

F/YR15/0668/O

**Applicant: St Johns College,
Cambridge**

**Agent : Mr Garth Hanlon
Savills (UK) Ltd**

Land North Of 75 - 127, Estover Road, March, Cambridgeshire

Outline with one matter committed detailed as access in relation to 95no dwellings (max) with associated landscaping, drainage and open spaces

Reason for Committee: This application is before committee due to the level of objection received from local residents and the views of the Town Council.

1 EXECUTIVE SUMMARY

This is an outline application for a residential development of a maximum of 95 dwellings with associated landscaping, drainage and open spaces.

The proposal is considered to be acceptable in principle as it would represent a sustainable residential extension to the edge of the settlement of March (which would contribute to the delivery of housing).

With regard to detailed considerations (such as highway matters; drainage/flood risk; amenity impacts and the impact upon the character and appearance of the area) the development would not lead to any unacceptable harm being evident.

In relation to Section 106 matters the scheme has been through a viability exercise and although not all of the policy requirements can be secured it is considered that the benefits of bringing the scheme forward now outweigh any non-policy compliance in this regard. Mechanisms will be put in place within the S106 to accommodate any funding that may come on stream during the future delivery of the development to redress the affordable housing shortfall.

Overall the development is therefore considered to be acceptable subject to planning conditions and a Section 106 Agreement.

2 SITE DESCRIPTION

- 2.1 The site has an area of approximately 5.52 hectares and is currently in agricultural use. The site is generally flat and open in appearance. The site adjoins the existing playing fields at Estover Road to the east. Land to the north (partly within the same ownership) is in agricultural use. Land to the south is occupied by existing housing along Estover Road.

3 PROPOSAL

- 3.1 The proposal seeks outline planning permission with all matters reserved except for access for a residential development for up to 95 dwellings on an area of land of 5.52 hectares.
- 3.2 Whilst the application is in outline only, to allow full evaluation and consideration of the development to determine whether the proposed amount of development can be satisfactorily accommodated on the site, an indicative block plan has been submitted detailing the potential location of buildings, routes and open spaces. The submitted illustrative masterplan indicates how the site could be developed and is attached to this report.
- 3.3 The following has been submitted in support of the application:
- Design and Access Statement
 - Flood Risk Assessment
 - Planning Statement (incorporating Statement of Community Involvement)
 - Preliminary Ecological Appraisal (November 2014) – Addendum 2017
 - Revised Transport Assessment – January 2016
 - Travel Plan (April 2015)
 - Archaeological Evaluation Report (October 2014)

Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=NRS2S4HE01U00>

4 SITE PLANNING HISTORY

- 4.1 No planning history since 1974.

5 CONSULTATIONS

- 5.1 **March Town Council:** Strongly recommend refusal for the following reasons: Strong local opposition, the FDC infrastructure delivery plan 2013 highlights problems in this area which have not yet been addressed – these include foul waste disposal. There are already severe road congestion problems in this area without the added imposition of yet more traffic, March is already struggling with doctors, dentists and schooling shortages, development in this area is completely contrary to the requirements specified in the emerging March Neighbourhood Plan.
- 5.2 **Development Manager Transport (FDC):** No objection. Seeks a contribution of £67,856.60 towards March Station master planning & the Stations Investment Plan which forms part of the Fenland Rail Development Strategy. It is suggested that the S106 contribution from this site should be for secure cycle storage and associated items e.g. CCTV.
- 5.3 **Environment Agency:** The site lies in Flood Zone 1 (low risk). Advise that the Lead Local Flood Authority should be consulted on this application. Consider that any infiltration as a result of 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 requires a minimum of 1.2 m clearance between

the base of infiltration SuDS and peak seasonal groundwater levels. An acceptable method of foul drainage disposal would be connection to the public foul sewer. The sewerage undertaker should be consulted regarding the availability of capacity in the surface water sewer.

- 5.4 **Lead Local Flood Authority (CCC):** No objection. The proposed development will only be acceptable if a planning condition with regard to the details of the surface water drainage works is imposed.
- 5.5 **Anglian Water Services Ltd:** No objection. The foul drainage from this development is in the catchment of March Water Recycling Centre that will have 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. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.
- 5.6 **Middle Level IDB:** Will be commenting, however no further comments received.
- 5.7 **Historic Environment Team (CCC):** No objections. An archaeological evaluation took place at the site finding the following (summarised from the evaluation report): Several trenches were excavated finding ditches and possible settlement features tentatively dated to the Roman period in the west and the south of the site. The settlement features included a ring-ditch towards the centre of the site that is suggested to be a roundhouse. In the western part of the site, a concentration of east to west aligned enclosure ditches and related settlement features dating to the medieval period may be indicative of possible tofts. A curvilinear ditch in the western part of the site enclosed an area of buried soil that indicated the survival of a preserved occupation horizon. These results confirm the expectation of the presence of Roman archaeological remains within the site, which lies close to the route of the Roman Fen Causeway road where it crosses the dry 'island' of March. More surprising is the presence of Medieval remains that serve to further understanding of the land use of the northern fen edge of March in the 12-13th centuries. Consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition. This will secure the preservation of the archaeological interest of the area either by record or in situ as appropriate.
- 5.8 **Transport Assessment Team & Highway Authority (CCC):** No objection. The revised Transport Assessment submitted in support of the above planning application is agreed and fit for purpose. As such, subject to securing the agreed mitigation measures through condition / S106 as appropriate, confirm that CCC can remove its holding objection to the application. Planning conditions need to be secured in respect of the provision of a 1.8m footway along the site frontage, access construction, details of the bus stop improvements, details of pedestrian crossing improvements on Station Road and travel plan. S106 to secure:
- Real Time Passenger Information Display contribution of £27,000.
 - Bus stop maintenance contribution of £14,000.

- 5.9 **FDC Environmental Health (Land Contamination):** No objection. Note and accept the submitted information. The proposal is unlikely to have a detrimental effect on local air quality. The development should connect to the main sewer for foul drainage. The application site has not had previous industrial usage so ground contamination is considered unlikely. Due to the amount of development the effects of construction noise / dust upon existing dwellings will be needed and any measures to control or mitigate any issues provided.
- 5.10 **FDC Tree Officer:** No comments received.
- 5.11 **Police Architectural Liaison Officer:** No objections.
- 5.12 **Housing (FDC):** Policy LP5 of the Fenland Local Plan seeks 25% affordable housing on all development sites on which 10 or more dwellings are proposed. Therefore on this development where up to 95 dwellings are proposed the provision of 24 affordable dwellings should be provided on site subject to viability. In accordance with Local Plan Policy LP5, 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. The exact mix of house types will be determined by the reserved matters application.
- 5.13 **NHS England:** No objections. We currently have GP capacity in the March locality and would therefore not be seeking a section 106 agreement.
- 5.14 **Environment & Leisure (FDC):** No objection subject to conditions.
- 5.15 **Ecologist (PCC):** No objection.
- 5.16 **Cambridgeshire Fire & Rescue Service:** Adequate provision should be made for fire hydrants to be secured via planning condition or agreement.
- 5.17 **EDF Energy:** No comments received.
- 5.18 **National Grid:** No comments received.
- 5.19 **Local Residents/Interested Parties:** A total of 266 objections have been received from 48 properties on Estover Road; 21 properties on Elm Road; 13 properties on Roman Way; 13 properties on Berryfield; 12 properties on Creek Road; 9 properties on Norwood Road; 8 properties on Burnet Gardens; 7 properties on Flaggrass Hill Road; 6 properties on Creek Fen; 5 properties on Landau Way; 5 properties on Bramble Walk 4 properties on Cawood Close; 4 properties on The Hollies; 4 properties on The Laurels; 3 properties on Foxglove Way; 3 properties on Highfield Road; 3 properties on Wimblington Road; 3 properties on Alexander Gardens; 3 properties on Cavalry Drive; 2 properties on Cavalry Park; 2 properties on Russell Avenue; 2 properties on Plowright Close; 2 properties on White Horse Gardens; 2 properties on Henson Road; 2 properties on Station Road; 2 properties on Nene Parade; 2 properties on Riverdown; 2 properties on Peyton Avenue; 2 properties on St Johns Road; 2 properties on Hereward Street; 2 properties on Bevills Place; 1 property on New Park; 1 property on Norwalde Street; 1 property on Carmargue Drive; 1 property on Alfruda Close; 1 property on All Saints Close; 1 property on Hillside Road; 1 property on Grounds Avenue; 1 property on Acacia Grove; 1 property on Brook

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Close; 1 property on Acre Road; 1 property on Dagless Way; 1 property on Shaftesbury Avenue; 1 property on Princes Walk; 1 property on Hundred Road; 1 property on Truman Avenue; 1 property on Boundary Drive; 1 property on Elm Close; 1 property on Swanley Gardens; 1 property on Darthill Road; 1 property on Kingswood Road; 1 property on Rosedene Drive; 1 property on Cromwell Road; 1 property on Henry Orbell Close; 1 property on Swallow Way; 1 property on Elwyn Court; 1 property on Marylebone Road; 1 property on Heathcote Close; 1 property on Oberon Park; 1 property on Badgeney Road; 1 property on Green Street; 1 property on College Gardens; 1 property on West End; and 10 properties outside of March area.

The objections can be summarised as:

Policy Matters:

- Development is contrary to the Local Plan as this area was removed before the plan was adopted
- Development is contrary to the Fenland Sustainability Appraisal - to reintroduce any part of the former North East allocation
- The proposal is not sustainable and therefore does not meet the requirements of the Local Plan
- There are plenty of brownfield sites without the need to use greenfield sites.
- Loss of agricultural land
- Piecemeal approach – the application is supported by a block plan clearing showing the intention to build more housing

Flooding and Drainage:

- The land is a flood plain.
- Drainage system is old and struggles to cope now

Highways:

- Estover Road is not suitable in size for the extra volume of traffic
- The exit onto Elm Road at roundabout is currently a blind spot- with extra amount of vehicles this will definitely lead to accidents
- The road opposite the playing fields is narrower with cars parking on it extra vehicles will increase the risk of accidents
- It takes up to 10 minutes to get onto Station Road using Creek Road (near Sainsbury's) – extra vehicles will increase this
- Norwood Road as an exit is narrow especially near the bridge – extra vehicles will increase accident
- There are no footpaths on parts of Estover Road and Creek Road up to the railway crossing.
- Construction traffic
- The Traffic Assessment Report does not reflect the actual situation on the ground - The Station Road railway crossing in the morning always has a tail back currently – with extra vehicles it will be far worse
- The revised Transport Assessment is misleading and flawed

Infrastructure:

- Doctors, dentists and schools are already over subscribed

Amenity & Community:

- Moved to this area for the country life with a house overlooking fields and surrounded by wildlife and open view – this proposal would completely ruin the area
- Archaeology and Heritage – the development is situated close to the line of the Fens Causeway – although the applicant acknowledges this, there is no mention of how they may enhance the feature or provide public access to it

Environment & Ecology:

- Pressure on the wildlife and what little open green areas we have in North March.
- Hedgerows will be destroyed

Other (non-planning) Matters:

- Loss of property value in Estover Road
- Loss of view

6 STATUTORY DUTY

- 6.1 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 Fenland Local Plan (2014).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Paragraph 2: Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 32: Development should only be refused on transport grounds where the residual cumulative transport impacts are severe.

Paragraph 47: Supply of housing.

Paragraph 49: Applications for planning permission for housing are determined in accordance with the presumption in favour of sustainable development/ Five-year supply of deliverable housing sites

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Paragraphs 100-104: Development and flood risk.

Paragraph 109: Minimising impacts on biodiversity.

Paragraph 128: Archaeological interests in a site.

Paragraphs 203-206: Planning conditions and obligations.

7.2 National Planning Policy Guidance (NPPG)

Viability

7.3 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
LP5 – Meeting Housing Need
LP9 – March
LP13 – Supporting and Mitigating the Impact of a Growing District
LP14 – Responding to Climate Change and Managing the risk of Flooding in Fenland
LP15 – Facilitating the creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP19 – The Natural Environment

7.4 Supplementary Planning Documents:

Resource Use and Renewable Energy SPD (July 2014)
Delivering and Protecting High Quality Environments in Fenland SPD (July 2014)
Developer Contributions SPD (February 2015)

7.5 March Neighbourhood Plan (November 2017)

H1 – Large Development sites
H2 – Windfall Development
H3 – Local Housing need

8 KEY ISSUES

- **Principle of Development**
- **Five Year Housing Land Supply**
- **Access and Highway Safety**
- **Visual Amenity**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Ecology**
- **Archaeology**
- **Planning Obligations**
- **Health and wellbeing**
- **Economic Growth**
- **Other considerations**
- **Sustainability**

9 BACKGROUND

9.1 The site originally formed part of the North East March Strategic Allocation for around 450 dwellings which was proposed at the draft stages of the Local Plan. The allocation was subsequently withdrawn from the Local Plan. The Inspector at the Examination Stage recognised that it had been deleted, but that it was still likely that development may come forward in the location. It was further acknowledged that any development would be unlikely to deliver the same level of infrastructure benefits that would have been required had the land been allocated (paragraph 128 of the Report on the Examination into the Local Plan).

- 9.2 The site to the west (the Estover Playing Fields) benefits from full planning permission to regenerate the playing fields which includes a pavilion building, artificial grass pitches and multi-use games area (LPA reference: F/YR17/0030/F).
- 9.3 The proposed scheme was presented to the public at an exhibition in February 2015.

10 ASSESSMENT

Principle of Development

- 10.1 Local Plan Policy LP3 defines March as a Market Town where the majority of the district's new housing, employment growth, retail growth and wider service provision should take place. The site is considered to satisfy the criteria set out in Local Plan Policy LP4 Part B inasmuch as it is on the edge of March. It is therefore an appropriate site to deliver additional housing within the town (towards the 4,200 new homes target set out in Part A of Policy LP4). Further criteria to be met by any such development are set out in Policy LP16 including that the development should, amongst other things, not adversely impact on the amenity of neighbouring users. The delivery of housing on this site would form a logical extension of existing development to the south-west of March in a sustainable location. The site is located within walking distances of the train station, shopping, employment, recreation and other community facilities.
- 10.2 The development will result in the permanent loss of 5.52 hectares of Grade 2 agricultural land. In order to achieve the objectives of the Council's Local Plan policies it was always likely that the loss of such land would result. The amount of land being lost for agricultural purposes does not require any consultation with Natural England, as required by Schedule 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended), as the threshold for such consultation is 20 hectares or more. Accordingly whilst the loss of 5.52 hectares of land is unfortunate, it is not, in this instance, considered unacceptable as the policy direction within the Local Plan would have required the use of sites at the periphery of the market towns and the amount of land being lost is not of a scale which requires consultation with Natural England.
- 10.3 The March Neighbourhood Plan allows for Windfall development subject to proportionate pre-application community consultation being undertaken.
- 10.4 The NPPF considerations would be similar to the above as March is a sustainable settlement.

Five Year Housing Land Supply

- 10.5 Under the NPPF, Local Planning Authorities are required to have and to be able to demonstrate a five year supply of housing. The Council's five year land supply was recently tested on appeal in relation to a proposal for 6 dwellings on land south west of Syringa House, Upwell Road, Christchurch (reference No. F/YR16/0399/O). The Inspector in upholding this appeal and granting planning permission concluded, on the basis of the evidence presented to him, that the Council is currently unable to robustly demonstrate a five year land supply (the supply available is approximately 4.93 years). The Inspector concluded that

applications must be determined in accordance with the National Planning Policy Framework (NPPF). Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of housing. Paragraph 14 states that for the purposes of determining planning applications, this means that applications for housing can only be resisted where the adverse impacts of approving a scheme would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. In considering which policies are 'relevant policies' for the supply of housing, regard needs to be had to the outcome of the decision in *Richborough Estates Partnership LLP v Cheshire East Council and Suffolk Coastal DC v Hopkins Homes Limited (2017)* which was considered in the Supreme Court. In summary this decision concluded that only those local plan policies relating to housing distribution and numbers are out of date and all other local plan policies remain relevant.

- 10.6 Whilst initially in response to this appeal decision the LPA took the view that Policies LP3, LP4 and LP12 were policies that influenced the supply of housing and as such were rendered out of date this view has been revisited given the outcome of an appeal decision which comes after the *Syringa House* decision. This most recent decision in respect of 2 no dwellings at land north-east of Golden View, North Brink, Wisbech (reference No. F/YR16/1014/F) clearly highlights that whilst LP3 and LP12 may have an effect on the supply of housing they are primarily concerned with directing most forms of development, including housing, to the most sustainable locations and limited development in the countryside for its protection and on this basis neither is a policy for the supply of housing.
- 10.7 Based on the above, it is considered that within the Fenland Local Plan Policy LP4 and Policy LP9 directly related to the supply of housing and as such must be rendered out of date given the 5-year land supply deficit. Similarly Policy H1 of the March Neighbourhood Plan is deemed to control the supply of housing and must be considered silent.

Access and Highway Safety

- 10.8 The NPPF (para 32) and Local Plan Policy LP15 require all developments that generate significant amounts of movement to be supported by a Transport Assessment (TA). National and local planning policy relating to transport and access promotes sustainable and mixed use development which should give priority to pedestrian and cycle movements, have access to public transport, create safe and secure layouts and minimising journey times. The application is accompanied by a TA prepared by WSP (which has been amended during the consideration of the application following discussions with the County Council, as Local Highway Authority (LHA)). The LHA has confirmed that the TA is acceptable and fit for purpose. The application site is within 650 metres of the March train station which allows access to services towards Peterborough, Ely, Cambridge, London etc.
- 10.9 Some local residents have raised concern over the impacts arising in relation to the delays experienced at the railway crossings. This has been the subject of assessment and modelling within the TA. The TA has considered the future scenario where the crossings are forecast to be closed for longer periods. The TA states that the development would generate 36 vehicles which would use the

existing crossings (26 at Station Road and 10 at Creek Road) during the AM peak hour (8AM to 9AM) with 29 (19 at Station Road and 10 at Creek Road) undertaking the movement in the PM (5PM to 6PM) peak hour. The LHA consider that this would not result in a material impact on the queuing of vehicles at the crossing controls. It is relevant to note here that paragraph 32 of the NPPF states that: *Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.* In this case it is not considered that the impacts would be severe such that the LPA could reasonably refuse planning permission.

- 10.10 Access is proposed via Estover Road (30mph local distributor road) and is proposed to be 5.5m wide which is suitable to serve the scale of development proposed. The junction geometry and vehicle to vehicle visibility splays are acceptable for the speed and type of traffic along Estover Road. The proposed footway along the northern side of Estover Road will need to be secured by condition. This footway will connect to the existing footway network along Estover Road.
- 10.11 The LHA has also requested that improvements works to the nearest functioning bus stops to the development site and details of the pedestrian crossing improvement works on Station Road which can be secured by conditions.

Parking – precise details will be looked at during the Reserved Matters application stage, it is however anticipated that the site can accommodate the quantum of development sought with sufficient parking provision.

A Travel Plan has been submitted with the application although the LHA has raised some concerns with the submitted document. A full travel plan can be secured by condition.

- 10.12 The LHA have requested contributions in relation to Real Time Passenger Information Display and a bus stop maintenance contribution for the nearest two bus stops. These elements are considered acceptable and can be secured through the S106.

A construction management plan is required to ensure the construction traffic is managed and does not harm free flow of traffic during the construction phase; this can be secured by condition.

Taking all the above into account, it is considered that the proposed means of access is acceptable and complies with Local Plan Policy LP15. Therefore given that there is no LHA objection the application can be supported in highway terms subject to a number of conditions and obligations.

Visual Amenity

- 10.13 Paragraph 17 of the NPPF states that planning should take account of the different roles and character of different areas, including recognising the intrinsic beauty of the countryside. Policy LP16 of the Local Plan states that all new development, amongst other things, should make a positive contribution to the local distinctiveness and character of the area.
- 10.14 The areas to the south of the site are already characterised by residential development. Whilst the areas to the north and east are open. The western

boundary of the site is bounded by trees and hedgerow which is just outside the application site.

- 10.15 The proposal seeks to provide informal open space along the eastern part of the site where it adjoins the open countryside beyond. The proposed development equates to approximately 24 dwellings per hectare which is compatible with the generally low density built form of the area. Details of landscaping will be provided at the Reserved Matters stage.
- 10.16 Whilst inevitable the proposal will be a major alteration to the character of the site, the site does adjoin the settlement of March (including the adjacent Estover Playing Field which has recently been granted permission to regenerate the playing fields which includes a pavilion building, artificial grass pitches and multi-use games area (LPA reference: F/YR17/0030/F) and is close to existing dwellings to the south that are broadly comparable such that the proposed development would appear as a continuation of the existing development, rather than as an awkward addition which intrudes upon the open countryside. As such it is considered that the development of this site will not have an unacceptable impact upon visual amenity. Accordingly the proposal would satisfy Policy LP16 in this respect.

Residential Amenity

- 10.17 Local Plan policy LP16 and the NPPF seek to ensure developments do not have an unacceptable impact upon residential amenity for both existing and future occupiers. In terms of the indicative layout, the scheme is considered capable of delivering the quantum of development sought without compromising neighbouring users in respect of overlooking and overshadowing.
- 10.18 In terms of contamination, Environmental Health Officers have confirmed that there is no record of any potential contaminant sources on the site that may affect future users of the land. Due to the scale of development they have recommended that the construction noise / dust upon existing dwellings will be needed and any measures to control or mitigate any issues provided – a construction management plan can therefore be provided and will be secured via planning condition.

Flood Risk and Drainage

- 10.19 The site lies within Flood Zone 1, defined by the Technical Guide to the National Planning Policy Framework as having a low probability of flooding. As such residential development of this site is considered appropriate in the context of the sequential and exception test.
- 10.20 The application is supported by a site specific flood risk assessment. The indicative masterplan provides a drainage attenuation basis and open space to the east to allow for drainage.
- 10.21 Anglian Water has confirmed that the foul drainage from this development is in the catchment of March Water Recycling Centre that will have available capacity for these flows. The application does not indicate at this stage how foul sewage is to be disposed of, therefore a foul water drainage strategy is considered necessary and can be secured by condition to ensure there is no risk of flooding and determine any mitigation measures if applicable.

- 10.22 Cambridgeshire County Council as the Lead Local Flood Authority has commented on the application and supports the use of SuDs features. A condition is required to secure details of the surface water drainage scheme and long-term maintenance arrangements.
- 10.23 It is therefore considered that subject to conditions, the development is considered to be acceptable in flood risk and drainage terms and accordingly complies with Policy LP14 in this regard.

Ecology

- 10.24 The applicant has provided a Preliminary Ecological Appraisal (November 2014) and an updated Addendum (March 2017). The Council's Ecologist agrees with the findings of both reports and suggests conditions in respect of bird nest boxes, bat roosting features, landscaping and that the recommendations of the report are implemented.
- 10.25 The Council's Ecologist also recommends that an amphibian survey is carried out as suggested in the submitted Ecological Report to establish the size of toad population and to help inform the detailed landscaping of the scheme prior to the submission of the Reserved Matters which can be secured by condition.
- 10.26 Japanese Knotweed is understood to be present close by the eastern site boundary – it is an offence to cause it to spread. The report acknowledges that care would need to be taken during any works involving the removal, management or disturbance of the Knotweed to ensure no offence is committed. Relevant information can be sought from the Environment Agency regarding statutory obligations on its disposal.
- 10.27 Whilst details of landscaping will be provided at the Reserved Matters stage it is recommended that the landscaping includes a range of species that benefit biodiversity are used within the informal open space/SuD's scheme along the eastern part of the site.
- 10.28 Subject to appropriate planning conditions the proposal is considered to accord with Local Plan Policy LP19.

Archaeology

- 10.29 Cambridgeshire County Council (CCC) have confirmed that the site lies in an area of high archaeological potential, situated on March Gravels on a fen island. Such locations are known to have been favoured for settlement in the Prehistoric and Roman periods. Given the limited known significant archaeology in the immediate vicinity of the proposed development area it is not considered justified to recommend pre-determination. Therefore, whilst CCC do not object to development from proceeding in this location they consider that the site should be subject to a programme of archaeological investigation secured by planning condition.

Planning Obligations

- 10.30 Policy LP13 and the Developer Contributions SPD requires that the development would contribute to the following:

- i) 25% affordable housing (24 dwellings)
- ii) Education contributions (pre-school and primary)
- iii) Libraries and lifelong learning contribution
- iv) Public open space (on site Children's play and off- site contributions)
- v) Rail contributions
- vi) Real Time Passenger Information Display contribution of £27,000.
- vii) Bus stop maintenance contribution of £14,000

During the course of the application a viability assessment of the scheme has been considered by the Council's S106 Officers.

The assessment has identified that in order for the development to be viable only S106 contributions may be sought from the development in relation to -

6 affordable dwellings – 3 affordable rent and 3 shared ownership
Libraries £11,560
Education £832,011
Public Realm £99,360
Highways £44,750

- 10.31 For viability reasons the proposal is therefore unable to comply with Policies LP5 and LP13 of the Local Plan insomuch as it is unable to provide all of the infrastructure which would be necessary. The NPPG identifies that viability concerns need to be taken into account and that a flexible approach needs to be adopted. In this case it is considered that bringing forward the development now is sufficient to outweigh the deficiency in infrastructure which this development cannot provide at this time.
- 10.32 It should be noted that the housing team have requested that the S106 is drafted in such a way that the 'viable' level of affordable housing is provided by the developer and that 25% of properties must be made available to a Registered Provider (at no financial detriment to the developer) to enable the Combined Authority or the HCA to consider funding this 'additionality'. At this time it is acknowledged that there is no Combined Authority funding available to invest in this site.

Health and wellbeing

- 10.33 In accordance with Policy LP2 of the Local Plan development proposals should positively contribute to creating a healthy, safe and equitable living environment. In doing so development proposals, amongst other things, should create sufficient and the right mix of homes to meet people's needs, and in the right location. The scheme will deliver housing in a sustainable location with access to services, facilities and public transport links. A S106 agreement will be secured as part of the proposal to ensure that sufficient infrastructure is provided alongside the development.

Economic Growth

- 10.34 The proposal will boost the supply of housing as sought by Government through the NPPF. The development would provide a degree of local employment during construction of a site which is considered sustainable.

Other Considerations

- 10.35 *Infrastructure* – concerns have been expressed that the doctor and dental surgeries and schools cannot cope with additional development in the area. As this application is non-strategic major development for less than 250 dwellings, S106 contributions for pre-school and primary education are being secured. In terms of secondary education provision, Cambridgeshire County Council has confirmed that there is sufficient capacity at Neale Wade secondary school to accommodate the places being generated by this development, therefore no contribution is required. The advice sought from the NHS England to establish whether there are capacity uses has confirmed that there is GP capacity in the March locality therefore the proposal will not require a contribution towards healthcare facilities.
- 10.36 *Fire hydrants*- Cambridgeshire Fire and Rescue Service require the provision of fire hydrants be secured through an appropriately worded planning condition; it is usual practice of this authority to include this requirement as an informative.
- 10.37 *Loss of property value* – case law has determined that this is not a material planning consideration and therefore no weight should be given to this point.

Sustainability

- 10.38 For the sake of completeness the scheme has also been assessed against Paragraph 7 of the NPPF. Paragraph 7 states:

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- ***an economic role*** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ***a social role*** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- ***an environmental role*** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to Improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

In respect of this proposal the development of this site will further the sustainability objectives as follows:

- 10.39 ***Economic***: The provision of housing, especially in light of the current deficiency in supply will contribute to the economic success of the District. It is recognised that the construction phase of the development will also provide employment for

the duration of the work contributing to a strong responsive and competitive economy. The intended householders will contribute to the local economy post development as they will be able to access local services and facilities with the relationship of the site to the main settlement core enabling such facilities to be accessed via a range of modes of transport and accordingly satisfy the sustainability objectives of the NPPF.

- 10.40 **Social:** There will be opportunities for community cohesion given the relationship of the site to the main settlement. The proposal also has a benefit of 95 houses towards the 5 year supply offering the opportunity for residents to settle in the locality. Whilst it is noted that the scheme has generated a high level of local interest and that concerns have been raised regarding the infrastructure of the locality these must be carefully balanced against the other sustainability considerations. It should also be noted that a recent appeal decision which focused on the LP12 threshold considerations of scheme, in terms of community support, concluded that the absence of community support with regard to an otherwise policy compliant proposal would not render such a scheme unacceptable.
- 10.41 **Environmental:** It is considered that any environmental impacts of the scheme in terms of its visual presence would not be so significant as to render the scheme unacceptable in terms of how it would relate to its surroundings and neighbouring dwellings. Similarly there are no biodiversity or flood risk considerations that would render the scheme unacceptable. Whilst there will be a loss of agricultural land the policy direction within the Local Plan would have required the use of sites at the periphery of the market towns and as such this is an accepted consequence of the scheme. The development will be sustainable in transport and accessibility terms given that it is well located to the main settlement affording access to a range of modes of transport. There will be no significant adverse impacts therefore accruing in terms of the schemes sustainability in locational terms and site constraint terms.

Planning Balance

- 10.42 The development would represent a sustainable form of residential development owing to the location of the development being on the edge of a Primary Market Town. Furthermore the proposal would contribute towards economic growth, including job creation during the construction phase and in the longer term through additional population assisting the local economy. Whilst the proposal will result in the loss of a small parcel of agricultural land this consequence is accepted against the backdrop of a deficit in housing land supply and having given due regard to the positive economic benefits of this development in this location.
- 10.43 The proposal offers potential landscaping and biodiversity features through the sustainable urban drainage and landscape buffers located within the eastern part of the site. The visual impacts of the development are considered to be acceptable given the limited harm.
- 10.44 Having fully assessed the proposal it is considered that the development of this site will:
- Provide a supply of housing to meet current and future generations;

- Promote healthy, active lifestyle through green space provision and links to the Estover Playing field to the west;
- Maximise opportunities for use of public transport, walking and cycling;
- Manage flood risk and drainage effectively;
- Have no significant adverse impacts on features of landscape or ecological value; and
- Contribute to affordable housing, Library services, education, public realm enhancements and highways infrastructure (in the form of bus stop enhancement and real time information services)

11 CONCLUSIONS

- 11.1 Based on the above evaluation the proposal is considered to constitute sustainable development. There are no overriding material considerations that indicate that permission should not be granted and the application should therefore be approved subject to the recommended obligations and conditions.

12 RECOMMENDATION

GRANT subject to:

- i) **Completion of a Section 106 Agreement. Should the applicant be unwilling or unable to complete s.106 agreement within 4 months from the date of committee approval, that delegated powers be passed to Officers to refuse the application.**
- ii) **Conditions listed below**

1. Approval of the details of:

- i. the layout of the site;
- ii. the scale of the building(s);
- iii. the external appearance of the building(s);
- iv. the landscaping

(hereinafter called “the Reserved Matters” shall be obtained from the Local Planning Authority prior to the commencement of development).

Reason – To enable the Local Planning Authority to control the details of the development hereby permitted.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason – To ensure compliance with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason – To ensure compliance with Section 51 of the Planning and

Compulsory Purchase Act 2004.

4. No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.

Reason – To secure the provision of the investigation and recording of archaeological remains and the reporting and dissemination of the results in accordance with Policy LP19 of the Fenland Local Plan Adopted May 2014.

5. Prior to the commencement of the access construction/highway works and notwithstanding the submitted plans, details of a 1.8m footway along the south of Estover Road (connecting the development frontage with Station Road) shall be submitted to and approved in writing by the Local Planning Authority. Submitted plans should include kerbing, drainage, levels, methods of construction and street lighting. The approved plans will then be constructed and completed prior to first occupation.

Reason: In the interests of highway safety and adequate pedestrian access

6. Prior to the first occupation of the development, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

7. Prior to the commencement of the access construction/highway works and notwithstanding the submitted plans, details of the bus stop improvements to the nearest functioning bus stops to the site shall be submitted to and approved by the Local Planning Authority. Submitted details should include kerbing, levels, drainage, bus stop furniture and methods of construction. The approved plans will then be constructed and completed prior to first occupation.

Reason: In the interest of highways safety

8. Prior to the commencement of the access construction/highway works, details of the pedestrian crossing improvement on Station Road shall be submitted to and approved by the Local Planning Authority. Submitted plans should include kerbing, drainage, levels, methods of construction and street lighting. The approved plans will then be constructed and completed prior to first occupation.

Reason: In the interests of highway safety and adequate pedestrian access

9. Prior to the first occupation of the development visibility splays shall be provided each side of the vehicular access. Minimum dimensions to secure the required splays shall be 2.4m, measured along the centre line of the proposed access from its junction with the channel line of the highway

carriageway, and 43m, measured along the channel line of the highway carriageway from the centre line of the proposed access. The splays shall be thereafter maintained free from any obstruction

10. Prior to the commencement of the access construction/highway works a full travel plan detailing how the development will achieve the minimum number of car traffic movements to/from the site, how it will address the access needs of the residents of the site, by supporting walking, cycling and public transport and how the development will reduce the need for travel to/from the site shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall be implemented as approved.

Reason – To reduce the need for private travel in order to achieve sustainable development.

11. Prior to first occupation of the development hereby approved details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason – To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy LP15 of the Fenland Local Plan, 2014

12. No development shall be commenced until details of the surface water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 30% an allowance for climate change. The submitted details shall be in accordance with Flood Risk Assessment CCE/L301/FRA-01 and:

1. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
2. provide a management and maintenance plan for the lifetime of the development.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

13. Prior to the commencement of the development hereby permitted, a scheme and timetable for the provision and implementation of foul water drainage shall be submitted and approved in writing by the Local Planning Authority.

Agenda Item 5

The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and thereafter retained in perpetuity.

Reason - To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of flooding.

13. Prior to first occupation of the development hereby approved details of a range of bird nest boxes and bat roosting features shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the numbers, designs and location within the site. The agreed details shall then be implemented and retained in perpetuity.

Reason - To protect the habitats of protected species in accordance with Policy LP19 of the Fenland Local Plan 2014.

14. The development hereby approved shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal (November 2014) and Addendum dated March 2017. Should the development not take place within two years of the date of this permission, an updated ecological survey shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved updated ecological survey and any mitigation measures contained in the updated survey shall be fully implemented on site at the relevant stages of work.

Reason - To protect the habitats of protected species in accordance with Policy LP19 of the Fenland Local Plan 2014.

15. Prior to the submission of any Reserved Matters application for the development an Amphibian Survey shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved amphibian survey and any mitigation measures contained in the survey shall be fully implemented on site at the relevant stages of work.

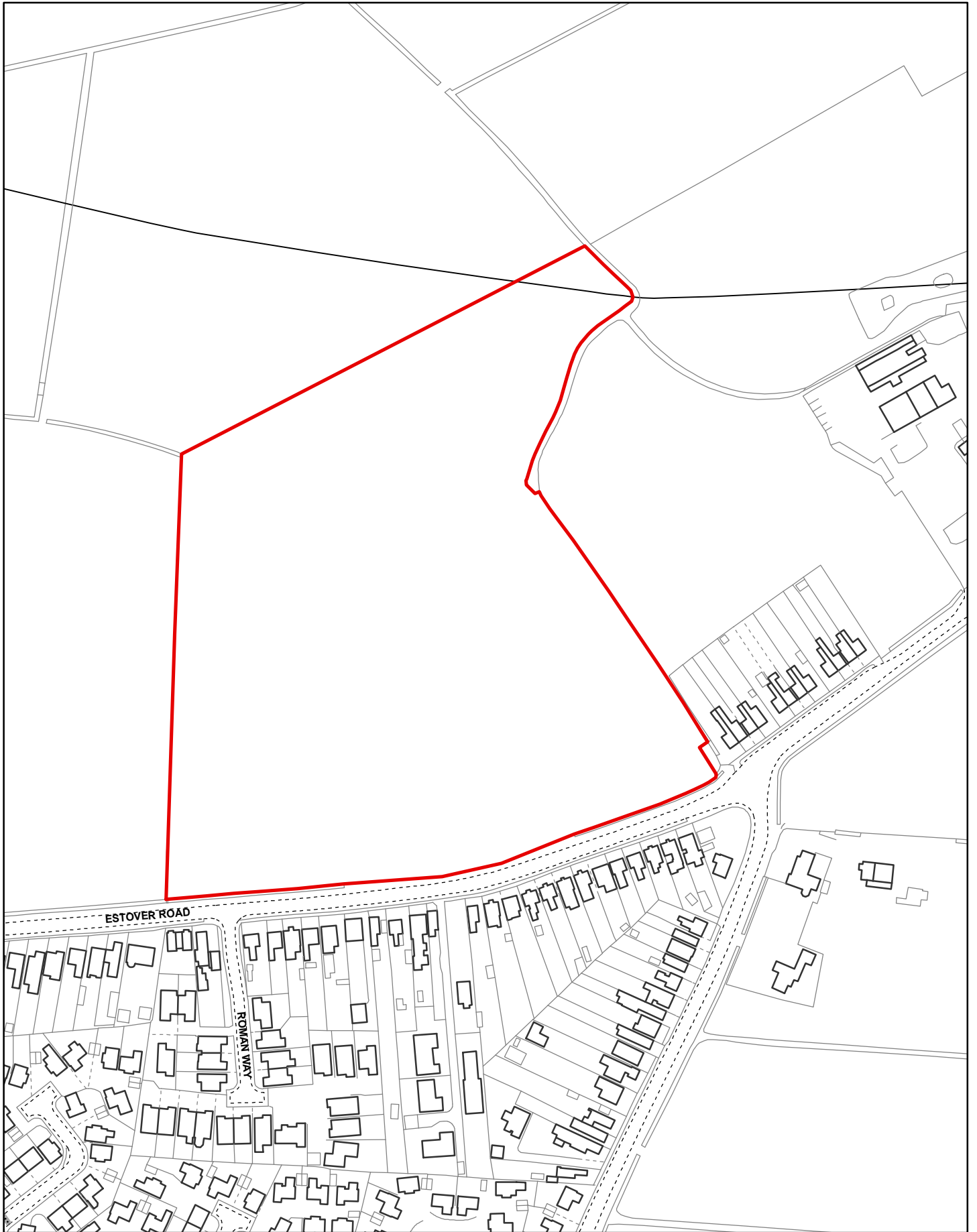
Reason - To protect the habitats of protected species in accordance with Policy LP19 of the Fenland Local Plan 2014.

16. No development shall take place including any works of demolition until a construction management plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicle of site operatives and visitors
- routes for construction traffic
- hours of operation
- method of prevention of mud being carried onto highway
- pedestrian and cyclist protection
- any proposed temporary traffic restrictions and proposals for associated safety
- Signage

Reason - To prevent harm being caused to the amenity of the area in accordance with the provisions of Policies LP2 and LP16 of the Fenland Local Plan (Adopted May 2014).

17. Approved plans.



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Scale = 1:2,500





- Notes**
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No.	Revisions	By	Date


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Client
St. John's College, Cambridge

Job
**Proposed Residential Development
 Estover Road, March**

Drawing Title
Indicative block plan

Scale 1:2500 @A3	Date JULY 2015
Drawn By NR	Approved By AH
Drawing No 306 / 743 / 003	Rev Job No CAUD 306743