref: 90709d-FuturePD-Stretham V1.0) dated 15th January 2024, and the letter, prepared by Unda Consulting, ref: 90709d-FuturePD-Stretham Addendum Letter 250224, dated 26th February 2024 and shall also include:
- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
 - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
 - c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, radients, dimensions and pipe reference

numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);

d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);

e) Site Investigation and test results to confirm infiltration rates;

f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;

h) Full details of the maintenance/adoption of the surface water drainage system;

i) Permissions to connect to a receiving watercourse or sewer;

j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

9 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

10 None of the dwellings hereby permitted shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted, concurrently with the first submission of reserved matters including a timetable for implementation, to and approved in writing, by the Local Planning Authority.

10 Reason: In the interests of residential amenity and to prevent the increased risk of flooding and to protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 (as amended 2023).

11 Concurrently with the first submission of reserved matters the following information shall have been submitted to and approved in writing by the local planning authority:

i) a full site survey showing: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals and floor levels of adjoining buildings;

ii) full details of the proposed finished floor levels of all buildings and hard landscaped surfaces.

The development shall be carried out in accordance with the approved details.

11 Reason: In the interests of visual amenity in accordance with policies ENV 1 and ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

12 Construction work shall not take place until a scheme for protecting the proposed noise-sensitive development from noise from the A10 shall have been submitted to and approved in writing by the local planning authority. The scheme shall reflect the principles of the recommendations identified in Cass Allen RP01-23701-R1 revision 1 dated 21st December 2023 and associated documentation. All works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied and retained thereafter.

12 Reason: In the interests of residential amenity protection in accordance with policy ENV 2 of the East Cambridgeshire Local Plan, 2015 (as amended 2023).

13 Concurrently with the first submission of reserved matters a scheme of biodiversity protection, mitigation and enhancement, including a timeframe for implementation and a long-term management plan, informed by an updated ecological appraisal of the site shall be submitted to and approved in writing by 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.

- 13 Reason: To protect and enhance species in accordance with policy ENV 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 14 Prior to works proceeding above slab level, 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 shall be 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.
- 14 Reason: To ensure proper infrastructure for the site in the interests of community safety in that adequate water supply is available for emergency use, in accordance with the aims of policy ENV 2 of the East Cambridgeshire Local Plan (as amended 2023).
- 15 Prior to first occupation of the development, the works as detailed in principle on drawing 2006310-004 Revision B shall have been completed to the satisfaction of the Local Planning Authority and shall thereafter be retained.
- 15 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023). This condition is a Grampian condition because it requires work within the public highway.
- 16 The existing agricultural access(es) to A10 Cambridge Road shall be permanently and effectively closed and the footway shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority, within 28 days of the bringing into use of the new access.
- 16 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 17 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 17 Reason: In the interests of Highway safety in accordance with Policy COM 7 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 18 The detailed design of the dwellings hereby permitted shall incorporate the five principles of passive house design, as set out within submitted the Energy & Sustainability Strategy, October 2022. Prior to occupation of any dwelling, evidence shall be submitted to the local planning authority to demonstrate that the development has been constructed adopting these principles.
- 18 Reason: The application is deemed acceptable having regard to the need to protect the amenity of future occupiers, balanced with the energy sustainability benefits of the proposal in accordance with policies ENV 2 and ENV 4 of the East Cambridgeshire Local Plan 2015 (as amended 2023).
- 19 Prior to first occupation or commencement of use details of the proposed arrangements for future management and maintenance of the proposed streets within 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 unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

- 19 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 (as amended 2023).

Background Documents

23/01338/OUM

23/00712/OUM

22/00180/OUM

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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



Land West of Cambridge Road, Stretham, Cambridgeshire

East Cambridgeshire District Council Planning Application Ref: 23/01338/OUM

Third-Party Review on Behalf of ECDC – Highways and Transport

On behalf of **East Cambridgeshire District Council**



Project Ref: 332611436 | Rev: AA | Date: May 2024

Registered Office: Buckingham Court Kingsmead Business Park, London Road, High Wycombe, Buckinghamshire, HP11 1JU
Office Address: 11 Prospect Court, Courteenhall Road, Blisworth, Northampton NN7 3DG
T: +44 (0)1604 878 300 E: nigel.fern@stantec.com

Document Control Sheet

Project Name: Land West of Cambridge Road, Stretham

Project Ref: 332611436

Report Title: Third-Party Review on Behalf of ECDC – Highways and Transport

Date: May 2024

	Name	Position	Signature	Date
Prepared by:	B Haydon	Assistant Transport Planner	<i>B Haydon</i>	May 2024
Reviewed by:	J Hopkins	Senior Associate	<i>J Hopkins</i>	May 2024
Approved by:	N Fern	Director of Transport Planning	<i>N Fern</i>	May 2024
For and on behalf of Stantec UK Limited				

Revision	Date	Description	Prepared	Reviewed	Approved

This report has been prepared by Stantec UK Limited ('Stantec') on behalf of its client to whom this report is addressed ('Client') in connection with the project described in this report and takes into account the Client's particular instructions and requirements. This report was prepared in accordance with the professional services appointment under which Stantec was appointed by its Client. This report is not intended for and should not be relied on by any third party (i.e. parties other than the Client). Stantec accepts no duty or responsibility (including in negligence) to any party other than the Client and disclaims all liability of any nature whatsoever to any such party in respect of this report.

Contents

1	Introduction.....	1
1.1	Introduction and Background	1
1.2	Material Review	1
1.3	Site Visit (Tuesday 30 th April 2024)	2
1.4	Structure of this report.....	4
2	Review of Submitted Traffic Survey Data	5
2.1	Introduction	5
2.2	Existing Traffic Surveys	5
2.3	Road Traffic Collision Data.....	6
3	Proposed Vehicular Site Access Review	7
3.1	Introduction	7
3.2	Site Access Design Review	7
3.3	Site Access Capacity (at peak times).....	10
4	Pedestrian Safety Review	13
4.1	Introduction	13
4.2	Pedestrian Facilities Design	13
4.3	Review of Transport Assessment Person Trip Generation	13
4.4	Pedestrian Crossing Guidance Review.....	15
4.5	Review of the footway provision	19
4.6	Conclusions and Recommendations	20
5	Transport Impacts of the Proposed Development.....	21
5.1	Introduction	21
5.2	Transport Impact on the A10.....	21
6	Conclusions and Recommendations	22
6.1	Conclusions	22
6.2	Recommendations.....	23

Figures

Figure 1.1 – Site Visit Route and Stops	2
Figure 1.2 – Suggested Acceptable Walking Distance	3
Figure 3.1 – Proposed Vehicular Site Access – Left Visibility Along A10 Cambridge Road.....	8
Figure 3.2 – Proposed Vehicular Site Access – Right Visibility Along A10 (photo position marginally south of the proposed access point due to dense vegetation cover).....	8
Figure 3.3 – Site Access – Proposed T-Junction	9
Table 3.1 – Proposed Vehicular Site Access – Junction Capacity Assessment Results.....	10
Figure 3.4 – Google Maps Typical Traffic Conditions	11
Table 4.1 – Designing for Walking – Pedestrian Crossing Suitability	16
Table 4.2 – LTN 1/20 – Cycle Infrastructure Design – Crossing Design Suitability	17
Table 4.3 – ADPV ² Crossing Assessment – Thresholds and Recommendations	18
Table 4.4 – Summary of guidance assessment	18

Table 5.1 – A10 / Wilburton Road Roundabout – Traffic Impacts.....	21
--	----

Appendices

Appendix A - ADPV² Calculation

This page is intentionally blank

1 Introduction

1.1 Introduction and Background

- 1.1.1 Stantec UK Ltd (Stantec) has been appointed by East Cambridgeshire District Council (ECDC) to undertake a third-party review of transport and access matters relating to an Outline Planning Application (planning ref. 23/01338/OUM). This application is for 83 affordable residential dwellings, with all matters reserved except access.
- 1.1.2 The site already benefits from an existing extant planning consent, with access to the A10 agreed, for up to 38 affordable residential dwellings (planning ref. 23/0072/OUM), granted in 2023. The site also previously had a successful Appeal decision for 19 affordable residential dwellings, also with access agreed from the A10, granted in 2023.
- 1.1.3 Following a deferral at the Planning Committee, ECDC, as the local planning authority, has requested an independent review of the planning application in terms of the following for the additional 45 dwellings:
- Acceptability of the proposed vehicular access onto the A10;
 - Safety measures required to serve the development, specifically pedestrian safety / crossing points; and
 - Transport impacts of the Proposed Development upon the A10 highway network.
- 1.1.4 Due to the extant planning permission for 38 dwellings that the site already benefits from remaining live, this review assesses the impact of the additional 45 dwellings, and not the impacts or acceptability of the already consented 38 dwellings. However, the cumulative impact of the 83 dwellings has been considered and reported in this review.
- 1.1.5 In terms of highways, the following is noted:
- The proposed on and off site highway works remain the same as the previous two planning consents - for 19 affordable dwellings, and 38 affordable dwellings; and
 - Cambridgeshire County Council (CCC) Highways, as the local highway authority and a statutory consultee, has reviewed this application and has offered no technical objections to the proposals.

1.2 Material Review

- 1.2.1 As part of this report, the following documents have been reviewed:
- Transport Assessment (Ardent, December 2023);
 - Transport Assessment Comments (Cambridgeshire County Council Highways, February 2024);
 - Road Safety Audit Stage 1 (M & S Traffic, July 2022); and
 - Revised Stage 1 RSA – Designer’s Response (Ardent, August 2022).
- 1.2.2 In addition to the above, the video recording of the Planning Committee (3rd April 2024) was also reviewed. It was during this Committee that the Members decided to appoint a third-party highways consultant to review all matters pertaining to transport and access matters.

- 1.2.3 No additional traffic surveys have been commissioned as part of this independent review. Reference has been made to the submitted survey material and evidence.
- 1.2.4 Any conclusions and recommendations made by Stantec will be based on evidence-based analyses, and with reference to local and national policy and guidance.

1.3 Site Visit (Tuesday 30th April 2024)

- 1.3.1 A site visit was conducted by Nigel Fern and Beth Haydon of Stantec on 30th April 2024 between 10:30 and 11:30 to assess the existing conditions, levels of infrastructure and general highway network conditions.
- 1.3.2 The site visit took the form of an on-foot assessment around Stretham village to observe:
- local facilities and amenities;
 - the A10 / Wilburton Road roundabout;
 - A10 / Short Road priority T junction;
 - A10 Cambridge Road; and
 - the Proposed Development site.
- 1.3.3 The weather during the site visit was dry and sunny.
- 1.3.4 The walking route taken and stops made are shown on **Figure 1.1**.

Figure 1.1 – Site Visit Route and Stops



Stop 1

- 1.3.5 The first stop on the site visit was to Stretham Recreation Ground, providing a key destination for recreational activity for local residents, providing sports facilities such as a football pitch and basketball court, a playpark and picnic areas.

Stop 2

- 1.3.6 The second stop on the site visit was the local convenience store and post office, which were observed to be within acceptable walking distance of the proposed site.

Stop 3

- 1.3.7 The third stop on the site visit was to Stretham Community Primary School. The school caters for children from 4 to 11 years of age, and also has a pre-school, Tiddlywinks, on site. The school currently has approximately 180 students organised into 7 classes. It is likely that any primary school aged children living in the Proposed Development would attend this school. The school is within acceptable walking distance of the site - 1,100m walking distance – national guidance provided below.

Figure 1.2 – Suggested Acceptable Walking Distance

Table 3.2: Suggested Acceptable Walking Distance.			
	Town centres (m)	Commuting/School Sight-seeing (m)	Elsewhere (m)
Desirable	200	500	400
Acceptable	400	1000	800
Preferred maximum	800	2000	1200

Source - Guidelines for Providing For Journeys on Foot, IHT, 2000

Stop 4

- 1.3.8 The A10 / Wilburton Road Roundabout was the fourth stop on the site visit and was used to cross onto the western verge of A10 Cambridge Road. This roundabout experiences high levels of traffic with limited, uncontrolled, pedestrian crossing facilities.

Stop 5

- 1.3.9 The fifth stop on the site visit was the existing pedestrian refuge island crossing south of the A10 / Wilburton Road Roundabout. This gave an insight into the potential conditions crossing the A10 at an existing refuge island.

Stop 6

- 1.3.10 The sixth stop of the site visit was the location of the proposed pedestrian refuge island, to assess the speed and frequency of the traffic that would be experienced here.

Stop 7

- 1.3.11 Finally, the site visit stopped at the location of the proposed site access, to assess general highway conditions and visibility.
- 1.3.12 The findings of the site visit will be discussed in more detail in the following sections of this report.

1.4 Structure of this report

1.4.1 The next sections of this report review the following:

- Review of the submitted traffic survey data;
- Proposed vehicular access onto the A10;
- Pedestrian Safety review; and
- Transport impacts of the Proposed Development upon the A10 highway network.

2 Review of Submitted Traffic Survey Data

2.1 Introduction

- 2.1.1 As no additional traffic surveys or road traffic collision data have been acquired as part of this independent review, the applicant's submitted survey material has been considered and commented upon.

2.2 Existing Traffic Surveys

- 2.2.1 To support the outline planning application, the following existing traffic surveys were undertaken:
- Manual classified junction turning count at the A10 / Short Road priority T junction (immediately to the north of the proposed site access) on Wednesday 15th September 2021 during the AM and PM peaks only; and
 - Manual speed survey on the A10 on Tuesday 14th and Wednesday 15th September 2021 on the approach to the proposed site access.
- 2.2.2 Stantec's observations are as follows:
- i) The surveys were undertaken by Trafficsense, an independent traffic data collection company;
 - ii) Although the survey data is from 2021 - over 2½ years old - it is representative still as data up to 3 years old are generally accepted;
 - iii) The surveys in September 2021 were outside of any Covid-19 lockdown restrictions;
 - iv) A Wednesday in September is classed as a neutral survey month, hence the timing is appropriate;
 - v) The survey counted traffic on one day only (Wednesday 15th September), and was used as the evidence base for the rest of the assessment. The traffic survey data strategy did not include for any Automatic Traffic Counts (ATCs). ATCs are used to record the number of vehicles travelling in both directions along a road, and typically collect data for a longer period than a Junction Turning Count (JTC) - for example, 1 - 2 weeks, recording vehicle movements every hour. This continuous ATC data, when collected in the same week of a JTC, can be used to validate that the day on which the JTC was undertaken is representative of typical network conditions;
 - vi) The JTC count included for movements only, but did not include queueing data on the A10 to understand better the peak period congestion conditions on this part of the A10;
 - vii) The speed survey was completed as per the appropriate National Highways' Design Manual for Roads and Bridges (DMRB) guidance. The existing speed limit in this location is 40mph, and the recorded speeds were as follows (dry weather conditions):
 - Northbound: average speed of 37.6mph, 85th percentile dry weather speed of 43.2mph; and
 - Southbound: average speed of 37.4mph, 85th percentile dry weather speed of 43.1mph.

2.2.3 Stantec comment as follows:

- i) Without the support of ATC data, Stantec cannot make further comment whether the one day traffic survey is representative of typical network conditions. Notwithstanding, it is unlikely that further ATC data would materially change the conclusions.
- ii) Observed existing vehicle speeds are appropriate at a location subject to a 40mph speed limit, and do not highlight a current vehicle speeding issue.

2.3 Road Traffic Collision Data

- 2.3.1 Road traffic collision data were supplied as part of the planning application documentation, for a 5 year period to 2023. This reflects the standard road safety review approach.
- 2.3.2 There were no recorded collisions within 120m of the proposed site access (120m being the appropriate forward visibility splay for a junction located within a section of road subject to a 40mph speed limit).
- 2.3.3 There was a pedestrian injury collision (Slight injury) on the A10 outside 18 Cambridge Road at the existing pedestrian crossing near the existing bus stops, some 175m north of the proposed site access - albeit this incident was more than 5 years ago, in November 2017. From a further review of CrashMap, a pedestrian using the crossing was struck by a motor cyclist.
- 2.3.4 The Transport Assessment concluded that there are no existing highway safety issues locally. Stantec agrees with this comment as:
 - The one incident does not represent a road safety issue; and
 - This incident was outside of the 5 year period considered.

3 Proposed Vehicular Site Access Review

3.1 Introduction

3.1.1 Stantec has reviewed the proposed vehicular site access to the A10, in terms of both design and future operation for 83 dwellings. This section considers:

- a site access design review; and
- a junction capacity assessment review.

3.2 Site Access Design Review

3.2.1 The proposed site access junction form for the Proposed Development onto the A10 Cambridge Road as shown on Ardent drawing 2003310-004 Rev B is a simple priority T-junction.

3.2.2 The Local Highway Authority, Cambridgeshire County Council Highways, has approved this layout for the 83 dwelling planning application, and it has undergone a Stage 1 Road Safety Audit process.

3.2.3 In terms of the overall design layout, Stantec concurs that the proposed site access design is in accordance with CCC requirements in terms of the access road width, kerbed radii, and vehicle swept paths. Further detail is provided of the visibility splay review.

3.2.4 The existing street lighting on the A10 stops before the proposed site access. Stantec recommends that the existing street lighting is extended past the proposed site access, as part of the detailed design process.

Visibility splays to the left and right out of the site access

3.2.5 The appropriate visibility splay for a priority junction within a section of road subject to a 40mph speed limit is 2.4m x 120m.

3.2.6 From observation, Stantec concurs that visibility to the left of the minor arm appears achievable – subject to existing vegetation being cut back. This is shown in **Figure 3.1**, a photo taken 2.4m back from the main A10 carriageway kerblane, as per the design standards, and mimics the position of a driver arriving at the junction to exit the Proposed Development.

Figure 3.1 – Proposed Vehicular Site Access – Left Visibility Along A10 Cambridge Road

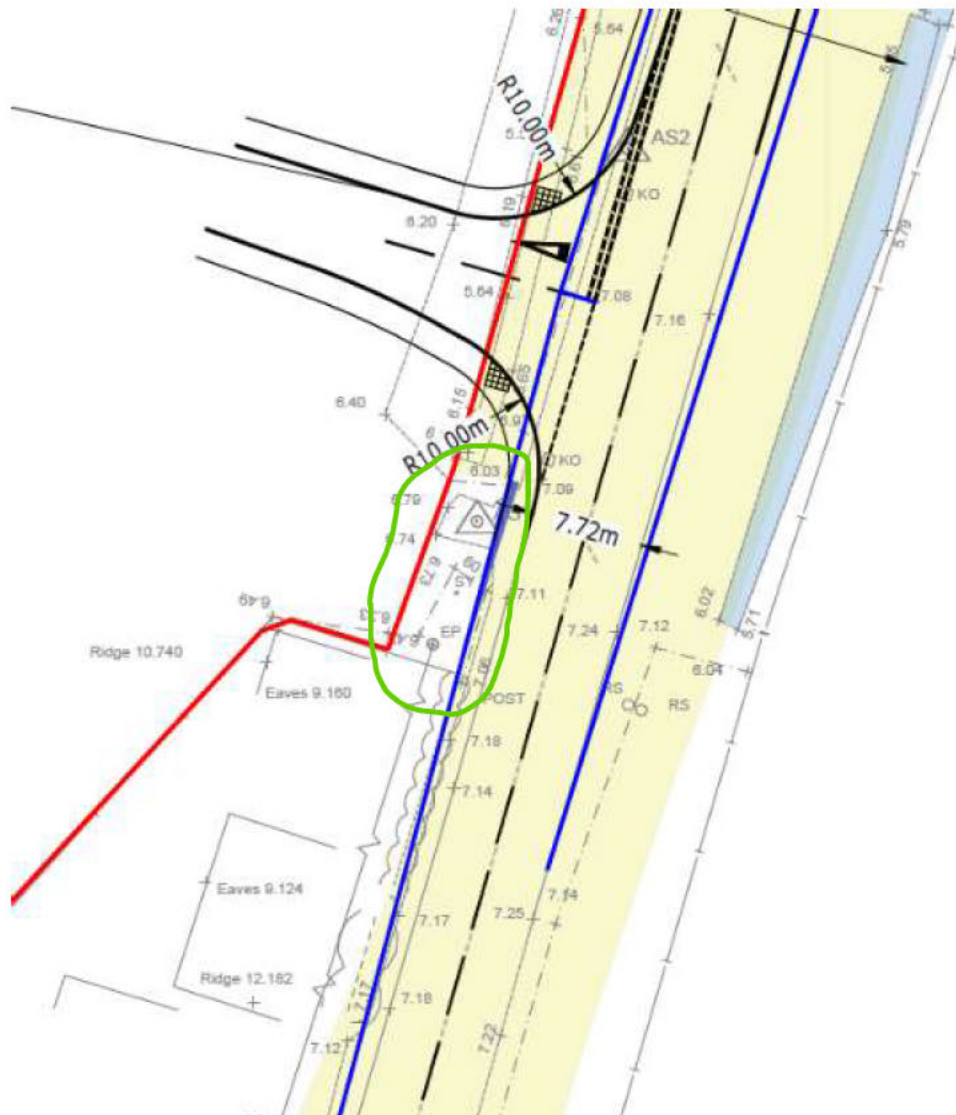


- 3.2.7 Stantec questions whether the 120m visibility splay can be achieved to the right of the proposed site access. The splay is obstructed by further existing vegetation intruding into the highway - as shown in **Figure 3.2** - as well as third-party land. The photo in Figure 3.2 has also been taken 2.4m back from the main carriageway kerbline to mimic the position of a driver waiting to turn.

Figure 3.2 – Proposed Vehicular Site Access – Right Visibility Along A10 (photo position marginally south of the proposed access point due to dense vegetation cover)



- Figure 3.3 – Site Access – Proposed T-Junction



- J:\332611436 - Stretham, East Cambridgeshire\4_Resource\Reports\Transport\240514 - ECDC Third Party Review
23_01338_OUM - Stantec Highways and Transport Review FINAL ISSUE.docx

3.3 Site Access Capacity (at peak times)

- 3.3.1 The form and principle of access to the A10 reflects the forecast number of vehicles entering and leaving proposed site - in the network peak periods, and during the day. A junction capacity assessment has been undertaken using the industry-standard computer model (JUNCTIONS 10) by the applicant.
- 3.3.2 Junction capacity assessment results for both the permitted 38 dwellings and the proposed full 83 dwellings are provided within the submitted Transport Assessment, a summary is provided for completeness in **Table 3.1** below.

Table 3.1 – Proposed Vehicular Site Access – Junction Capacity Assessment Results

Assessment Year and Manoeuvre	Base Case (Background growth + Waterbeach Barracks + 115 houses at Wilburton + previously consented 38 houses on application site)						Development Case (Base + additional 45 houses on application site)					
	Weekday am peak			Weekday pm peak			Weekday am peak			Weekday pm peak		
	RFC	Queue (vehs)	Delay (secs)	RFC	Queue (vehs)	Delay (secs)	RFC	Queue (vehs)	Delay (secs)	RFC	Queue (vehs)	Delay (secs)
2027												
B-C Left turn out of site access	0.03	0.0	7.39	0.01	0.0	7.84	0.06	0.1	7.74	0.02	0.0	7.98
B-A Right turn out of site access	0.05	0.0	18.10	0.02	0.0	16.88	0.10	0.1	19.25	0.04	0.0	17.65
C-AB A10 southbound ahead + right turn	0.02	0.0	3.26	0.04	0.0	4.17	0.03	0.0	3.28	0.09	0.1	4.27
Junction Delay (secs/veh)	0.18			0.13			0.37			0.29		
Network Residual Capacity	45%			64%			44%			58%		
2032												
B-C Left turn out of site access	0.03	0.0	7.49	0.01	0.0	7.98	0.06	0.1	7.85	0.02	0.0	8.13
B-A Right turn out of site access	0.05	0.1	19.07	0.02	0.0	17.76	0.11	0.1	20.35	0.04	0.0	18.62
C-AB A10 southbound ahead + right turn	0.02	0.0	3.23	0.04	0.1	4.15	0.03	0.0	3.25	0.09	0.2	4.25
Junction Delay (secs/veh)	0.18			0.13			0.38			0.29		
Network Residual Capacity	41%			59%			40%			54%		

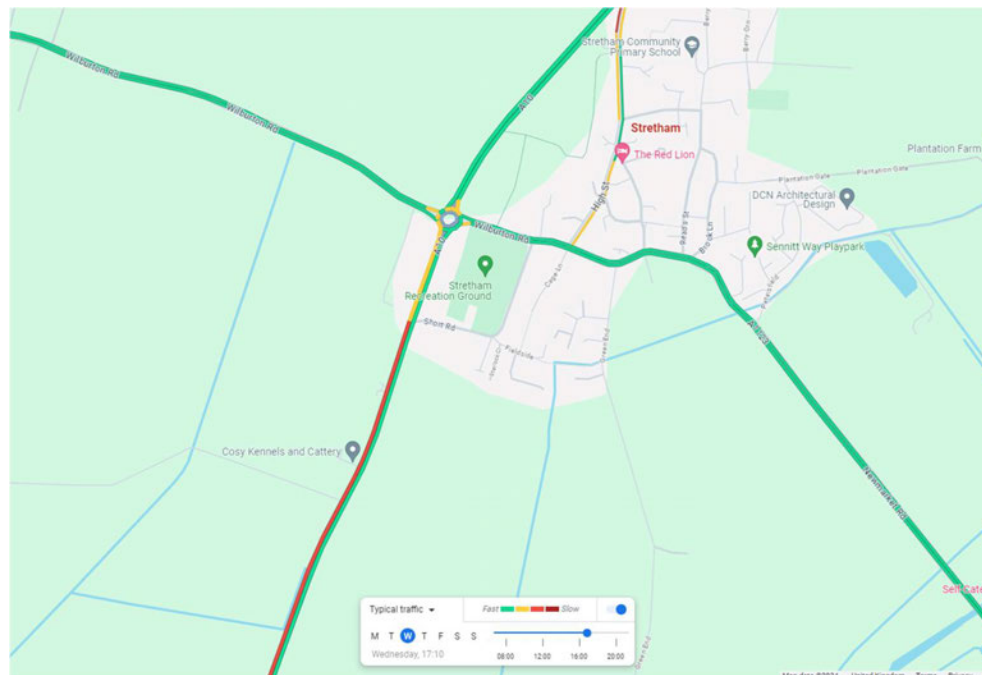
- 3.3.3 The “RFC” - Ratio of Flow to Capacity - provides a measure of the forecast utilised capacity of an individual movement at a junction. RFC values of 0.85 (i.e., at 85% capacity) was generally considered to represent a junction operating at practical capacity: a RFC above this value represents a junction beginning to become congested.
- 3.3.4 **Table 3.1** shows that in the 2032 future year scenario, the site access is forecast to operate with low RFCs and low levels of delay. A maximum RFC of 0.11 in the AM peak and 0.09 in the PM peak fall well within the 0.85 RFC.
- 3.3.5 When comparing conditions for the consented scheme for 38 dwellings against the same scheme with the additional 45 dwellings, there is only an additional delay of 1 second for vehicles leaving the site, with minimal increases in RFC. The forecast average delay leaving the site would be 20 seconds in the AM peak, and 19 seconds in the PM peak.
- 3.3.6 With respect to the right turn in movement:
- The delay entering the site from the north is 3 – 4 seconds – this delay is minimal, and is acceptable.

- The Stage 1 Road Safety Audit queried the absence of a right turn lane on the A10, and if the development should increase in size, the lack of a protected right turn facility could lead to rear end shunts (Problem 3.3.2).
 - The Designers' Response identified that the simple priority T junction form was agreed with CCC Highways for the larger scheme.
- 3.3.7 Stantec has reviewed the likely development vehicular trip generation, and the modelling results above. Based on the DMRB CD 123 'Geometric design of at-grade priority and signal-controlled junctions' (which applies to trunk roads), Stantec concurs that the proposed 83 dwellings does not require a ghost island right turn lane access form on the A10 (and also particularly within a 40mph speed limit).
- 3.3.8 Therefore, these results are well-within acceptable criteria, and it can be concluded that the site access form would perform within capacity and would suitably serve further development.
- 3.3.9 However, as noted in Chapter 2 of this report, no ATC data were collected for a longer period to validate that the day on which the survey was undertaken is representative of a typical network day. Nevertheless, given the modelling results above, and the site access shown to be operating well-within capacity, additional survey data is unlikely to make a material difference to the conclusions already reached.

Other capacity issues

- 3.3.10 The CCC Highways Officer response referred to the A10 / A1123 roundabout peak period congestion leading to queueing traffic on the A10 extending to the proposed site access which could prevent vehicles from exiting / entering the site.
- 3.3.11 The Google Maps typical PM Peak traffic conditions shown in Figure 3.4 shows this.

Figure 3.4 – Google Maps Typical Traffic Conditions



3.3.12 As conditions at the A10 / A1123 Roundabout were not assessed as part of this Transport Assessment, Stantec is unable to comment further.

3.3.13 Notwithstanding,

- A development of 83 dwellings would typically generate circa. 50 two-way vehicle trips in the PM peak;
- The Transport Assessment identified that 59% would assign northwards – this equates to 1 additional trip every 2 minutes; and
- Whilst a development of this scale would impact conditions by a marginal amount, it is not reasonable for the developer to be expected to resolve these capacity issues.

3.3.14 As queues of these levels could affect the ability for vehicles to exit and enter the Proposed Development at peak times, Stantec recommends that 'KEEP CLEAR' road markings are provided across the site access frontage during the detailed design stage, to maintain access in / out of the site at peak times.

4 Pedestrian Safety Review

4.1 Introduction

- 4.1.1 This section includes a review of design and safety matters relating to the pedestrian proposals included in the outline planning application.
- 4.1.2 These proposals include for an uncontrolled pedestrian crossing across the A10 in the form of a pedestrian refuge island, south of the junction with Short Road, and a 2 metre wide footway with no service margin connecting the site to the proposed crossing and onwards to the village of Stretham.
- 4.1.3 This pedestrian provision was previously accepted and agreed by CCC for the 38 dwellings.
- 4.1.4 Neither the Transport Assessment response submitted by CCC Highways, nor the Road Safety Audit Stage 1 identified any concerns regarding the suitability of the proposed pedestrian provision.
- 4.1.5 No technical evidence is contained within the submitted Transport Assessment supporting the chosen pedestrian crossing type.
- 4.1.6 Given the location of the Proposed Development on the western side of the A10, all future resident pedestrians would need to cross the A10 to access Stretham, the local facilities/amenities, primary school, play areas, and the southbound bus stop on the A10.

4.2 Pedestrian Facilities Design

- 4.2.1 The proposed footway connecting to the site is 2m wide, with no service margin (protection from the carriageway).
- 4.2.2 The pedestrian refuge island has a width of 2m, therefore exceeds the minimum 1.8 metre width for pushchair users identified in CIHT's 'Designing for Walking' (2015). This width is also the same width as the footway, maintaining consistency with this route.
- 4.2.3 There are no obstructions within the standard visibility of the pedestrian crossing.
- 4.2.4 Tactile paving is proposed on the refuge island to ensure the crossing is accessible to visually impaired users.
- 4.2.5 The proposed pedestrian refuge island would be within the existing network of street lighting on the A10. However, it is recommended that the street lighting is extended past the proposed site access.

4.3 Review of Transport Assessment Person Trip Generation

- 4.3.1 The predicted pedestrian generation of the Proposed Development provided in the Transport Assessment has been reviewed.
- 4.3.2 Trip rates were obtained from the TRICS database to inform this assessment. Whilst the 'Houses Privately Owned' sub-category was used instead of 'Affordable / Local Authority Houses / Flats', this is reasonable due to the limited survey data available for the latter sub-category, albeit noting that levels of car ownership in privately owned houses are generally higher than in affordable housing.

- 4.3.3 The Transport Assessment used the latest available Census 2011 journey to work mode split data to estimate the likely number of residents walking and cycling to and from the proposed development. For 83 dwellings, the report forecasts 4 two-way pedestrian trips and 3 two-way pedestrian trips in the AM and PM peak hours respectively - this would be 2 and 1 pedestrians respectively for the extant consent of 38 dwellings. Stantec considers these forecasts are considerably low as:
- The Census data are for journeys to work only – it does not consider other journey purposes like trips to education, retail, and leisure more commonly made by non-car modes; and
 - The Proposed Development is entirely for affordable housing, generally with lower access to cars.
- 4.3.4 As such, Stantec has provided an alternative assessment.
- 4.3.5 According to the Office for National Statistics (ONS), 89% of all privately owned households owned at least one car in 2018, whilst this percentage drops to 46% in affordable housing. This suggests that the number of private car trips generated by the Proposed Development will be lower than predicted, whilst the number of trips via public transport and sustainable active travel modes such as walking and cycling will be higher.
- 4.3.6 Additionally, affordable housing is likely to accommodate higher numbers of school-aged children than private houses - the Department for Education's 'National Pupil Yields from Housing Development' statistics stating that for the 2021 / 22 academic year the average number of primary school age children per household for the entire country was 0.250, rising to 0.336 in affordable homes. This trend is mimicked in the demand for secondary school spaces, with the national average being 0.130 rising to 0.189 in affordable homes.
- 4.3.7 Using these data, it is estimated that the 83 units would accommodate around 28 primary school aged children and 16 secondary school aged children living at the Proposed Development, based on 100% affordable housing provision.
- 4.3.8 It is expected that the majority – if not all - of these primary school pupils would attend the Stretham Community Primary School, which is a 1.1km walk from the Proposed Development: this is an acceptable walking distance. Combined with the lower levels of car ownership associated with affordable housing, the majority of these primary education trips would be made on foot. A worse-case scenario would be all 28 primary school pupils travelling to school on foot, with each one accompanied by an adult. There could be circa 50 one-way pedestrian movements in the AM peak.
- 4.3.9 There is no secondary education within Stretham, with children from the village generally attending schools in Ely. The bus stops to the north of the Proposed Development would facilitate the travel of children to secondary schools outside of the village. This would further increase the number of pedestrian movements, possibly by a further 16 children.
- 4.3.10 The Transport Assessment reported a total of 30 two-way pedestrian and 6 two-way cycle movements in a weekday 12-hour period. For the reasons set out above, this prediction fails to take into account the characteristics of the site being 100% affordable housing, with lower levels of private car ownership and increased numbers of children residing there, and is below the likely number of pedestrian trips.
- 4.3.11 All of the above assessment is based on the total 83 dwellings, acknowledging that 38 dwellings already has extant planning consent with this proposed provision.

4.4 Pedestrian Crossing Guidance Review

4.4.1 To determine the suitability of the proposed uncontrolled pedestrian refuge island crossing, a review of national guidance has been carried out. The type of crossing facility required is a response to many factors, and should be reviewed on a site by site basis including:

- Numbers of people wishing to cross at any one time;
- Speed and volume of traffic;
- Crossing distance;
- Confidence of the people crossing;
- Age of the people crossing;
- Physical or visual considerations of the people crossing;
- Perception of danger; and
- Time of day

4.4.2 The decision making of the type of crossing chosen is clearly subjective, and professionals will have differing views and conclusions.

4.4.3 There is no definitive national or local threshold for determining the type of crossing provision required based on levels of pedestrians, traffic flows, or vehicle speeds - e.g., when a crossing must be a controlled. Due to this, this review will refer to several relevant national guidance documents that advise the suitability of crossing types to provide a more evidence-base analysis. These include:

- i) Designing for Walking (Chartered Institute of Highways and Transportation) - March 2015;
- ii) Local Transport Note 1/20 Cycle Infrastructure Design (Department for Transport) – December 2020; and
- iii) ADPV² Crossing Assessment.

Designing for Walking (Chartered Institute of Highways and Transportation)

4.4.4 CIHT's 'Designing for Walking' March 2015 provides guidance on implementing pedestrian facilities including crossings.

4.4.5 **Table 4.1** shows guidance provided on suitability of pedestrian crossing provision based on levels of traffic flow and the speed of the road. This document does not advise what level of flow is "low", "medium" or "high" though. The provided two-way peak hour counts of 1,500-1,650 vehicles per hour suggest a daily flow of around 15,500 vehicles, which is considered to be a High flow.

Table 4.1 – Designing for Walking – Pedestrian Crossing Suitability

<i>Crossing Type</i>	<i>Traffic Flow</i>	<i>Traffic Speed</i>				
<i>Refuge/central reservation</i>	High	20	30	35	40	50+
	Medium	20	30	35	40	50+
	Low	20	30	35	40	50+
<i>Signal controlled (stand-alone)</i>	High	20	30	35	40	50+
	Medium	20	30	35	40	50+
	Low	20	30	35	40	50+

Generally Acceptable ■
 Design With Caution ■
 Generally Unacceptable ■

4.4.6 The above indicates that:

- The advantages of refuge island facilities allows crossing the road in two stages;
- For the observed speeds of 37mph, the application of a pedestrian refuge island crossing on the A10 should be 'designed with caution'; but that
- The same guidance identifies that the application of a signal controlled crossing for these speeds is should also be 'designed with caution'.

LTN 1/20 Cycle Infrastructure Design (Department for Transport)


4.4.7 LTN 1/20 provides guidance for local authorities on designing high quality and safe cycle infrastructure. This guidance does focus on cyclists, and a pedestrian equivalent does not exist though. We have still included this in our guidance review as similar principles apply.


4.4.8 **Table 4.2** below taken from LTN 1/20 provides an indication of the suitability of each type of crossing, depending on the speed and volume of traffic and the number of lanes to be crossed in one movement.

Table 4.2 – LTN 1/20 – Cycle Infrastructure Design – Crossing Design Suitability

Speed Limit	Total traffic flow to be crossed (pcu)	Maximum number of lanes to be crossed in one movement	Uncontrolled	Cycle Priority	Parallel	Signal	Grade separated
≥ 60mph	Any	Any					
40 mph and 50 mph	> 10000	Any					
	6000 to 10000	2 or more					
	0-6000	2					
	0-10000	1					
≤ 30mph	> 8000	> 2					
	> 8000	2					
	4000-8000	2					
	0-4000	2					
	0-4000	1					

 Provision suitable for most people

 Provision not suitable for all people and will exclude some potential users and/or have safety concerns

 Provision suitable for few people and will exclude most potential users and/or have safety concerns

Notes:

1. If the actual 85th percentile speed is more than 10% above the speed limit the next highest speed limit should be applied
2. The recommended provision assumes that the peak hour motor traffic flow is no more than 10% of the 24 hour flow

4.4.9 The guidance above shows that to cross two lanes on a 40mph road, an uncontrolled pedestrian crossing would be 'suitable for few people and will exclude most potential users and / or have safety concerns'.

4.4.10 Based on the guidance in LTN 1/20, the only crossing provision 'suitable for most people' on a road with a 40mph speed limit is a signal controlled or grade-separated crossing.

The ADPV² Crossing Assessment

4.4.11 The ADPV² Crossing Assessment is a longstanding tool used to assess the suitability of pedestrian crossing provision, and considers the number of accidents (A) over the last 3 years, the difficulty (D) experienced crossing the road, the number of both pedestrians (P) and vehicles (V). It is recent update to the traditional PV² assessment introduced originally in 1995.

4.4.12 The thresholds for different crossing provision based on ADPV² values is shown in **Table 4.3** below.

Table 4.3 – ADPV² Crossing Assessment – Thresholds and Recommendations

Threshold	Recommendation
<20,000,000	Pedestrian Crossing Unlikely to Be Required
20,000,000 – 60,000,000	Pedestrian refuge or Road narrowing
>60,000,000	Recommended for Controlled Pedestrian Crossing

- 4.4.13 Based on the number of pedestrian and cycle trips predicted in the Transport Assessment (5 two-way trips in the AM peak and 4 two-way trips in the PM peak), the ADPV² value would be 17,463,788 in the AM peak and 11,836,240 in the PM peak. Both would fall within the threshold recommending that a pedestrian crossing would be unlikely to be required. The analysis is contained in **Appendix A**.
- 4.4.14 However, as detailed in **Section 4.3**, Stantec considers the number of pedestrian trips forecast in the Transport Assessment to be under-reported and should be considerably higher due to the Proposed Development consisting solely of affordable homes and being located in close proximity to a primary school.
- 4.4.15 For reference, due to the vehicle volumes at peak times and crossing width, greater than 18 one-way pedestrian movements in an hour would trigger the recommendation for a controlled crossing. It is noted that the extant planning consent for 38 dwellings would have been likely to have triggered the recommendation for a controlled crossing based on this assessment.
- 4.4.16 The results of this assessment all depends on the likely number of primary school numbers walking to and from the Stretham community primary school. Based on the above analysis, Stantec forecast this to be greater than 18 movements between 0800-1900, therefore recommending a controlled crossing.

Summary and Conclusion

- 4.4.17 In summary, the above analysis using three different guidance documents is shown in the table below.

Table 4.4 – Summary of guidance assessment

Guidance	Uncontrolled refuge island	Signal Controlled (standalone)
CIHT Designing for Walking	<i>Design with Caution</i>	<i>Generally Acceptable (medium traffic flows)</i> <i>Design with Caution (high traffic flows)</i>
LTN 1/20	<i>Provision suitable for few people and will exclude most potential users and/or have safety concerns</i>	<i>Provision suitable for most people</i>
ADPV ² Crossing Assessment	Ardent estimate pedestrian/cycle numbers: <i>Pedestrian crossing unlikely to be required</i> Stantec estimate pedestrian/cycle numbers: <i>Recommended for controlled pedestrian crossing</i>	

4.4.18 In conclusion:

- i) There is no technical evidence dictating the chosen pedestrian crossing type;
 - ii) CCC Highways has accepted the provision of an uncontrolled pedestrian refuge crossing, with no reference to a controlled crossing;
 - iii) The Stage 1 Road Safety Audit makes no reference to this provision;
 - iv) The likely forecast number of primary school walking trips is the key factor to consider here, and the three guidance assessments detailed above would appear to suggest a controlled crossing is more suitable in this location given the local factors; and
 - v) Using this guidance, this conclusion may have been reached even for the extant planning permission of 38 dwellings.
- 4.4.19 It is unclear, without further discussions, whether CCC Highways would accept a standalone controlled crossing in this location away from a roundabout (although the principle of controlled crossings on the A10 within a 40mph speed limit is already accepted further south of the proposed site at Waterbeach and the Cambridge Research Park).
- 4.4.20 It is therefore recommended that the Applicant and ECDC liaise further with CCC Highways on this matter.

4.5 Review of the footway provision

- 4.5.1 The proposals are for the existing footway to be extended to the proposed access with a 2m wide footway, with no service margin. This would connect to the proposed crossing facility.
- 4.5.2 This pedestrian provision, previously accepted and agreed by CCC for the 38 dwellings, is reviewed.

Environmental Assessment of Traffic and Movement (Institute of Environmental Management and Assessment, July 2023)

- 4.5.3 Though the IEMA guidelines are more broadly for the assessment of traffic and movement associated with development subject to environmental assessments, they also provide useful guidance on non-motorised user amenity.
- 4.5.4 As part of an Environmental Statement for a new development, the Fear and Intimidation category likely to be experienced by pedestrians is dependent upon:

- The total volume of traffic (24 hour and 18 hour);
- The vehicle heavy composition;
- The average speed these vehicles are passing; and
- The proximity of traffic to people – and / or the feeling of the inherent lack of protection created by factors such as a narrow pavement median, a narrow path or a constraint (such as a wall or fence) preventing people stepping further away from moving vehicles.

The levels of Fear and Intimidation are then weighted as either small, moderate, great, or extreme taking the above parameters into account.

- 4.5.5 Stantec would ideally have been able to calculate the levels of Fear and Intimidation as per the standard, but due to the lack of ATC data collected, this was not possible to do so.

- 4.5.6 Stantec has assessed the perceived levels of Fear and Intimidation following the site visit as great to extreme due to the following:
- A high volume of traffic, particularly a high volume of HGVs;
 - The vehicles passing at an average speed of 37mph; and
 - The lack of protection between the footway and the traffic creating a feeling of vulnerability and concern about safety.
- 4.5.7 The proposed pedestrian footway provision does address in part the final point of proximity to the carriageway, however simply widening the footway would mean that a pedestrian may still have to walk close to the carriageway when in groups of more than one or walking past other pedestrians. The levels of Fear and Intimidation would be greatly improved by either:
- The introduction of a service margin strip to separate the footway from the road (0.5m - 1m wide); or
 - Rerouting the widened footway through the site, only emerging at the carriageway at the location of the pedestrian crossing.

4.6 Conclusions and Recommendations

- 4.6.1 It is unclear, without further discussions, whether CCC Highways would accept a standalone controlled crossing in this location away from a roundabout (although the principle of providing controlled crossings on the A10 within a 40mph speed limit is already accepted further south of the proposed site at Waterbeach and the Cambridge Research Park). It is therefore recommended that the applicant and ECDC liaise further with CCC Highways on this matter.
- 4.6.2 It is recommended that the levels of Fear and Intimidation experienced along the footway be reduced by either:
- Seeking the introduction of a service margin strip to separate the footway from the road (0.5m - 1m wide); or
 - By re-routing the widened footway through the site, only emerging at the carriageway at the location of the pedestrian crossing.

5 Transport Impacts of the Proposed Development

5.1 Introduction

- 5.1.1 Stantec have been asked to review the transport impacts of the Proposed Development on the A10 and surrounding highway network as part of this report.

5.2 Transport Impact on the A10

- 5.2.1 A summary of the additional traffic using the A10 as a result of the Proposed Development is shown in **Table 5.1** below. This only assesses the difference between the already consented 38 dwellings and the outline planning application for 83 dwellings.

Table 5.1 – A10 / Wilburton Road Roundabout – Traffic Impacts

Year and Link	Weekday am peak hour				Weekday pm peak hour			
	Base Case (Background + 38 houses)	Development Case (Background + 83 houses)	Increase (+45 dwellings)		Base Case (Background + 38 houses)	Development Case (Background + 83 houses)	Increase (+45 dwellings)	
2027								
A10 north of access	1599	1616	17	1.0%	1465	1480	16	1.1%
A10 south of access	1596	1610	24	1.5%	1462	1474	23	1.6%
2032								
A10 north of access	1643	1659	17	1.0%	1512	1527	16	1.0%
A10 south of access	1640	1653	24	1.5%	1509	1521	23	1.5%

- 5.2.2 The results show that the increase in flow experienced in both AM and PM peaks in both the 2027 and 2032 scenarios are less than 2%, which is well within daily variation.
- 5.2.3 Stantec conclude that this impact would be imperceptible on an already highly used road, and so this impact on the A10 is minimal.

6 Conclusions and Recommendations

6.1 Conclusions

6.1.1 This report has been prepared by Stantec UK Ltd to advise East Cambridgeshire District Council of an independent third-party review of transport and access matters relating to an Outline Planning Application (planning ref. 23/01338/OUM). This application is for 83 affordable residential dwellings, with all matters reserved except access.

6.1.2 Stantec concludes the following:

Proposed Vehicular Site Access Review

- i) The proposed site access has been designed to the appropriate design standards.
- ii) The site access drawings do not show clearly the right visibility splay within the highway. This visibility is achievable only with the removal of vegetation which is not all within the highway. The site access proposals should be reviewed to ensure that the construction of the junction is possible and visibility splays are achievable.
- iii) Due to the lack of ATC data collected, it is not possible to validate the day of the junction turning counts to ensure that the data represents a typical network day (although this is unlikely to materially change the conclusions already reached).
- iv) Stantec cannot comment on the validity of the data, only that the junction performs within capacity with the data collected.
- v) That 'KEEP CLEAR' road markings provided across the site access at the detailed design stage would maintain access in / out of the site at peak times when queuing from the A10 / A1123 Roundabout could obstruct the entry.

Pedestrian Safety Review

- vi) The proposed refuge island crossing appears to be designed to standard.
- vii) The levels of pedestrian trips associated with a 100% affordable housing development have been under-estimated, and Stantec's assessment should be considered instead.
- viii) Though there is no set threshold for the trigger for an uncontrolled crossing becoming controlled, Stantec believe that the guidance reviewed in this report would appear to suggest a controlled crossing is more suitable in this location given the local factors.
- ix) The proposed footway would still be in close proximity to the carriageway, and pedestrians are likely to experience high levels of Fear and Intimidation as a result of feeling vulnerable to traffic. A footway with a service margin strip to put space between pedestrians and the carriageway would be more appropriate, or alternatively rerouting the footway through the site and only emerging at the pedestrian crossing.

Transport Impacts of the Proposed Development

- x) Stantec concludes that the impact of the Proposed Development on the surrounding highway network will be imperceptible in such high levels of traffic, and the percentage increases forecast fall well within daily variation.

6.2 Recommendations

6.2.1 Stantec recommends the following:

- i) The applicant reviews the site access design to ensure the construction of the access and visibility splay to the right can be achieved without the need for third-party land.
- ii) The existing street lighting on the A10 is extended past the proposed site access at the detailed design stage.
- iii) That 'KEEP CLEAR' road markings are provided across the site access at the detailed design stage to maintain access in/out of the site at peak times.
- iv) Further discussions are held between the developer, ECDC, and the local highway authority to ascertain whether CCC Highways would accept a standalone controlled crossing in this location given the analysis set out in this independent review.
- v) That the footway provision be reviewed, with either:
 - a service margin strip be provided, to decrease the proximity between pedestrians and the carriageway, or
 - the footway being re-routed through the site and emerging at the pedestrian crossing only.

6.2.2 The above recommendations would be in line with current policy, in particular NPPF:

- Para 114 (b) – developments proposals should ensure that safe and suitable access to the site can be achieved for all users;
- Para 116 (a) – development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas;
- Para 116 (c) – create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists, and vehicles.

Appendix A - ADPV² Calculation

Time Period	8-9am	5-6pm
A	1	1
D	1.27	1.27
P	5	4
V	1659	1527
ADPV²	17,463,788	11,836,240
Recommendation	Ped crossing unlikely required	Ped crossing unlikely required

No accidents involving pedestrians according

Threshold	Recommendation
0	Ped crossing unlikely required
20,000,000	Ped Refuge or Road narrowing
60,000,000	Recommended for Controlled Ped Crossing
60,000,000	Recommended for Controlled Ped Crossing

A	Accident Factor	$1+(N/10)$	
D	Difficulty Factor	$1.2 \times W/7.3$	
P	Ped Movements		
V	Volume of traffic		
N	Number of pedestrain accidents	0	
W	road width	7.72	

Raw Data

N	0
W	7.72

Pedestrian Data

Time Period	Pedestrians (age 16+)	Pedestrians (age <16)	Cyclists
8-9am	5	0	0
5-6pm	4	0	0

Planning Performance – April 2024

Planning will report a summary of performance. This will be for the month before last month, as this allows for all applications to be validated and gives a true representation.

All figures include all types of planning applications.

Determinations

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
Determinations	128	3	18	34	17	20	36
Determined on time (%)		67% (90% within 13 weeks)	89% (80% within 8 weeks)	97% (90% within 8 weeks)	100% (90% within 8 weeks)	85% (80% within 8 weeks)	100% (100% within 8 weeks)
Approved	131	2	15	31	10	17	36
Refused	13	1	3	3	7	3	0

Validations – 95% validated within 5 working days (ECDC target is 85%)

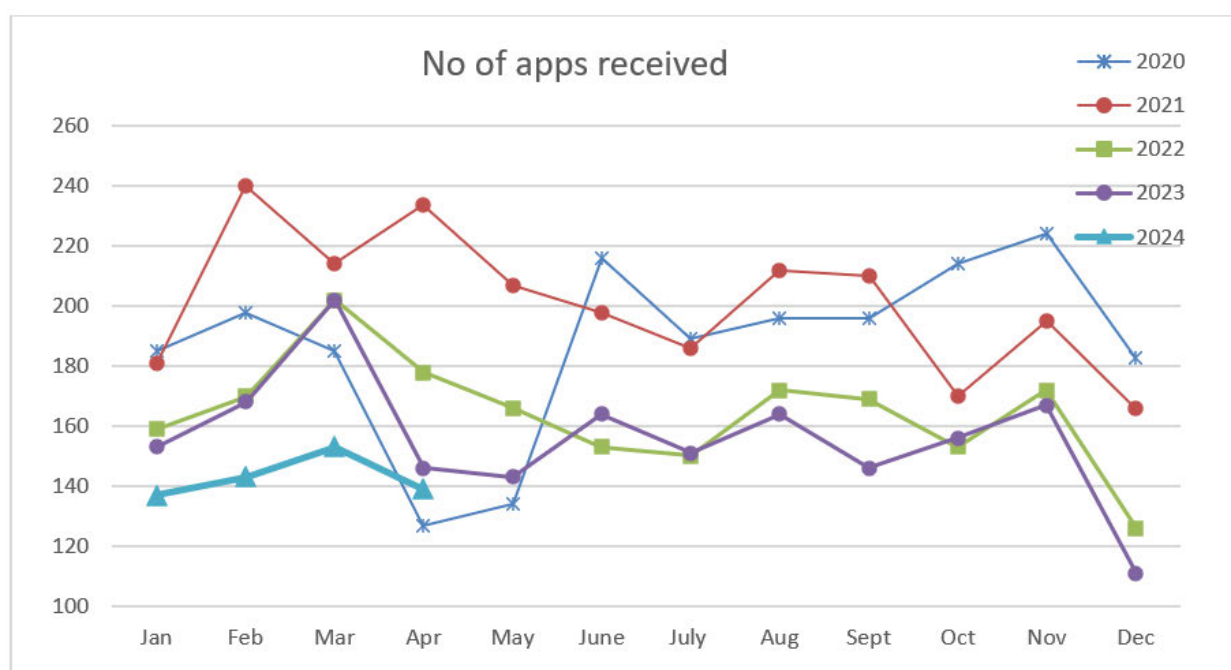
	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
Validations	104	2	21	32	14	22	13

Open Cases by Team (as at 23/05/2024)

	Total	Major	Minor	Householder	Other	DIS /NMA	Trees
Team 1 (3 FTE)	72	9	5	15	20	23	0
Team 2 (3 FTE)	99	10	31	12	15	31	0
Team 3 (3 FTE)	113	10	24	15	17	47	0
Team 4 (2.8 FTE)	96	4	17	14	26	35	0
No Team (3.4 FTE)	32	0	0	0	5	5	22

(No Team includes – Trees Officer, Conservation Officer and Office Team Leader)

The Planning department received a total of 139 applications during April which is 5% decrease of number received during April 2023 (146) and 9% decrease to the number received during March 2024 (153).



Valid Appeals received – 3

Planning reference	Site Address	Decision Level
23/00973/FUL	Land Rear Of 58 Swaffham Road Burwell	Delegated
23/01116/FUL	Pratts Green Farmhouse Pratts Green Farm Malting End Kirtling	Delegated
23/01117/LBC	Pratts Green Farmhouse Pratts Green Farm Malting End Kirtling	Delegated

Appeals decided – 3

Planning reference	Site address	Decision Level	Appeal Outcome
22/00545/FUL	Crow Hall Farm Site North Of 20 Northfield Road Soham	Committee	Dismissed
23/00547/FUL	67 Fordham Road Soham	Delegated	Allowed
23/00982/FUL	Highfield House 72 Mill Road Ashley	Delegated	Dismissed

Upcoming Hearing dates – 0

Enforcement

New Complaints registered – 21 (4 Proactive)

Cases closed – 16 (2 Proactive)

Open cases/officer (2.6FTE) – 195 cases (17 Proactive)/2.6 = 75 per FTE

Notices served – 0

Comparison of Enforcement complaints received during April

Code	Description	2023	2024
ADVERT	Reports of unauthorised adverts	0	0
COND	Reports of breaches of planning conditions	4	6
CONSRV	Reports of unauthorised works in a Conservation Area	0	0
DEM	Reports of unauthorised demolition in a Conservation Area	0	0
HEDGE	High Hedge complaints dealt with under the Anti-Social Behaviour Act	0	0
LEGOR	Reports of breaches of Legal Obligation (NEW CODE)	1	0
LISTED	Reports of unauthorised works to a Listed Building	0	0
MON	Compliance Monitoring	0	0
OP	Reports of operational development, such as building or engineering works	4	1
OTHER	Reports of activities that may not constitute development, such as the siting of a mobile home	0	2
PLAN	Reports that a development is not being built in accordance with approved plans	2	5
PRO	Proactive cases opened by the Enforcement Team, most commonly for unauthorised advertisements and expired temporary permissions	2	4
UNTIDY	Reports of untidy land or buildings harming the visual amenity	0	1
USE	Reports of the change of use of land or buildings	2	2
TOTAL		15	21