

F/YR15/0991/O

Applicant: Cannon Kirk (UK) Homes

**Agent : Mr A Hodgson
Barton Willmore**

Land East and West Of Isle Of Ely Way South of River Nene, Gaul Road, March, Cambridgeshire

Erection of 90 dwellings (max) including open space and an attenuation area (Outline application with matters committed in respect of access)

Reason for Committee: The Town Council's views are contrary to Officers recommendation.

1 EXECUTIVE SUMMARY

The application seeks outline planning permission for the development of land for up to 90 dwellings including open space and an attenuation lagoon. The application commits access only with all other matters for later consideration relating to appearance, layout, scale and landscaping. As such the application seeks to establish the principle of residential development and an agreed access into the site.

The main considerations for this application relate to principle of development, flood risk, access and highway considerations and the overall layout.

The development would provide additional housing stock in a location with good access to services and facilities without total reliance on private car usage. The development would also deliver a large area of managed open space for the general community to enjoy and could facilitate potential biodiversity enhancements. In addition, the applicant has committed to delivering a traffic signalised junction at the A141/ Gaul Road junction and a widened road including a footway and cycleway leading from this junction to Riverbank Close.

However, the site is located within Flood Zone 3 and the application does not provide sufficient information relating to the sequential approach to site selection and has failed to undertake the sequential testing of the site in relation to the availability of other sites in lower areas of flood risk.

As such the proposal is contrary to policies LP2 and LP14(Part B) of the Fenland Local Plan and the National Planning Policy Framework as it would place people in an area of identified flood risk without justification.

The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The site lies in the established settlement of March and comprises 14Ha of former arable field lying between Gaul Road and the River Nene (Old Course) and an area of agricultural land running along the western boundary of the A141.
- 2.2 The River Nene (Old Course) runs along the northern edge of the development site in an easterly direction and separates fields from existing residential areas to the north. Further residential development can be found due east and south east of the site.
- 2.3 The surrounding landscape is dominated by open agricultural land comprising predominantly by arable fields with an extensive network of drains, ditches and re-aligned rivers for land drainage.
- 2.4 The site is outside any area strategically allocated for development through the Fenland Local Plan.
- 2.5 The site lies in Flood Zone 3.

3 PROPOSAL

- 3.1 The application seeks outline planning permission for residential development for up to 90 dwellings located in the main site area. The application commits only access at this time with matters of layout, scale, appearance and landscaping reserved for future submission.
- 3.2 The site comprises 2 distinct parts; the main site, east of the A141 and adjoining the existing built form along Gaul Road is proposed to accommodate up to 90 dwellings with a large area of open space. The secondary area, west of the A141 is proposed as an attenuation basin to assist in drainage during extreme events.
- 3.3 An indicative site layout plan has been provided although not actually committed as part of the application.
- 3.4 The residential site is proposed to be accessed directly off Gaul Road via a newly formed access. The indicative layout provided also proposes to link through with the 135 dwelling scheme currently under construction under pp F/YR09/0648/F.
- 3.5 The indicative layout proposes to locate the housing along the northern boundary of the site, in-line with the rear of the adjacent 135 dwelling scheme, with the open space (c.5.3Ha) extending across the front part (south) of the site where it is not possible to develop due to overhead powerlines that run across the south of the site.
- 3.6 The proposed attenuation pond/ lagoon located to the west of the main site and the A141 will link to existing and realigned drainage systems under the management of Middle Level Commissioners IDB and is proposed to alleviate flood waters in extreme events. The applicant proposes for Fenland District Council to adopt the future maintenance of this lagoon.
- 3.7 The applicant also proposes to deliver a traffic signalised junction at Gaul Road/ A141 junction and includes proposals to widen Gaul Road to 6m and provide a

pedestrian and cycle way tying into the existing infrastructure along Gaul Road at Riverbank Close (east).

3.8 Full Plans and associated documents can be accessed at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=NWGT6KHE06P00>

4 RELEVANT SITE PLANNING HISTORY

F/YR16/0275/F	Formation of a footway, cycleway and associated works to facilitate the signal controlled junction	Pending
F/YR13/0879/F	Variation of Condition 12 of Planning Permission F/YR09/0648/F in relation to a signal controlled junction for the previously approved roundabout scheme	Refused 12.11.2015
F/YR12/0980/F	Variation of Condition 12 of Planning Permission F/YR09/0648/F in relation to construction timetable of roundabout	Withdrawn
F/YR13/0283/F	Erection of a 3-storey 4-bed dwelling with attached double garage	Refused 31.07.2013
F/YR13/0130/F	Erection of a 3-storey 4-bed dwelling with attached double garage	Withdrawn 23.06.2013
F/YR09/0648/F	Erection of 135 houses comprising of 34 x 2-bed 48 x 3-bed and 53 x 4-bed with associated garages and parking	Granted 26.04.2011
F/YR05/0944/F	Erection of 135 dwellings comprising: 6 x 6 bed houses 29 x 5-bed houses 50 x 4-bed houses 37 x 3-bed houses 6 x 2-bed houses 3 x 2-bed flats and associated garages and parking	Granted 04.04.2008
F/YR04/3814/F	Change of use of agricultural land to Riverside Park incorporating visitors car park, play area and landscaping	Granted 04.04.2008
F/YR01/0158/O	Residential development of up to 150 units including road improvements to Gaul Road and extension to West End Park as a public facility	Refused 22.04.2002

5 CONSULTATIONS

5.1 Parish/Town Council

Recommend Approval subject to the installation of traffic lights prior to commencement of development.

5.2 Cambridgeshire County Council Highways Authority

Satisfied subject to conditions controlling;

- Visibility splays provided and retained at all times on either side of the junction of the proposed access road with Gaul Road.
- The junction of the proposed access road with Gaul Road laid out with 10.5 metre radius kerbs.
- A scheme for the signalised A141/Gaul Road Junction, including the realignment and widening of Gaul Road to a minimum width of 6m between Riverbank Close and A141/Gaul Road Junction provided prior to occupation.
- A scheme showing full construction details of a 2.5m wide shared use footway/cycleway along the northern side of Gaul Road, between Riverbank

Close and the new A141/Gaul Road junction prior to first occupation and thereafter retained.

5.3 FDC Scientific Officer (Land Contamination)

No Objections' to the proposed development which is unlikely to have a detrimental effect on local air quality. The applicants should consider the effects of road traffic noise from the A141 on the development.

Given that part of the development site is on a former rifle range, notwithstanding the phase 2 contaminated land survey submitted, an unsuspected contamination condition should be imposed.

5.4 Police Architectural Liaison Officer

No comments to make concerning the access into the site in respect of crime prevention and fear of crime. Wish to be consulted on future applications relevant to this site, especially if the current layout remains which appears to rely upon rear parking courts instead of on plot parking.

Rear parking courts have the disadvantage that they are often incapable of being observed from active rooms within the properties served. This often means that residents are left to find the results of antisocial behaviour or crime long after it has occurred and therefore often prefer to park on-street instead.

5.5 Anglian Water Services Ltd

No assets owned by Anglian Water. The foul drainage from this development is in the catchment of March Water Recycling Centre that will have available capacity for these flows. Recommends the LPA 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, they would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Proposed condition;

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority. Reason: To prevent environmental and amenity problems arising from flooding.

5.6 FDC Housing Strategy

Anticipates the provision of 23 affordable dwellings on site subject to viability. The mix of affordable tenures should be informed by and compatible with the latest government guidance and an up to date local Strategic Housing Market Assessment (SHMA). An affordable tenure mix of 70% affordable rented and 30% intermediate tenure is considered appropriate for this development.

5.7 CCC Lead Local Flood Authority – (LLFA)

The applicant has demonstrated that surface water can be dealt with on site by using a combination of drainage ditches and a lagoon with a proposed runoff rate of 5 l/s. In addition, the volume of runoff is shown to be no greater than existing. Can confirm LLFA are satisfied with the calculations showing a 30% allowance for climate change.

Proposed Condition;

No development should commence on site until such time as detailed proposals for disposal of surface water (including a scheme for the on-site storage and regulated discharge) have been submitted to and agreed in writing by the LPA. The development shall be carried out in strict accordance with the approved scheme.

Reason: In the interests of managing surface water flood risk impacts both on and off site, potentially resulting from the development proposals

5.8 NHS Property Services

No objection. Due to capacity levels in the area, current priorities, and the size of this development, there is not an intention to seek contribution on this occasion.

5.9 FDC Environment & Leisure (Refuse strategy)

In broad principal no objection to this development. Agreement of following details required;

- Refuse and recycling facility provision will be required as an integral part of the development. Road design is expected to have facility to exit the premises in a forward direction. However, when this is not possible provision is required for the vehicles to safely turn & exit the site.
- Access roads are expected to accommodate the refuse and recycling vehicles with construction to comply with gross vehicle weights of up to 26 tonnes and be adopted to avoid risk of damage claims. This needs to be established before approval can be given, especially for some of the roads that branch off from the main roadways.
- The new residents will be expected to present waste and recycling material for collection at the curtilage of the property, where it meets the Public Highway on the day of collection.
- New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place. Residents should not be expected to pull or carry waste for a distance of more than 30 metres.

5.10 National Grid Plant Protection

No comments received

5.11 Middle Level Commissioners

No comments received

5.12 The Ramblers Association

No comments received

5.13 EDF Energy Networks

No comments received

5.14 CCC Archaeology

A programme of archaeological evaluation and subsequent mitigation work was carried out between 2006-8, with full reporting of results arriving in 2011. No objection to this development with no further archaeological requirements.

5.15 Environment Agency

- Site is located approximately 6km from the nearest main river under the jurisdiction of the Environment Agency. Considers that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, the IDB should be consulted with

regard to flood risk associated with their watercourses and surface water drainage issues.

- The FRA does not consider the residual risk of flooding in the event of a breach or overtopping of the River Nene (Old Course) defences. Considers that the proposed flood risk mitigation measures (i.e. finished floor levels) should take into account this residual risk.
- Advises that the LPA should consider whether the proposed development passes the Sequential Test before considering whether it passes the Exception Test.
- Where flood warning and evacuation are significant measures in contributing to managing flood risk, expects local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

5.16 **Cambridgeshire County Council Highways Authority (Transport team)**

Further to the additional information provided by the applicant on 20th April in relation to the above development, confirms that the Transport Assessment Team can withdraw its holding objection to the above application subject to the following being secured:

Condition: Provision of a high quality bus stop, incorporating bus shelter, to serve the site. The location of such shelter shall either be within the development, if a bus operator is willing to route their service through the development, or at the nearest bus stop to the development - currently Ellingham Avenue.

Create a pedestrian link from the development to existing footpath 156/15.

Upgrade existing footpath 156/15 plus commuted sum, between the proposed pedestrian link to the development and the point at which the path becomes a formal stone path with wooden edges to enable residents of the development to use the footpath for utility purposes.

Introduce improvements to the junction of Gaul Road with the A141 to ensure residents of the proposed development can safely access/egress the primary road network.

Provide a Residential Travel Plan

S106: Bus stop maintenance contribution.

5.17 **Natural England**

Natural England has no comments to make on this application. Advises LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

5.18 **CCC – S106 contributions**

Pre School: = £19,854 x 10 = £198,540

Triggers: 50% prior to commencement and 50% prior to occupation of 50% of the scheme

Primary School: = £20,855 x 19 = £396,245.

2 payment triggers of 50% prior to commencement and 50% prior to occupation of 50% of scheme. There have not been 5 or more contributions pooled towards this project.

Secondary Sch: = £23,000,000 to provide a basic need requirement for 600 - 750 places. Cost per place (based on 750 places) =

£30,666. Contribution = 13 x £30,666 = £398,658

2 payment triggers of 50% prior to commencement and 50% prior to occupation of 50% of scheme.

Provision for LLL: £9,140.04 (£42.12 per increased head of population). Trigger - 100% prior to occupation of 50% of the scheme. Monitoring contribution of £200 from this scheme.

5.19 **The Wildlife Trust**

No comments received

5.20 **Open Spaces & Landscape Manager (FDC)**

Could work out a commuted sum for 20 years maintenance.

Considers the pylons crossing over adopted POS land would put a liability on the council as far as inspecting warning signs to advise such things as no Kite flying or similar activities. Although this would be built into the Commuted maintenance sum, the liability would still be with FDC to ensure weekly inspections of numerous signs, replacement when vandalised and recording our inspections should such a claim be made against us.

Previous experience of such an adopted POS land was that [pylons] spoilt the POS landscape considerably and put an onerous task on inspecting and checking signs, certainly not ideal and a landscape marred by such an eyesore.

5.21 **FDC Transport team**

Fenland Railway Development strategy: £714.28 per dwelling which for 90 dwellings would be £64,285.20.

5.22 **PCC Wildlife Officer (on behalf of FDC)**

No objection to the granting of outline planning permission subject to strict adherence to the ecological recommendations set out below;

- Requests details of the landscaping scheme are secured via a suitably worded condition.
- Recommends that an Ecological Management Plan is produced. It is important that the water-bodies, including the ditches and SuDS, as well as the wild-flower meadow, are carefully managed for the benefit of wildlife.

5.23 **CCC Public Rights of Way**

The development does not appear to affect the public rights of way. Recommends informatives on any approval detailing;

- Public Footpath No.15 March must remain open and unobstructed at all times (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
- No alteration to the Footpaths surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
- Landowners are reminded that it is their responsibility to maintain hedges and fences adjacent to public rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).
- The granting of planning permission does not entitle a developer to obstruct a public right of way (Circular 1/09 para 7.1).

5.24 Local Residents/Interested Parties

3 No. letters of objections have been received raising the following comments;

- Pressure on services
- Drainage/ flooding concerns
- Highways concerns in respect of Gaul Road, in particular the dangers at Gaul Road/ A141 junction.
- Delays to delivering existing planning permissions and obligations

2 letters of representation from local residents/ groups requiring updates on progress with the application.

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF):

Paragraph 14: A presumption in favour of sustainable development;

Paragraph 17: Core planning principles;

Paragraph 102: Flood Risk Sequential Test quality homes;

National Planning Policy Guidance (NPPG):

Flood Risk and Coastal Change (the general planning approach to development and flood risk)

Fenland Local Plan 2014:

LP1: Presumption in Favour of Sustainable Development

LP2: Facilitating Health and Wellbeing

LP3: Fenland's Settlement Hierarchy

LP4: Housing

LP5: Affordable Housing

LP9: March urban growth

LP13: Meeting Infrastructure Needs

LP14: Climate Change and Flooding

LP15: Sustainable Transport Networks

LP16: Delivering High Quality Environments

LP17: Community Safety

LP18: The Historic Environment

LP19: The Natural Environment

7 KEY ISSUES

- Principle of Development
- Flood Risk
- Access and Highway considerations
- Planning Contributions
- Indicative Layout – Open Space
- Biodiversity
- Historic Environment
- Health and wellbeing
- Economic Growth
- Other considerations – resident comments

8 BACKGROUND

- 8.1 The scheme is considered as an extension to the Gaul Road development currently under construction to the east granted under F/YR09/0648/F. This is the first formal planning application for residential development of this site. Planning permission was previously granted under F/YR04/3814/F for the change of use of part of the land to a Riverside Park incorporating a visitor car park, play area and landscaping (see history above). This permission has since lapsed.
- 8.2 The plans submitted under F/YR04/3814/F provided an area at the south of the site for residential development (to be applied for at a later stage) and with the existing electricity pylons to be placed underground to accommodate the dwellings and enable the main country park to be located at the north of the site adjacent to the river.
- 8.3 The latest submission has been discussed at pre-application whereby the applicant advised that it is no longer economically viable to place the overhead pylons underground and as such a revised layout now accommodates the existing pylon arrangement. This has the effect of reversing the open space/ dwelling positioning, with the residential area now towards the rear of the site and the country park predominantly across the front fronting Gaul Road. The access as a result leads through the open space, underneath the overhead lines to the main development site.
- 8.4 Concerns were raised by Officers over this revised arrangement at pre-application stage considering that the layout would not conform to the form and character of the existing developments along Gaul Road.
- 8.5 Furthermore it was pointed out to the applicant that the site lies within Flood Zone 3 and as such the sequential test would need to be met in-line with Policy LP14(Part B) of the FLP and paragraph 102 of the NPPF.

9 ASSESSMENT

9.1 Principle of Development

- 9.1.1 Policy LP3 identifies March as an area for substantial growth given its sustainable links to transport, utilities and services with areas identified for strategic allocation and broad locations for growth to the south east, south west, west and March Trading Estate. Policy LP4 supports the principle of small-scale housing proposals of under 250 units on the edge or within market towns subject to compliance with relevant policies of the FLP and other material considerations.

9.2 Flood Risk

- 9.2.1 The site lies in Flood Zone 3 and a flood warning area. The approach of policy LP14 (Part B) of the Local Plan in-line with paragraph 102 of the NPPF and its associated Planning Practice Guidance (NPPG) is not to rely on mitigation measures in area at high risk of flooding but instead to direct development away from such areas in the first instance. The National Planning Policy Framework sets strict tests to protect people and property from flooding which all local planning authorities are expected to follow. Where these tests are not met, national policy is clear that new development should not be allowed.¹

- 9.2.2 Where development is proposed in areas at medium (FZ2) to high risk (FZ3) of flooding, the proposal must be sequentially assessed to identify through evidence whether there are other sites in lower areas of flood risk reasonably available to accommodate the proposal. It is for local planning authorities, taking advice from the Environment Agency as appropriate, to consider the extent to which Sequential Test considerations have been satisfied, taking into account the particular circumstances in any given case. The developer should justify with evidence to the local planning authority what area of search has been used when making the application.
- 9.2.3 The applicant advises in their Flood Risk assessment that only an extreme event could potentially impact the site given the IDBs managed drainage system that the site is proposed to be connected to. The IDB (Middle level Commissioners) has not provided comment on the application. The applicant has advised that 'in principle' agreement has been secured in respect of the improved drainage proposals and necessary consents. However as identified, national guidance states that the approach is not to rely on mitigation measures in area at high risk of flooding but instead to direct development away from such areas in the first instance.
- 9.2.4 The latest flood risk information is deemed to be held with the Environment Agency who has identified on their latest mapping that the site is within Flood Zone 3 and a Flood Warning Area.²
- 9.2.5 In respect of sequentially assessing whether there are other sites reasonably available in lower areas of Flood Risk, it is concluded that the area of land to the south directly opposite the site is in Flood Zone 1 and therefore at lower risk of flooding and is of a size capable of accommodating the proposal. Furthermore it is considered that it can be classed as reasonably available as it is identified through the Fenland Local Plan as an allocated site for residential growth.
- 9.2.6 As such it is concluded that the applicant has failed to provide suitable evidence to justify through the sequential test that the development should be located in an area of high flood risk. Therefore, the application fails to comply with the requirements of policy LP14 (Part B) of the Fenland Local Plan and paragraph 102 of the NPPF.

9.3 Access and Highway considerations

- 9.3.1 The proposed access has been agreed with the LHA subject to conditions controlling visibility splays, details of the signalised junction with physical delivery prior to development of any dwellings and details of the proposed road widening etc. The Gaul Road/ A141 junction is identified as an accident hotspot and as such the introduction of an improved junction arrangement is essential for any further development along Gaul Road. As such the applicant in their design and access statement (paragraph 4.7) commits to delivering a signalised junction complete with a 6m widening of Gaul Road from the A141 leading to the junction of Riverbank Close if planning permission is secured for this scheme.

Signalised Junction

- 9.3.2 The proposal for a traffic signalised junction would replace the original junction improvement proposal for a roundabout secured under condition 12 of planning permission F/YR09/0648/F. The requirement for the roundabout is currently subject to enforcement action due to non-delivery within the required timeframe constituting a breach of condition 12. The enforcement notice requires compliance with condition 12 i.e. the delivery of a roundabout by 30 April 2017.

9.3.3 The proposal for a signalised junction instead of a roundabout was initially approved by Planning Committee on 5 March 2014. However this application was ultimately refused on 12 November 2015 due to the inability of the applicant to commit to its delivery at that time. Since that determination, the applicant advises that they have now secured the finances to deliver the signalised junction improvements and has also submitted a separate application for the signalised junction only under application reference F/YR16/0125/F which is pending determination.

9.3.4 In conclusion therefore, subject to the imposition of conditions as requested by the LHA, the proposed access is considered to provide safe and effective access to the development in accordance with policy LP15 of the FLP.

9.4 Indicative Layout – Open Space

9.4.1 The application is in outline and commits access only at this time. An indicative masterplan has however been submitted which informs the LPA of the intentions of the applicant in respect of general layout and therefore whilst this is only illustrative at this time, it does assume a considerable degree of importance, particularly given the site constraints, mainly through the retention of the overhead power lines.

9.4.2 The indicative layout demonstrates that regard has been had to latest guidance³ on developing in and around electricity pylons with a large separation distance between the overhead lines and the proposed dwellings.

9.4.3 This does unfortunately have the effect of locating the dwellings to the back of the site, away from Gaul Road which appears out of character with the prevailing built form which fronts onto Gaul Road moving eastwards. Although only indicative at this stage but with the applicant confirming they are unable to move the power lines underground, it appears that the eventual layout is reflected in the submitted illustrative site plan.

9.4.4 The Council's Parks and Open Spaces Manager has considered the proposal and raises concerns over the layout of the open space which in part lies underneath the overhead power lines and the reliance this would have on displaying awareness signage and continued monitoring checks this would require in view of the Council's liabilities. Whilst the POS Manager has confirmed that the adoption of the open space could be secured through a 20 year commuted sum, there is some hesitancy over the appropriateness of the proposed layout in particular the burden on the local authority to ensure adequate safety signage is displayed to warn users of the dangers of overhead power lines. This could result in the Council choosing not to adopt the space whereby the developer would need to secure independent future maintenance arrangements.

9.4.5 Notwithstanding this, the development could secure a large area of open space/country park which would incorporate wild-flower meadow and wetland habitats, and an anglers car park which would benefit the wider community over and above that required in the open space standards as set out under Annexe B of the FLP.

9.5 Planning Contributions

9.5.1 Policy LP5 enables the LPA to negotiate with developers where an accurate viability assessment indicates that required affordable housing provision cannot be fully secured.

9.5.2 Policy LP13 requires developers to make direct provision or contribute towards the provision of local and strategic infrastructure and this will be negotiated on a site-by site basis.

9.5.3 Notwithstanding the above open space provision the proposal (based on 90 units) draws the following planning contributions;

Affordable Housing: 23 Units with an affordable tenure mix of 70% affordable rented and 30% intermediate tenure

Education: Pre-School: £198,540
Primary School: £ 396,245
Secondary School: £ 398,658
Life Long Learning: £ 914.04

CCC Transport: S106: Bus stop maintenance contribution.

Commuted sum for maintenance of footpath 156/15 between the proposed pedestrian link to the development and the point at which the path becomes a formal stone path with wooden edges

FDC Transport Projects: Fenland Railway Development strategy: £64,285.20.

9.5.4 The applicant has undertaken a viability assessment of the scheme which has been submitted to the Council's S106 Officers for verification. Based on the submitted assessment the applicant has offered 4 affordable units and a s106 payment of £500,000.

9.5.5 An alternative, taking into account that affordable housing providers generally are not entering into schemes of less than 10 units in market town locations, is to provide a full financial contribution of £625,000.

9.5.6 Therefore and subject to confirmation by the Council's S106 Officers, the development, in-line with Policy LP13 would secure infrastructure contributions and also, in-line with LP5 potential for some affordable housing provision depending on final negotiations with the County Council and Fenland Council's Housing Strategy team.

9.6 Biodiversity

9.6.1 The applicant has provided a full ecology survey of the site and provided recommended enhancement and mitigation measures to offset the impact of the development on existing biodiversity.

9.6.2 The Council's Wildlife Officer has concluded that the submitted Indicative Landscape Strategy (Sept 2015) and the findings and proposals within the ecology survey and subject to a condition securing an Ecological Management Plan is produced (detailing how the various open space habitats, including the SuDS will be managed for the benefit of wildlife), the scheme would result in no net loss to biodiversity.

9.6.3 As such the proposal, subject to condition would accord with the aims of policy LP16 and LP19 of the FLP.

9.7 Historic Environment

- 9.7.1 Policy LP16 and LP19 requires development to protect and where possible enhance the historic environment.
- 9.7.2 Cambridgeshire County Council has confirmed that appropriate archaeological investigations were carried out on the site between 2006 and 2008 and that no further assessments or investigations are required.
- 9.7.3 The impact of the development on existing heritage assets have been considered in the submitted heritage statement in-line with policy LP19. Grade II listed buildings have been identified along West End to the north of the site (No's 125 and 126, 62, 52 to 55 West End) and Grade II listed Cherry Holt Farmhouse, Burrowmoor Road c.500m to the south. The March Conservation Area also lies c.175m east of the site.
- 9.7.4 The significance of each building and the likely impact upon their significance has been assessed within the submitted heritage statement and it is agreed that due to the physical and visual separation of the site from No's 62, 52 to 55 West End and Cherry Holt Farmhouse there will be no impacts arising from the development.
- 9.7.5 The immediate setting of No's 125 and 126 West End, by virtue of the river corridor and its associated landscaping and physical and visual separation, will not be affected by the proposal.
- 9.7.6 However, it is considered that the wider, extended setting of these properties will be affected by the proposal although the indicative masterplan demonstrates a degree of buffer between the site and the historic buildings which reduces the harm on the extended setting thereby resulting in less than substantial harm.
- 9.7.7 The extent of relationship between the Conservation Area and the proposed development is considered to be limited, as the development is separated from it to the west and the indicative masterplan retains a consistent, open buffer to the south of the river.
- 9.7.8 In summary, the development would likely cause low level harm to the setting of the 2 near most grade II assets and would have a nil impact on the Conservation Area and grade II listed buildings of No's 62, 52 to 55 West End and Cherry Holt Farmhouse.
- 9.7.9 Having considered the identified harm which is weighed against the public benefits of the scheme, it is concluded that the less than substantial harm identified would be outweighed by the provision of housing, public open space and infrastructure improvements to residents of March.

9.8 Health and wellbeing

- 9.8.1 The development would provide modern housing stock which as a minimum would meet current building standards thereby providing housing in a location with good access to services and facilities and non-car modes of transport. Furthermore, the development would provide improved highways arrangements through the introduction of a footpath and cycleway and a large area of managed open space for the community to enjoy and which will facilitate potential biodiversity enhancements.

9.8.2 However, the site is located within a high risk flood area and provides little justification for doing so and therefore places future occupiers at greater risk of flooding than is deemed necessary given the recognised availability of sites in lower areas of flood risk. As such it is concluded that whilst the proposal would derive clear health and wellbeing positives, these are outweighed by the unwarranted location in a high risk flood area.

9.9 Economic Growth

9.9.1 The proposal would generate clear economic benefits initially through employment with the construction of the development and secondly through the level of housing stock which would support residents who would in turn support the local shops and services in the locality.

9.10 Other Considerations – resident’s comments

9.10.1 Whilst it is considered that most residents comments and concerns have been addressed within the report, the following matters require attention;

9.10.2 Delays to delivering existing planning permissions and obligations

Whilst it is acknowledged that the adjacent development has stalled somewhat and has led to enforcement action by the LPA to secure the required A141/ Gaul Road junction improvements, the speed of development is not material planning consideration and no weight can be afforded to this.

10 CONCLUSIONS

10.1 The proposal would offer a number of advantages. March is identified in the FLP for substantial housing growth and the proposal would make an effective contribution to housing delivery. In addition it would deliver some affordable housing and a financial contribution (subject to finalising viability) toward local infrastructure. The development would provide a large area of open space that would benefit existing residents as well as new occupiers and visitors and would assist in the delivery of a Country Park identified through policy LP9. Furthermore the site is recognised as being in an accessible location where trips could be undertaken by non-car modes.

10.2 The NPPF identifies that there are three inter-related dimensions to sustainability. The proposal would contribute towards the economic and social roles for the reasons identified above in para 10.1. There would also be some environmental benefits, including landscape enhancements (subject to reserved matters submission) that could result in potential gains to biodiversity. However the main housing area is within an area of high flood risk – Flood Zone 3. The NPPF makes very clear that the aim of the sequential test is to steer new development to areas with the lowest probability of flooding.

10.3 Following this approach is central to an understanding of sustainability objectives. Paragraph 14 of the NPPF clearly identifies that whilst there is a presumption in favour of sustainable development, permission should not be granted where specific Framework policies indicate it should be restricted. Locations at risk of flooding are specifically highlighted as one such policy in Footnote 9, page 4 of the NPPF.

10.4 It is concluded therefore that in the absence of a successful completion of the sequential test in respect of flood risk, the development would be unsustainable as the development would place future occupiers at a higher risk of flooding than is

deemed necessary. It is considered that the identified sustainability benefits of the development do not outweigh this identified harm.

10.5 The proposal therefore fails to comply with policies LP2 and LP14 (Part B) of the FLP.

11 RECOMMENDATION

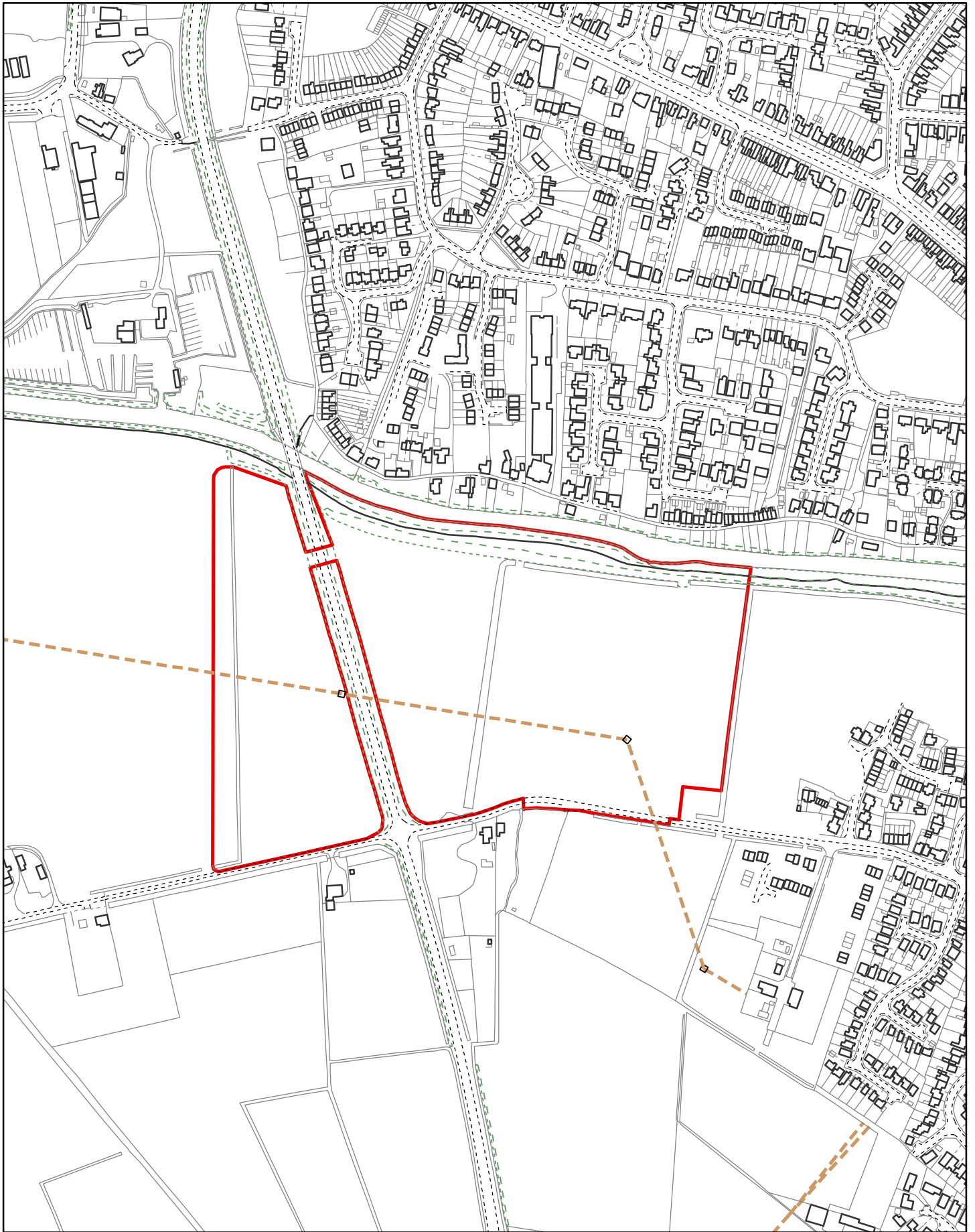
Refuse outline planning permission for the following reason;

1. Policy LP14 (Part B) of the Fenland Local Plan requires development proposals in High flood risk areas to undergo a sequential test to demonstrate through evidence that the proposal cannot be delivered elsewhere in the settlement at lower risk of flooding. Policy LP2 seeks to deliver high quality environments, ensuring that people are not put at identified risks from development thereby avoiding adverse impacts in the interests of health and wellbeing. The site lies within Flood Zone 3 which is a high risk flood area. The applicant has failed to satisfactorily meet the sequential test and has therefore failed to demonstrate that the development could not be delivered in an area of lower flood risk thereby failing LP14 (Part B). Consequently, the proposal also fails to satisfy policy LP2 of the Fenland Local Plan as it fails to deliver a high quality environment and unjustifiably puts future occupants and property at a higher risk of flooding.

¹⁻ NPPG, Paragraph: 001 Reference ID: 7-001-20140306

²⁻ Environment Agency, Flood Mapping

³⁻ National Grid, 'Creating a Sense of Place: Design Guidance'



Created on: 10/11/2015

© Crown Copyright and database
rights 2015 Ordnance Survey 10023778

F/YR15/0991/O

Scale = 1:5,000





Copyright Savills (L&P) Ltd. No dimensions are to be scaled from this drawing. All dimensions to be checked on site. Area measurements for indicative purposes only.

savills planning & regeneration

Unex House, 123-134 Hills Road,
Cambridge, CB2 8PA
t 01223 347000

savills.co.uk/urbandesign

project	Residential development off Gaul Road, March
client	Cannon Kirk (UK) Ltd
date	08/10/15
drawn by	NR
checked by	AH

drawing	Drawing Title
	Illustrative
job no.	CAUD338348
drawing no.	002
rev	-

scale | 1:2000 @A3

