
F/YR22/0062/O

Applicant: Allison Homes

**Agent : Jenny Keen
Marrons Planning**

Land South Of 73-81, Upwell Road, March, Cambridgeshire

Erect up to 110no dwellings (outline application with matters committed in respect of access)

Officer recommendation: Grant

Reason for Committee: Town Council comments and number of representations contrary to Officer recommendation.

1 EXECUTIVE SUMMARY

- 1.1 This is an outline application for up to 110 dwellings (20% affordable) on the eastern edge of March, accessed off Upwell Road. March is classified as a Market Town in Policy LP3, the Councils settlement hierarchy, where the majority of the district's new housing should take place.
- 1.2 The site is an allocated site in the Emerging Local Plan.
- 1.3 Access is between numbers 81 and 85 Upwell Road.
- 1.4 Significant numbers of residents have objected and have included a petition. The Town Council object regarding overdevelopment, flooding and poor access.
- 1.5 The Local Highway Authority considers the Transport Assessment to be credible and robust and does not identify any reason on which to refuse on highway grounds.
- 1.7 The Local Lead Flood Authority gives no reason on which to refuse the application on flood risk grounds. However, the LLFA has sought survey data on the route of the outfall to Horsemoor drain.
- 1.8 The application is considered against the relevant national and local planning policies. The balanced recommendation considers the proposal would not result in substantial harm, subject to conditions and the receipt of an acceptable Section 106 Agreement.

2 SITE DESCRIPTION

- 2.1 The site is approximately 3.9 hectares on the south-eastern side of March to the south of Upwell Road and the dwellings fronting this. It is a flat agricultural field with some hedgerows and trees existing on the site boundaries. Residential areas of Cavalry Drive, Clydesdale Close and Cleveland Bay form the site's western boundary alongside the permissive footpath (Woodman's Way) which links to a Public Right of Way (156/8) located along the sites southern border. Cavalry

Primary School is located approximately 400 meters from the site. The nearest bus stop is approximately 400 metres away.

2.2 The site is located with Flood Zone 1.

3 PROPOSAL

3.1 The proposal is for up to 110no dwellings (outline application with matters committed in respect of access). An indicative parameters plan illustrates how development might come forward with an internal road layout, SUDS/pump station and a central area of open space with houses facing onto the open space. The site would include a 3-metre easement on the eastern boundary setting development back from the boundary with Stow Fen (the open countryside) to the east. There is substantial open space /tree retention on the western edge, although reduced in depth as the site goes to the south. This indicative plan is not for determination, however there is some merit in achieving this type of open space and having housing facing towards such areas.

Full plans and associated documents for this application can be found at:
[F/YR22/0062/O | Erect up to 110no dwellings \(outline application with matters committed in respect of access\) | Land South Of 73-81 Upwell Road March Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/0062/O)

4 SITE PLANNING HISTORY

F/YR17/0563/O Land south of 85-89 Upwell Road (Neighbouring site)
Application to erect 4 Dwellings(Outline)
Refused/Appeal dismissed.

F/YR20/1138/O Land south of 85-89 Upwell Road (Neighbouring site)
Application to erect up to 6 dwellings (Outline)
Recommended for refusal, overturned at Planning Committee and approved.
Subsequent Full application (F/YR22/0705/F) refused February 2023

5 CONSULTATIONS

Cambs County Council (Lead Local Flood Authority)

5.1 29th November - *Proposed connection to watercourse. The assessment of the watercourse network is still required to be provided before the connection is agreed with the LLFA and not prior to its installation. We will require evidence that the watercourse itself has an outfall and is in a suitable condition to receive surface water. The lack of detailed information on these grounds may increase the level of uncertainty we have about the effectiveness of a drainage strategy. Whilst it is acknowledged that the site is only shown to be at surface water flood risk in isolated areas, the assessment is needed to ensure the residual risk of flooding from obstructions within the watercourse network is considered before undeliverable site layouts are agreed. Should maintenance concerns arise for any watercourse into which the site would discharge, works must be agreed before any connection of the surface water drainage is formalised.*

9th Feb LLFA stated:

We have come to the agreement that in principle the information demonstrated in the maps would be sufficient for us to remove our objection to this application. The additional information required in relation to the connectivity of each of the drains would be something that we would be able to include within conditions. We would

also be able to highlight the requirement for the use of FEH data at the detailed design stage, within an informative.

23rd February the LLFA reviewed the following documents:

- *Flood Risk Assessment, Residential and Commercial Engineering, Ref: RACE/AH/URM/FRA4, Dated: 15 November 2022*
- *Email Thread Subject: Upwell Road March, RD and Applicant, Dated: 31 January 2023*

Based on these, as Lead Local Flood Authority (LLFA) we are able to remove our objection to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving and an attenuation pond restricting surface water discharge to 4.08l/s, the greenfield QBAR rate for the site. It is proposed to discharge surface water into the existing watercourse along the eastern boundary of the site. Further information should be provided at the detailed design stage to demonstrate connectivity between the point of discharge and the eventual outfall of this watercourse into Horse Moor Drain.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a watercourse. The use of an attenuation pond is supported by the LLFA due to its multi-beneficial nature, providing surface water treatment, amenity, and biodiversity benefits to the site. Within the report it is discussed that reed beds and a low flow channel can be incorporated; this would be encouraged by the LLFA. Water quality has been adequately considered at this outline application stage. Further consideration should be given at the detailed design stage, and the Simple Index Approach as outlined in the CIRIA SuDS Manual should be used to ensure that sufficient treatment stages are provided based on the proposed land use. We request conditions are imposed.

After further discussions regarding the flooding raised by the objectors the LLFA required the applicant to:

The LLFA therefore feel that a CCTV survey of the surface water drainage system, into which it is proposed to drain surface water from the site is required. The purpose of the survey is to:

- *Survey all of the relevant pipework, opens section of watercourse and associated chambers and features, pertinent to the relevant surface water infrastructure that comprises the drainage strategy for the site, as submitted to the LLFA.*
- *Confirm connectivity from the proposed discharge location from the site to the eventual outfall into Horse Moor Drain.*
- *Report on all defects, damage and deficiencies in respect of the elements of the system that it is possible to survey.*
- *Indicate any reasons why the survey could not be fully carried out.*
- *Provide recommendations for repair or improvement to the sections of the system surveyed.*
- *Produce a plan and preferably a video of the sections surveyed that indicates the date, time, location and distances surveyed and any significant observations with respect to flood risk.*

Should it be found that the proposed discharge location was unsuitable, a viable alternative would be required in order for the LLFA to support the application. It should be noted that the LLFA does not support the discharge of surface water into

the foul sewer as this is not included in the drainage hierarchy, and often increases the flood risk in the downstream environment.

The applicant submitted the conclusions of a CCTV survey on 17th May. The further consideration of the LLFA is awaited. It is understood that the data identified elements of the stretch of watercourse to be silted and therefore further works to improve the flow of surface water will be required prior to commencement of development. The further comments from the LLFA will be included in the update to committee.

CCC Highways

5.2 Transport Assessment Section 10th February

Traffic Surveys The baseline surveys undertaken at the following junctions are acceptable for use within this assessment:

- Junction 1 - Upwell Road/Cavalry Drive mini roundabout*
- Junction 2 - B1099 St Peters Road/B1101 The Causeway signal-controlled junction*
- Junction 3 - B1101 High Street/Burrowmoor Road mini roundabout*

To provide a robust assessment, it is noted a sensitivity assessment has also been undertaken for Junction 1 which exponentially increases the background flows to demonstrate that there would be ample capacity at this junction. This is agreed. Pedestrian and Cycle Accessibility The development site is situated within acceptable walking and cycling distance to local facilities and amenities. It is noted cyclists currently use the existing footways or on-road routes within the vicinity of the site. As previously requested, the developer has undertaken an audit of the existing footway provision along the northern side of Upwell Road between the pedestrian crossing point by Morton Avenue and Elwyn Road. It is agreed that much of the existing footway is of sufficient width with the exception of a few pinch points where there are established trees. Given the location of established trees at these pinch points, it is agreed that footway widening at these locations is not feasible. As previously requested, to enhance pedestrian access to Cavalry Primary School and Neale Wade Academy from the development site, the developer should upgrade the side road junctions on the eastern side of Cavalry Drive to include drop kerbs and tactile paving. This should also include the Suffolk Way junction on the western side of Cavalry Drive. Such works should be subject to a planning condition should approval be given. It is noted the developer will upgrade Public Footpath No.8 to a 3m wide shared use path with street lighting within the development red line boundary. The public footpath will also be upgraded to public bridleway status as part of the proposals. Whilst the enhancement of Public Footpath Upwell Road, March No.8 to a 3m wide shared use path within the red line boundary is agreed, as previously requested, the developer should also upgrade the western section of Public Footpath No.8 to a minimum 2m wide footway between Cavalry Drive and the proposed 3m wide shared use path to enhance pedestrian access to and from the site. The Highway Authority believe Fenland District Council are responsible for the land which any third-party works may occur on. Therefore, to confirm the above works are deliverable, the developer should contact FDC to determine whether they would be agreeable for the above works to be carried out on their land. Evidence of discussions with FDC must be provided. Following discussions with FDC, a revised plan of the indicative works should be submitted for review should they be agreeable to the works.

Public Transport Accessibility The revised audit of existing bus services in March is agreed. *Multi-Modal Trip Generation* The development is anticipated to generate 106 two-way vehicle movements in the AM peak, and 100 two-way vehicle movements in the PM peak. The development is also anticipated to generate 14 pedestrian, 14 cycle, and 7 public transport trips in the peak periods.

Committed Development The committed development included within this assessment is agreed. The committed development traffic flow diagrams are acceptable for use. It is agreed that given the timescales of this development and the West March proposal which is anticipated to be delivered after the development timescales, that the West March proposal is included within this assessment as a sensitivity test scenario. *Future Assessment Years* The assessment scenarios included within this assessment are acceptable for use. The TEMPRO growth rates used within this assessment are also acceptable for use.

Junction Capacity Assessments The junction capacity assessments have been modelled using Junctions 10 and LinSig software. It is noted the Junctions 10 models use the DIRECT profile as previously requested. It is noted the Site Access junction and Upwell Road/Cavalry Drive mini roundabout are both anticipated to operate within capacity during all future year assessment scenarios. Whilst the High Street (S) arm of the B1011 High Street/Burrowmoor mini roundabout will operate over capacity in the future year scenarios, this is anticipated to be a result of committed development traffic. The development is not expected to have a severe impact on capacity at the High Street (S) arm of the junction, increasing RFCs by a maximum 0.02 RFC and queue lengths by 2 vehicles. Whilst the B1099 St Peters Road/B1101 The Causeway signalled junction is anticipated to operate over capacity in the PM peak of the 2031 Design Year Sensitivity Test, it has been suitably demonstrated that the junction is anticipated to operate over capacity as a result of the West March proposals and not this development as the junction is anticipated to operate within capacity under all other future year assessment scenarios. The West March development is subject to a separate planning application (ref: F/YR21/1497/O) with an ongoing transport assessment. It is noted the 3 B1099 St Peters Road/B1101 The Causeway signalled junction is one of the junctions identified for improvement within the March Area Transport Study (MATS). Whilst it has been demonstrated that the proposed development in isolation will not cause severe impact on the surrounding network, it is evident that the cumulative development in March will cause detriment to the operation of the surrounding highway network, of which, the proposed development will worsen. The developer should therefore provide a S106 monetary contribution of £165,000 (£1,500 per dwelling) towards strategic highway and active travel improvements. A S106 contribution of £1,500 per dwelling towards strategic highway and active travel improvements has also been requested for other cumulative developments within March.

Mitigation The developer at present, proposes to deliver the following mitigation:

- Upgrade Public Footpath No.8 to a 3m wide shared use path with street lighting within the development red line boundary. The public footpath will also be upgraded to public bridleway status
- Travel Plan Please see the above comments set out within this response with regards to the proposed improvements to Public Footpath No.8. As previously requested, to enhance pedestrian access to Cavalry Primary School and Neale Wade Academy from the development site, the developer should upgrade the side road junctions on the eastern side of Cavalry Drive to include drop kerbs and tactile paving. This should also include the Suffolk Way junction on the western side of Cavalry Drive. As previously requested, the developer should provide a

S106 monetary contribution of £165,000 (£1,500 per dwelling) towards strategic highway and active travel improvements.

Conclusion The Transport Assessment as submitted does not include sufficient information. Were the above issues addressed the Highway Authority would reconsider the application. The Highway Authority therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

8th March - Background

These comments concern the additional information submitted by the agent in the email dated 7th March 2023 provided in response to the comments dated 10th February 2023 produced by the Highway Authority.

Transport Assessment –

Review Public Footpath 156/8 Improvement It is noted the developer will upgrade Public Footpath 156/8 to a 3m wide shared use path with street lighting within the development red line boundary. The public footpath will also be upgraded to public bridleway status here as part of the proposals.

The developer will also upgrade the western section of Public Footpath 156/8 to a minimum 2m wide footway between the existing tarmacked section of Public Footpath 156/8 between nos. 51 and 47 Cavalry Drive and the proposed shared use path within the red line boundary via the permissive path (Woodman's Way), to enhance pedestrian access to and from the site. This is agreed. It has been demonstrated that Fenland District Council agrees to the proposed works. Following review of the developer's correspondence with FDC, the Highway Authority agree that the proposed works are deliverable.

21st March

The LHA was asked to comment regarding criticism of its assessment of the applicants TA resulting in the following:

With regards to the neighbour objections, please see the following which addresses the key points made in the objections:

Road Safety

The accident data and accompanying analysis submitted within the assessment is acceptable. The accident data used within the assessment is obtained from a reliable source (uses County Council data comprising up-to-date accident records obtained from the police and fire service database) and uses the latest 60 months available accident data at the time of submission. An accident cluster site is determined using a series of algorithms which identify and link similar accident types and causes that occur at the same location. It is noted no accident cluster sites were identified within the assessment study area (inclusive of Upwell Road) within the assessment timeframe. Therefore, there is no pattern in the data to suggest that there is any particular problem or safety hazard that would be exacerbated by the proposed development.

It should be noted that instances of speeding within March are a matter for Police enforcement, not the County Council. It is not up to this development to provide a solution. There are existing traffic calming measures on Upwell Road within the vicinity of the proposed development site. The existing speed cushions on Upwell Road within the vicinity of the site access will remain on Upwell Road should the

development be approved (at a location relocated to the west of the site access junction).

Data Use

Multi-modal trip generation for the proposed development has been derived using TRICS vehicle trip rates in conjunction with 2011 Census 'Method of Travel to Work' data for the Fenland 007 MSOA. The Census Fenland 007 MSOA comprises East March where the site is located and so reflects traffic mode share patterns typical of the area. The Highway Authority accept the use of TRICS trip rates in conjunction with 2011 Census data to determine trip generation as it provides robust trip generation assumptions. Despite being 12 years old, 2011 Census data is considered representative to reflect the existing mode share as in addition to providing a large dataset for March, there is no other representative dataset available which reflects the mode share situation in March. TRICS is a nationally accepted system used for trip generation analysis containing over 7,150 directional transport surveys and covering a wide variety of development types. The Highway Authority are satisfied with the proposed trip generation. Car ownership data is not used to determine development trip generation.

Traffic Impact

When reviewing planning applications, we assess the impact of a proposed development on the surrounding highway network during the weekday peak hour periods as this is when the network is at its most constrained and residential developments generate the most trips. This typically happens twice every weekday, once in the morning (AM peak) and once in the afternoon or evening (PM peak) i.e. the times during which most people commute.

Junction capacity assessments were undertaken using Junctions 10 and LinSig modelling software to assess the ratio of flow to capacity (RFC) and practical reserve capacity (PRC) at the study area junctions for the baseline and future year assessment scenarios with and without development. Junction capacity analyses is based upon peak traffic flows from the development at peak journey times on the highway network, representing a worst-case scenario. Junctions 10 is the latest version of a nationally recognised software package used to model and predict capacity, queues, and delays at roundabouts and priority junctions. LinSig software is used to model signal junctions. Whilst it is noted that the High Street/Burrowmoor Road and the B1101 The Causeway/B1099 St Peters Road junctions will operate over capacity in the future year scenarios, this is demonstrated to be a result of committed development traffic. As per Government policy, developments should only be prevented or refused on highways grounds if the development impacts are severe. An additional 2 vehicles on queues at the High Street/Burrowmoor Road mini roundabout and additional delays of 5 seconds at the B1101 The Causeway/B1099 St Peters Road signal junction respectively is not considered to be a severe impact.

That said, whilst it is demonstrated that the proposed development in isolation will not cause a severe impact on the surrounding network, to consider the impact of the cumulative development in March on the surrounding highway network, this development in addition to other committed developments within March, will be required to each provide a S106 monetary contribution towards strategic highway and active travel improvements in March. Such S106 monetary contribution will be supplementary to the active travel improvements which form part of the mitigation package for this development.

14th April

To provide an update on our position regarding a controlled crossing, as previously noted, a controlled crossing across Upwell Road for schoolchildren is not necessary or required for this development as at no point would schoolchildren from this development need to cross Upwell Road to access both Cavalry Primary School and Neale-Wade Academy. As such, we cannot reasonably request such mitigation as it would not meet the planning tests set out within the NPPF.

With regards to your comment on queueing at the Cavalry Road/Upwell Road junction, I should note that worst case queues at this junction is anticipated to be 2.6 vehicles as per the sensitivity test scenario (Table 10) in the latest TA Addendum submission (03/02/23). The 0.85 figure which outlines a concern relates to RFC and not vehicle queues. This junction is anticipated to operate within capacity below 0.85 RFC under all future year scenarios and vehicle queues are minimal.

As noted, the accident data evidences that there is no existing safety issue regarding pedestrians crossing Upwell Road within the vicinity of the site. The slight accident involving a child on St Peters Road which occurred to the east of Elwyn Road happened back in 2018. A zebra crossing has since been installed at this location to facilitate crossing here. Therefore, it is evident that there is no existing safety issue relating to crossing Upwell Road.

As previously mentioned, there are existing crossing points available along St Peters Road/Upwell Road that can accommodate schoolchildren travelling from northern March to Cavalry Road Primary School and Neale-Wade Academy. These include a drop kerb and tactile paved crossing between the Cavalry Drive roundabout and Morton Avenue, the zebra crossing to the immediate east of Eastwood Avenue, and a signal crossing at the St Peters Road/The Causeway signal junction. The first of which is located within c35m of Cavalry Drive. Given the accident analysis does not highlight any existing safety issues concerning schoolchildren crossing Upwell Road, it is considered that the existing crossing provision on Upwell Road is satisfactory to continue to accommodate the safe crossing of schoolchildren from northern March.

Whilst the development will increase vehicle movements on Upwell Road during the peak periods, the additional vehicle trips on Upwell Road generated by the development is not in our view significant enough to warrant a controlled crossing point. The existing crossing provision available on Upwell Road is considered to be satisfactory to continue to accommodate the crossing of Upwell Road.

The key desire line for schoolchildren from the development site choosing to access the schools via the Upwell Road route is via the existing footways on the southern side of Upwell Road and the eastern side of Cavalry Drive. For the primary school, there are existing drop kerbs available for pedestrians to cross Cavalry Drive to the school. The accident database for the latest 5-year period does not highlight any existing safety issues relating to crossing Cavalry Drive.

In light of the above, it is considered that an additional controlled crossing across Upwell Road is not required to make this development acceptable in planning terms. Children from the development site can access the schools without the need to cross Upwell Road. As such, it would not be reasonable for us to request such mitigation for this development as it does not meet the planning tests set out in para 57 of the NPPF, namely it is not necessary to make the development acceptable nor is it relevant to the development.

- Further to our meeting this morning, please see the below S106 cost breakdown:*
- Total scheme cost for MATS Schemes 2 & 6 (Peas Hill & Hostmoor Ave) = £10m*
 - £10m / 2,000 (BCP dwellings) = £5,000 per dwelling*
 - Considering 50% Match Funding for MATS Schemes 2 & 6 = £2,500 per dwelling*
 - In light of the above and taking into account viability in the Fens, we feel that a £1,500 per dwelling figure is reasonable*
 - As such, £1,500 x 110 dwellings = £165,000*

The above calculation and cost per dwelling is a consistent approach taken towards other growth sites within March. With regards to the Broad St and St Peters Rd MATS Schemes (Schemes 1 and 4) mentioned in the meeting, whilst we acknowledge that these MATS Schemes are closer to the site, we do not consider that either of these schemes mitigate the strategic impacts of this site. I should note that the Broad St Scheme is funded whilst the St Peters Rd Scheme is not a capacity enhancing scheme.

Site Access Junction off Upwell Road

The proposed site access junction layout has been modelled for capacity and is demonstrated to operate well within capacity during all future assessment year scenarios and is thus considered suitable to accommodate the proposed development.

Construction Traffic

Should approval be given, a pre-commencement condition will be secured to provide an adequate temporary facilities area off the public highway for construction traffic to use for parking, turning, and loading and unloading during the construction period to reduce the impact of construction traffic on the surrounding highway.

Travel Plan

At this stage, the Highway Authority have not commented on any detail of the Travel Plan submitted. The final agreement to, the final detail of, and the implementation of the Travel Plan will be secured through a pre-occupation condition should approval be given.

19th May Regarding further letter from the neighbour.

The points set out in my previous response are also applicable to the concerns set out within the neighbour objection. To confirm, we are satisfied with the methodology used by the applicant to calculate traffic generation for the proposed development site. Such methodology is common practice and uses nationally accepted software. When reviewing planning applications, we assess the impact of a proposed development on the surrounding highway network during the weekday peak hour periods (AM and PM peaks) as this is when the network is at its most constrained and residential developments generate the most trips.

To provide further context on the future operation of the site access junction, the site access junction has been modelled for capacity and is demonstrated to operate with ample capacity during all future assessment year scenarios and is thus considered suitable to accommodate the proposed development. Such assessment uses development trip generation figures based on a larger development of 170 dwellings and thus provides a robust assessment. Furthermore, with regards to concerns of 'turning danger' at the proposed site access junction highlighted within point 1.4 of the neighbour objection, the site access junction layout has been designed in accordance with the Highways

Development Management General Principles for Development and with appropriate visibility splays and vehicle tracking.

5.3 Highways Development Management

31st January

The applicant has secured the necessary consent to relocate the existing speed humps. However, the application was premature as they did not first determine if a vehicle turning left out of the site would be able to straighten prior to crossing over the humps (as stated in the original consultation response). The vehicle tracking shown on drawing LH-BWB-HGN-00-DR-TR-111 Revision P1 demonstrates that a refuse freighter turning left out of the development is unable to safely straighten up prior to the proposed speed hump location – top right viewport. The tracking of this movement requires a refuse vehicle to first swing out into the opposing lane prior to the give-way, which a driver will not have sufficient foresight to do. Instead, the more realistic manoeuvre is that a turning vehicle will encroach the eastbound lane on Upwell Road (which is acceptable) but this means that it is unlikely the vehicle will first be able to straighten up, hitting the hump at a skewed angle. The applicant must either retrack the turn to omit the ‘swing out’ manoeuvre or propose alternative speed hump locations.

10th February

The revised vehicle tracking shown on the drawing LH-BWB-HGN-00-DR-TR-111 Revision P2 is acceptable, and I therefore have no objection as my previous comments have been addressed. Please append the following Conditions and Informatives to any permission granted.

Conditions Adoptable Standards: The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.

Construction Facilities: Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.

Gates/Enclosure/Access Restriction: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, amending or re-enacting that order) no gates or other means of enclosure shall be erected across the vehicular access hereby approved.

CCC Definitive Map Officer.

- 5.4 Public Footpath No. 8, March runs through the southern part of the site. The Design and Access statement states that the application will retain and enhance the existing Public Right of Way on the Southern Boundary which we welcome. In order to future proof the site and ensure that it can provide sustainable access opportunities for all non-motorised users in the future, Public Footpath No. 8, March should be upgraded to bridleway status to ensure that the maximum number of non-motorised users (pedestrians, cyclists and equestrians) are able to benefit from access to the byway to the east and any potential future access enhancements on the permissive path (Woodman’s Way) to the west of the site. This would accord with Local Plan Policy 7(p) which states that development should ‘Ensure Rights of Way are protected and enhanced where possible’. As the

application intends to enhance the public footpath, I would be much obliged if the following condition could be included as part of any potential planning permission to safeguard the public footpath in the interest of public amenity and safety:

Prior to the commencement of development, a public rights of way scheme shall be submitted to and approved by the Local Planning Authority in partnership with the Highway Authority. This should include provision for: i. The design of public rights of way routes and their surfacing, widths, gradients, landscaping and structures ii. Any proposals for diversion, upgrade and creation of public rights of way

CCC Contributions

- 5.5 The County Council, in its role as the Local Children's Services Authority, responded to the application setting out its position in relation to the development proposals in July 2022. It concluded the following:

Early years

On the basis of the revised calculation, there are sufficient places and a contribution towards early years provision is not required.

Primary School

The paper suggests that the calculation of need is widened to include schools north of the river. Whilst the river does provide a distinct barrier in the town, a further analysis of the patterns of admission does indicate a reasonable flow of pupils from the south to the north of the town. This shows a large surplus of places. The impact of housing developments north of the river should be included in the calculation, but there are not sufficient of these to generate 210 primary places.

Therefore because of discounting West March and including all four town primary schools, we accept that there should be not contribution towards primary school places.

In January the Applicant presented further evidence and the CCC responded accordingly:

Secondary School

I am content to agree that should your client's planning application be approved ahead of Land West of the Avenue (March West), then there would be sufficient capacity at Neale Wade Academy to accommodate need arising from your development. If Land West of the Avenue is approved ahead of your planning application, then that scheme would use up the available capacity, and need to make a proportionate contribution towards any further (new) provision. Your scheme would then need to contribute towards new provision too.

Officers note.

This application comes to Committee before the March West proposal and no education request is therefore required.

PCC Wildlife Officer

- 5.6 2nd September 2022
Recommendation: Recommend refusal of application on grounds that the current proposed layout will create new significant negative impacts on neighbouring habitats of high biodiversity value.

The proposal documents submitted under F/YR22/0062/O currently show proposed housing immediately adjacent to the woodland to the east of the site boundary and the hedges along the west of the site boundary. I have reason to believe that the new temporary disturbance of construction and the permanent disturbance during operation of the site will create new significant negative impacts on these habitats.

It is important to note that I am satisfied that there is no risk to protected species being negatively impacts nor the site resulting in an overall loss of biodiversity, the proposals have been well considered from those perspectives. However, the neighbouring woodland and hedges, although not some of the best examples of the habitat, are increasingly rare within the fenland structure and represent "Island" habitats, significantly increasing the need from protection. I also have a concern that houses that are immediately abutting the woodland may have new lighting installed upon them outside of the developers control which will create new negative lighting impacts. As such I have to recommend an objection to this development until it has been demonstrated that alternative site layouts have been considered and discounted. Required amendments/information:

I would therefore recommend that:

- The site layout is revised to only have gardens and green spaces bordering the ecologically valuable habitats of the woodland to the east and the hedges identified within the Preliminary Ecological Appraisal. This will ensure that the site is in line with the mitigation hierarchy. The updated plans should then be submitted to Fenlands Council which can then be assured in the positive impact the proposal will have to the local habitats and species.*

Assessment/Comment: Incorporation of recommendations from survey reports into the proposal will significantly reduce the requirement for pre and post commencement conditions on the granted application. It is possible that these recommendations may have to be included within a Construction and Environment Management Plan (CEMP) this possibility should be discussed with your ecologist. It is highly likely that a CEMP will be requested as a pre-commencement condition in relation to this development. The creation of this document and submission to the proposal will significantly reduce proposal conditions further down the line.

After submitting an amended Parameters plan the wildlife officer commented further 23rd December.

I think in principle this does remove my objection, although I would like to see what the boundary treatment is for the houses on the other side of the easement. In a perfect world I would like to see a very low vegetation barrier so that people in the houses get nice views of the fens to the east. However, I am keen to ensure no excessive light spillage.

20th March Following emails from the Planning Officer the wildlife officer confirmed no objection as follows:

I believe that A Construction Environmental Management plan using my usual condition wording would be perfect in this case. The "Biodiversity Protection Zones" bit would cover the potential impact on the neighbouring woodland. A lighting plan I believe would be necessary as well as I mention the risk of light spill that still exists.

I believe those are the only two. Although it is particularly important that they avoid non-native invasive species on this one as well.

CCC Archaeology

5.7 April 2022

Our records indicate that the site lies in an area of archaeological potential, situated on the fen edge at the eastern extent of the March Island. Fen-edge locations such as these were frequently the focus of Prehistoric and Roman activity. This is evident from linear features visible as cropmarks, for example (Cambridgeshire Historic Environment Record reference 08982) to the south of the application area and similar features (10999) to the north. To the southwest of the application area is the March Sconce: A Civil War fieldwork (National Heritage List for England reference 1015200). Archaeological investigations to the northwest along Upwell Road have also identified evidence of post-medieval occupation (MCB18453). Geophysical survey of the application area was undertaken in April 2021, and a report of results is included as supporting information along with the present application. We have reviewed this, along with the submitted Heritage Statement (RPS, 2021) and concur with the assessment that there are no fundamental archaeological constraints to development in this location. We therefore do not object to development from proceeding in this location but consider that the site should be subject to a programme of intrusive archaeological investigation to ground-truth the results of the geophysical survey.

A suitable condition is requested.

Officers comment. The condition is attached.

Housing Strategy

5.8 15th Feb 2022

On developments where 10 or more homes will be provided, the provisions of Policy LP5 of the Fenland Local Plan seeking 25% affordable housing apply. Accordingly, the affordable housing requirements for this site are as follows:

- Major developments (10 or more dwellings) 25% affordable housing (rounded to the nearest whole dwelling)*
- Tenure Mix 70% affordable housing for rent (affordable rent tenure) and 30% other affordable routes to home ownership tenure (shared ownership housing)*
- Since this planning application proposes the provision of 110 number of dwellings, we would expect a contribution of 28 affordable dwellings in this instance. The current tenure split we would expect to see delivered for affordable housing in Fenland is 70% affordable rented tenure and 30% shared ownership. This would equate to the delivery of 20 affordable rented homes and 8 shared ownerships in this instance.*

I note in the Design & Access and Planning Statement documents submitted with this application that 25% affordable housing provision is mentioned in compliance with Policy LP5. However, I am unable to find a breakdown of proposed units for this site, specifically an affordable housing mix. I am happy to discuss the details of the housing or tenure mix at a later date, if required.

On 23rd March, Housing Strategy issued further comments:

In view of the reduced proposed percentage of affordable housing being provided due to viability, we would update our comments below.

Based on the provision of 20% affordable housing provision we would seek a contribution of 22 affordable dwellings in this instance.

The current tenure split we would expect to see delivered for affordable housing in Fenland is 70% affordable rented tenure and 30% shared ownership. This would equate to the delivery of 15 affordable rented homes and 7 shared ownership based on the provision of 20% affordable housing.

As mentioned in the Planning Statement submitted with this application, based on an indicative mix of 2, 3 and 4 bed homes we would ask that affordable rented comprised a range of units such as 2, 3 & 4 bedrooms (including 1 x 4 bed) and we request that the shared ownership units be 3- & 4-bedroom units. Once there is a clear mix for the scheme i.e., at reserved matters we would like to have further conversations about the property mix and tenures proposed.

FDC Environmental Health

- 5.9 *The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development as it is unlikely to be affected by ground contamination. The information contained within the MEC Acoustic Air Quality Screening Assessment (December 2021) is acknowledged and accepted. It is noted and agreed that a full air quality assessment will be necessary in the event that this outline planning permission is granted, with the possibility of a mitigation strategy to minimise the impact on the air quality within the area as a result of the of the proposed development. Any future communication on the issue of air quality should in the first instance be made to envhealth@fenland.gov.uk Given the size and scope of the proposed development and in the event that planning permission is granted, conditions are recommended*

20th March

Following objections regarding traffic noise impact to the two properties either side of the proposed access the EHO officer commented further:

The separate dust condition can be removed and covered solely by the CEMP.

Regarding noise, I am comfortable with asking for a noise impact assessment to be undertaken (regarding the impact of the access on the occupiers of No's 81 and 85 Upwell Road), with a subsequent report submitted that provides details of noise mitigation to adequately protect existing residents, having regard to external amenity areas as well those internally. From the information available, I anticipate recommended mitigation measures along the lines of a 2m close boarded fence along the boundary of existing properties and inclusion of an Asphalt/Tarmac type surface on the entrance road to reduce passing vehicle noise, something that can be particularly relevant over paved or gravel surfaces.

Given the expected low speed of vehicle passing the existing properties on Upwell Road, it may even be that noise levels fall below those considered excessive in accordance with BS 8233:2014 "Guidance on sound insulation and noise reduction for buildings".

Officer Note. These conditions are attached.

Cambridgeshire Police

- 5.10 The Police consider this an area of low risk of crime although the wider ward is higher. The officer welcomes the indicative layout however as no layout is being

determined these comments are more relevant at the detailed stage. The officer highlights the need to light the public footpath and gives advice for a detailed scheme.

Officers note: These are included in proposed informatives.

Cambridgeshire Fire and Rescue

- 5.11 *Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer. The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.*

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

Natural England

- 5.12 Natural England has no comments to make on this application.

NHS

- 5.13 15th Feb 2022

The proposed development is likely to have an impact on the services of the 3 x GP Practice operating within the vicinity of the application site, Riverside Practice, Cornerstone Practice and Merchford Practice. Upon reviewing the existing estate footprint and registered patients, they do not have the capacity to support this additional proposed growth resulting from this development.

CAPCCG acknowledge planning application does include a Health Impact Assessment (HIA) The HIA acknowledges that the NHS was not consulted on this site and the site does not include any health care facilities.

The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development would generate approximately 264 residents and subsequently increased the demand and healthcare pressures upon the existing services. The primary healthcare services directly impacted by the proposed development and the current capacity position is shown in Table 1 (The table assessed Riverside practice, Cornerside Practice and Merchant House).

The development would give rise to a need for improvements to capacity, in line with emerging STP estates strategy; by way of improvements to, reconfiguration of, redevelopment of, or extension or providing additional resource to support residents of this development. Table 2 provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.

A developer contribution will be required to mitigate the impacts of this proposal. CAPCCG calculates the level of contribution required, in this instance to be £95,040. Payment should be made before the development commences. CAPCCG therefore requests that this sum be secured through a planning

obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

5.14 **Middle Level IDB** were consulted but no comments received.

Anglian Water

5.15 *This response has been based on the following submitted documents: Flood Risk Assessment - Development at Upwell Road, March. Based upon the above reference documents, the proposed connection is acceptable. We do not require a condition in planning for foul water. 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.*

Following discussions regarding issues raised by residents regarding flooding Anglian Water raised further comments.

As per our planning application formal response we can confirm that foul drainage strategy submitted with the application is acceptable to Anglian Water. Please be advised that when carrying out our capacity assessment, we take into account the additional foul flows from the development to be discharged into our network. We also consider the existing developments as well any incidents of flooding that are network capacity related incidents. The available capacity within the network and within our water recycling centre will be dependent upon the development proposal, location of any connection point and proposed discharge rates proposed by the applicant.

Please note we don't take into account the incidents of flooding that are not related to capacity in our network such as blockages caused by non-flushables, tree roots, operational maintenance issues. In heavy rainfall, surface water often gets into the sewer network and may cause flooding in our foul sewer network which can become overwhelmed with the sudden surge of surface water. This surface water should not be in the dedicated foul sewer network, the foul sewers are not designed to accept this additional flow.

5.16 **March Town Council** objects regarding the following:

- Overdevelopment of the site
- Flooding issues on the site and the surrounding areas.
- Single access/egress onto a main carriageway.

Local Residents/Interested Parties

Objectors

5.17 86 letters of objection received (these are summarised below, but the full letters are available on the Council's website) referring to the following:

- Drainage and flooding (reference to problems of surface water in Cavalry Drive,
- Objectors consider and include photos of insufficient sewer capacity being contrary to Policy LP2 and LP9. Numerous objectors refer to sewer capacity and flooding on calvary Road, additional concern of pumping station increasing issues, roads appear to be sinking with drainage failing therefore resulting in pooled flooding on roads,
- An objector refers to numerous flooding issues including photos and highlights drainage infrastructure problems. Referring to Anglian Water

problems detailing The Stage 2a Water Cycle Study highlighting necessary improvements (March – locations to the south and west are likely to need new mains, and Such network improvements will become necessary as development comes forward and will largely be funded by the developer in negotiations with Anglian Water!)

- The objector considers it contrary to the Fenland Infrastructure Delivery Plan,
- Increased traffic resulting in congestion to the Cavalry Drive Upwell Road junction with pedestrian safety issues regarding school children crossing, traffic noise, air pollution and impact to people with allergies, increased car parking demand, on street parking blocks the roads,
- Impact on schools, surgeries and dentists, development contrary to LP13, no increase in policing,
- Harm to green spaces and biodiversity/wildlife and loss of habitat,
- A preference for smaller infills rather than major developments.
- Excessive mass and scale of 110 properties
- Effectively back garden development, greenfield when brown field sites are available,
- An objector refers to other applications granted nearby totalling 24 dwellings.
- Concerns regarding the degree of use of the proposed access in particularly given the close proximity to the side garden boundary of No 85 Upwell Road (Alleged 2 metres between garden and the road, 3 metres between living room and pavement) and impact on the occupier of No 81, being contrary to Policy LP16(e) and para 130(f) of the NPPF.
- Concern that the applicants estimate of traffic movement appears low and fails to consider cumulative impact,(The full letters are available on the Council's website) refers to Road traffic trends, key statistics sourced DoT and RAC,
- The transport plan is incomplete and uses out of date sources.
- Turning out onto Upwell Road with no priority will result in backlogs, increasing noise and pollution to occupier of No 85,
- Vehicle Speed compliance.
- Concerns regarding poor access for construction vehicles and disturbance caused, having to come by St. Peter's Road exacerbated by parked cars, these comments were made as part of the pre-application consultation but appear to have been ignored,
- Encroachment into the countryside, impact on this semi-rural footpath which should have a buffer in the development site, objection to proposed improvements to the footpath,
- Impact on access for emergency vehicles,
- Accident rates are higher than reported
- Proposal does not represent a windfall site.
- Overly dense proposal
- Anti-social behaviour, creation of litter/waste, increased risk of crime
- Design/appearance, out of character with the area and visual impact,
- Contrary to policy, does not respect the form of the settlement, which is predominantly linear, representing urban sprawl
- Light pollution
- Outside DAB
- Overshadowing and loss of light.
- Creation of odours, Loss of trees of which few are in the area,
- Sets a precedent.
- Loss of dog walking area,
- Does not benefit existing residents,
- Vibration damage to house exacerbated if more traffic from development.

- Too much development for the town with too little investment whilst shops are failing. Town already met its 2014 requirement,
- An objector refers to an appeal decision (ref F/YR17/0563/O) for 4 dwellings to the rear of Nos 85-89 Upwell Road and considers the inspector's reasons for dismissing the appeal should be similar to refusal of this application,
- Cavalry Park and Drive are subject to weight restrictions,

A representation from the Right Honourable Stephen Barclay MP was received that referred views he received from a member of the public.

A petition received with 514 signatures objection on the following grounds:

- Loss of agricultural Land
- Increased volume of traffic and pollution including construction site traffic,
- Concerns of insufficient capacity on the sewer network(Anglian Water) leading to flooding,
- Insufficient infrastructure (Healthcare and schools)
- Impact on neighbours of noise dust and pollution,
- Indicative layout has amenity issues for immediate neighbours,
- Loss of privacy, loss of views result in negative impact (including property value)
- The Council only supports these applications due to increasing council tax.

Letters of support received from 4 residents referring to the following:

- More job opportunities,
- Greater local income,
- Not against change.

A further letter from the occupier of No 85 was received referring to a letter of response to the objectors concerns of 13th February. The letters are available in full on the Council's website. The objector doubts the credibility of the TA figures and conclusions as detailed on Page 2. The objector re-states concern of air pollution, noise, traffic danger at the junction, and asthma, methodology used in the TA, errors, opinions etc. Loss of private amenity, the access is inadequate Considers the degree of queuing will lead to congestion. Traffic speeds are planning matters, use of out-of-date census data, misleading door to door travel distances, an unenforceable travel plan.

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

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide 2021

Context
 Identity
 Built Form

Movement
Nature
Public Spaces
Homes and Buildings
Resources
Lifespan

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
LP6 – Employment, Tourism, Community Facilities and Retail
LP7 – Urban Extensions
LP9 – March
LP13 – Supporting and Managing 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
LP18 – The Historic Environment
LP19 – The Natural Environment

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

Policy 1 – Spatial Planning
Policy 2 – Local Housing Need
Policy 4 – Open Space
Policy 5 – Local Green Space
Policy 7 – Design Quality
Policy 8 – Historic Environment
Policy 10 – Flood Risk
Policy 12 – Delivering Sustainable Transport

The Draft Local Plan refers to Site allocation LP39.05 'Land to the rear of 81 Upwell Road' with estimated 98 dwellings. The site is within the Settlement Boundary as detailed in the Draft Policies Map.

March Neighbourhood Plan 2017

H1 – Large Development Sites
H2 – Windfall Development

Policy H2 – Windfall Development Proposals for residential development will be supported where they meet the provisions of the Fenland Local Plan and where the following additional criteria are met:

a) The proposal will not result in unacceptable impact on levels of light, privacy and private amenity space for the occupants of the proposed dwellings. The impact

of proposals on existing neighbouring properties will be assessed against Policy LP16 of the FLP;

b) The proposal will not result in the net loss of formal or informal open space; [See Policy OS1]

c) The site is at a low risk of flooding (i.e. not within land designated Flood Zone 2 or 3 by the Environment Agency) and will not create flooding problems on or off-site, including problems associated with surface water run-off. Development within flood zones 2 and 3 will only be considered where appropriate sequential and exception tests have been met;

d) The proposal includes a safe vehicular access and will not result in severe impacts on the road network taking account of any mitigation proposed.

e) The proposal provides any on or off-site infrastructure required to make the development acceptable.

f) The proposal is of a high standard of design; and g) The proposal will not result in the loss of community facilities or services unless the separate tests set out in Policy LP6 of the Fenland Local Plan are met.

Neighbourhood Plan Policies Submission Plan - Applicants should carry out appropriate and proportionate pre-application community consultation on schemes of 10 dwellings or more. The applicant should demonstrate the engagement with the community which took place and how such views and aspirations of the community have been taken on board in shaping the proposals, together with, if applicable, an explanation as to why some suggestions have not been taken on board

H3 – Local Housing Need

OS1 – Open Space

8 KEY ISSUES

- **Principle of Development**
- **Design and Impact on the character of the area.**
- **Flood Risk**
- **Highway safety**
- **Residential Amenity**
- **Affordable Housing**
- **Infrastructure Contributions and viability**
- **Other**

9 BACKGROUND

- 9.1 The applicant undertook a pre-application consultation exercise, leafleting 4229 properties in November 2021 giving a consultation period of two weeks. The report summarising the responses to this is included in the application submission available in full on the Council's website.

10 ASSESSMENT

Principle of Development

- 10.1 This site is located on the edge of March which is a Market Town in the Council's settlement hierarchy where the majority of the district's new housing should take place (Policy LP3). There are no settlement boundaries defined within the adopted local plan. This site is therefore considered a sustainable location with good access to services/facilities.

- 10.2 Policy LP4 Part B sets out that '*small scale housing proposals on the edge of market towns see Policy LP16*' (In the context of LP 4 Part B considers proposals up to 250 are considered to be small scale). Therefore, the proposal falls to be assessed against Policy LP16, but itself is not contrary in principle to the council's adopted spatial strategy or housing policies.
- 10.3 Regarding the windfall policy in the March Neighbourhood Plan, it is considered the proposal either accords with or capable of according with Criteria a-g, given this is only an outline application. Further consideration is given in sections below.
- 10.4 The emerging plan seeks to allocate this site for housing. However minimal weight can be given to emerging policies. Nevertheless, the proposal is considered acceptable in principle subject to compliance with other relevant policies considered below.

Design and impact on the character of the area.

- 10.5 This site is on the edge of March, however numbers of properties extend further to the east on Upwell Road in a largely linear form. To assess the impact on the character of the wider landscape, the applicant undertook a Landscape and visual appraisal which concluded the site being flat, set against an urban backdrop but with woodland screening and likely landscaping on the site boundaries, there is a likelihood of low impact when seen from wide ranging viewpoints.
- 10.6 The applicant includes an indicative parameters plan which includes illustrative developable areas, an area of public open space on both eastern and western edges, and similarly the southern edge, including the 3-metre easement, and a draft attenuation area in the south eastern section. These open areas are important to the wider visual impact of the development. It is considered that open space should be provided in broad accordance with the parameters plan and as such shall be included in the legal agreement including management and maintenance details.
- 10.7 As regards the character of the area inevitably developing housing on a field will alter the site. However, development of the site will, when seen from the open countryside, be set against the backdrop of the developed area. As regards street scenes, there is housing either side of Upwell Road, and development extending further east on Upwell Road, the visual impact is largely as seen through the existing gap between 81 and 85 Upwell Road, and as seen from some houses adjacent to Woodman's Way or from pedestrians using the footpaths themselves. But as regards views from the streets and the settlement pattern, this will be limited.
- 10.8 The gross density is approximately 28 per hectare. 30 dwellings per hectare is considered to be an effective use of land, but perhaps higher densities more appropriate for city or town centre sites. Given the landscape assessment and the limited degree visual impact, and the reasonably limited gross density, it is difficult to conclude the proposal will have a significantly detrimental impact to the character of the area. The local distinctiveness will be assessed at the point of a detailed planning application. A planning condition is attached requiring the detailed application be assessed against the National design Guide. This includes sections of part 2 of the Design Guide that requires consideration of identity (responding to existing local character and identity, well designed high

quality and attractive places) that ought to safeguard this policy concern. The detailed design should also address designing out crime issues raised by the Police enabling compliance with Policy LP16(j).

10.9 Neighbouring site consideration

Objectors referred to the reasons for refusal and the inspector's decision on the neighbouring smaller site. This application was for 4 dwellings to be accessed between Nos 87 and 89 Upwell Road and was a small site abutting the rears of Nos 85-89. The application was refused for the following reason:

Policy LP16 of the Fenland Local Plan, adopted May 2014 requires that proposals for new development should deliver and protect high quality environments which respond to and improve the character of the local built form and respond to the street scene and existing settlement patterns. The proposed development is shown to occupy a secondary position within the street scene which does not respond to the existing linear settlement pattern and therefore represents urban sprawl into the open countryside contrary to Policy LP16 of the Fenland Local Plan, adopted May 2014.

The subsequent appeal decision was dismissed. That inspector relied heavily on the gap between the appeal site and the edge of the clearly defined edge of March Settlement. That gap is the current planning application site. The application site would not result in undeveloped space on 3 sides because this proposal abuts the existing edge of development which is therefore materially different from the appeal site. Furthermore, this proposal as an edge of Market Town Settlement accords with adopted policy in principle and provides identifiable benefits in terms of ongoing provision of housing, affordable housing that meets current interpretation of affordable policy and therefore meets housing need and provides requested and justified infrastructure contributions. As regards the settlement pattern, as this would abut and expand on the settlement itself it is perhaps more desirable than expanding in a linear or ribbon form which could arguably expand unendingly along Upwell Road further away from facilities. Whereas, a more comprehensive development that abuts immediately onto the current edge of settlement, would seem more appropriate. Whilst of minimal weight the emerging plan has sought to allocate this site and include within the settlement boundary. In the context of the above it seems difficult to identify harm to the settlement form.

- 10.10 Following the appeal, a further application on a slightly larger version of the same site was submitted for 6 Houses (application ref F/YR20/1138/O) and was recommended for refusal on the same grounds as the previously refused and dismissed appeal. However, the Planning Committee (31st March 2021) disagreed with the previous decision and the inspectors view stating:

Members did not support the refusal of planning permission as they felt, whilst acknowledging the Appeal Decision, that each application is judged on its own merits, under LP16 of the Local Plan there is a requirement to deliver good quality housing, which members feel this proposal is, the application will be a good quality environment in which families can live and grow and the proposal will not bring demonstrable harm to the countryside by the building of six houses.

Nevertheless, Planning Committee refused the subsequent detailed application F/YR22/0705/F for reasons of layout, scale massing and design fails to take account of the open countryside, and the impact on the amenity of No's 87 and

89 Upwell Road. There was also a failure to provide sufficient drainage information. The Outline permission for up to 6 houses remains extant.

- 10.11 Whilst every application should be considered on its merits, it would appear that the results of the previous refusal and appeal, and subsequently permitted application, are that the concerns regarding Settlement form and urban sprawl and the implementation of Policy LP16 (d) appear weakened if it were to be refused on only this ground. Therefore, due consideration as to the objector's reference to a previous appeal decision has been given.
- 10.12 Whilst at this stage the design, appearance scale of housing is undetermined (being an issue for a detailed application) it is not considered that there is sufficient evidence to refuse the application on grounds of harm to the character of the area. Therefore, the proposal is considered to accord with Policy LP16(d).

Flood Risk

- 10.13 The site is within Flood Risk Zone 1 where residential developments are directed being normally at least risk of flooding. The applicants Flood Risk Assessment proposes Suds with wetland habitats linked to a large attenuation area in the south-east corner which will release surface water to an outfall ditch beyond. The scheme includes a Fowl Water Pumping Station just north of the attenuation feature.
- 10.14 Both the LLFA and Anglian Water have been asked to comment on the flood matters/evidence submitted by the objectors. The objectors highlighted the flood on Cavalry Drive in December 2020. The LLFA highlighted a Flood report that summarised the high degree of rainfall that took place which the resulting flood waters entered and overwhelmed the foul sewers. This flood was not linked to the application site. Whilst it cannot be stated that under similar circumstances a flood of these areas would not re-occur, as far as this application is concerned the surface water drainage should be considered as robust as possible in terms of not contributing to any possible flooding of the adjacent land. The LLFA confirms it has robustly sought a drainage system that once in operation should not impact upon the residential area to the west. However, given the gravity of the flooding raised by the objectors, the LLFA (supported by Anglian Water and planning officers) requested the detailed survey work on the drainage route from the site to the Horse moor drain be undertaken prior to reporting to committee. The applicant has provided the requested survey results which the LLFA have considered and have orally informed officers they have no objection to but are at the time of writing considering robust planning conditions required. Subject to the detailed assessment of this work (and no further objection) the amended FRA is considered to be acceptable.
- 10.15 Anglian Water confirm that there is capacity within the sewer system to serve the application site and that the consultation reply takes on board local flooding matters. It also states there is not a combined sewer in the area and therefore does not welcome surface water entering the foul water network. The LLFA has confirmed it took on board local flooding concerns in coming to its conclusion. The further watercourse survey work is evidence of a robust assessment by both the applicant and the drainage authorities. It is considered the drainage authorities have given appropriate consideration to the matters of flood risk and those issues raised by objectors. The application is therefore considered to accord with policy LP14.

Highway safety

- 10.16 The TA team have agreed submitted Traffic Surveys, have considered pedestrian and cycleway accessibility and considers the mitigation provision of drop kerbs and tactile paving on the side road junctions on Cavalry Drive, and the Suffolk Way junction on the western side of Cavalry Drive to be acceptable. Planning officers were concerned regarding the vehicles leaving the site and crossing the Cavalry Drive/Upwell Road junction (mini-roundabout) given the lack of pedestrian crossing facility in the proximity of Cavalry Primary School. However, the LHA concluded there is no identifiable need generated by the development for improved pedestrian crossing of Upwell Road, particularly because the majority of pedestrians accessing the school from the site will do so from the south and not cross Upwell Road.
- 10.17 The LHA supports improvements to public footpath No 8 to a shared-use path with lighting within the red line boundary. This is to be conditioned; however, it will need to retain trees, and the lighting to be restrained to accord with ecological concerns and other planning conditions.
- 10.18 Concerns regarding the credibility of the applicant's Transport Assessment and the LHA's assessment have been raised by objectors. Both the LHA and the applicant have responded in detail. The applicant had addressed the objector's estimate previous figure of 1000 vehicle movements per day and identified the estimate to be far less (677). The objector identifies that the applicant estimates the likely vehicular movements both in and out to be just under 700 daily and considers the scale to be excessively large. These letters are available in full on the Council's website. Nonetheless the LHA considers the Transport assessment to be robust and has used appropriate methodology, and therefore retains credibility. It is understood from the LHA's previous comments that the traffic impact of the access is well below capacity on Upwell Road and therefore the LHA has no traffic congestion concerns.
- 10.19 The LHA considers all matters within the application to be acceptable subject to both requested conditions and Section 106 contributions. The request is a total of £165,000 improvement projects namely the following: Peas Hill Roundabout & Hostmoor Ave junction highway improvements. It is considered that the LHA has justified these requests and the applicant provided further supporting data regarding CIL compliance. It is considered the LHA has robustly considered the relevant highway matters including neighbour's concerns, and the proposal accords with Policy LP15.

Residential Amenity

- 10.20 Concerns have been highlighted regarding the proximity of the access road and number 85 Upwell Road. Such matters frequently occur when new access points occur between existing housing fronting main roads. The drawing submitted within the applicant's Transport Assessment details the position of No 85's access and garage with a separation of approximately 5.4 metres to the proposed path, and a separation of 9 metres from the nearest point of the bungalow to the path. There remains approximately a 4-metre space for landscaping etc at this position. Whilst the provision of the access road is clearly going to be a significant change from the current relationship with an informal track, and significant numbers of vehicles will pass this property, such a relationship is not uncommon. Without such access points many sites would not be able to come forward to provide much needed housing. It should also be acknowledged that this part of Upwell Road, is currently largely urban in nature and is not an isolated rural road. A planning condition seeks details of a noise assessment and noise mitigation (probably acoustic fencing) to be constructed in

the space between the road and the boundary edge of No 85 and 81 Upwell Road.

- 10.21 Other concerns such as loss of view, (nobody has a right to a view) and loss of property value is not a material planning consideration. Issues of privacy overshadowing or overdominance cannot be assessed at this point as no details are being proposed. Noise and dust from construction will be addressed by planning conditions. It is however noted that the public footpath which will be retained, separates most of the dwellings immediately to the west of the site. Most properties face trees/hedges on the eastern side of the public right of way with separation distances of what are likely to be rear to rear juxtapositions of approximately 25-30 metres plus. There are two existing properties that are orientated side-on to the public right of way. However, these would be side to rear relationships and as such closer proximities are normally acceptable on estate layouts. Whilst none of this is being considered at present, it does appear that layouts are capable of safeguarding neighbouring amenities particularly with the retention of the footpath and likely trees/hedges.
- 10.22 The terrace to the north (No's 71-81Upwell Road) has rear separation to the site boundary of approximately 30 metres (which includes a rear access road. Again, acknowledging that these matters will be addressed at the detailed stage, as normally acceptable separation for rear to rear is 20 or 21 metres, and 10-15 for rear to side, there appears again suitable space between potential properties. As such there appears minimal grounds of concern at the detailed stage regarding privacy, overshadowing or overdominance. At this time there appears the proposal is capable of complying with Policy LP16

Affordable Housing

- 10.23 The application proposes 20% affordable provision which accords with the Council's viability position. At 70 % affordable rented and 30 % shared ownership the uppermost provision (22 units with 15 affordable rent and 7 shared ownership). This accords with the Council's current position thereby according with policy requirements. The development will therefore provide much needed affordable housing.

Infrastructure Contributions and viability

- 10.24 Due to The Council's own viability assessment in support of the Emerging Local Plan, the Council considers that as part of the evidence base weight be given to the results. Therefore, any scheme to the south of the A47 that accords with the provision of 20% affordable housing and provides infrastructure contributions to the value of £2000 per dwelling, will be acceptable. It is confirmed by the County Council that currently no education contribution is necessary. Therefore, in terms of infrastructure contributions this proposal includes the following:

- £95,040 to the NHS as requested to either Riverside Practise, Cornerstone Practise or Mercheford House.
- £16,225 to develop space at March Library (or 147.50 per dwelling).
- £165,000 towards highway improvements at Peas Hill Roundabout and A141/Hostmoor Avenue junction.

The S106 agreement will also include (subject to the final total number provided at the reserve matter stage)

- 15 affordable rented homes and 7 shared-ownership dwellings.

- The provision of public open space in accordance with the Indicative parameters plan, to be managed by a private management company.

These have been confirmed as agreed as acceptable with the applicant.

10.25 In conclusion, whilst residents referred to under-provision of infrastructure in March, the NHS and library request will be fully met, and the County Education makes no request. Therefore, the proposal accords with policy LP13.

Other Considerations

Agricultural Land

10.26 Neighbours refer to loss of agricultural land. The Regional classification is Class 3 (good to moderate) but this is not defined in its the sub group, (3a is within the Best and most versatile whereas 3b and beyond is not). Fenland as a district has a large amount of Best and most versatile land. This land which sits abutting the edges of urban development is somewhat impacted and as such the loss of this under 4-hectare site in terms of impact on the district as a whole, is not considered significant. It is not known when the site was last used for agriculture (the 2018 appeal refers to it as unused agricultural land). The applicant has not undertaken a survey but points to the council's allocation for development in the Council's draft plan suggesting therefore the loss of agriculture has been considered by the Council. The planning case officer could not locate any plan within the Council that further defines the sub-group of the land. Given the apparent lack of evidence regarding the quality of the land and recent use, and the large degree of good to moderate land in the district, it is not considered this a reason by itself to justify refusal of the application.

Biodiversity

10.27 The wildlife Officer confirms acceptance of the Ecological data and the illustrative layout and requests planning conditions be attached which are included. Given the advice received the proposal is considered to accord with Policy LP19 of the Fenland Local Plan.

Other matters

10.28 In addition to the matters addressed above representations received have also raised issues of anti-social behaviour and problems arising from construction traffic. It is unclear how the development proposed would result in anti-social behaviour and there is no evidence to support that this would be an issue. Construction traffic is not a material planning consideration.

11 CONCLUSIONS

- 11.1 It is considered that a development, which is on the edge of a Market Town in a sustainable location, can be considered to be acceptable in principle with the adopted local plan subject to compliance with other relevant policies.
- 11.2 The objections raised and summarised in this report, have been considered. Concerns of flooding and highway matters have received detailed replies from statutory consultees.
- 11.3 The proposal of up to 110 dwellings (subject to provision of high-quality layout at the detailed stage) will benefit housing supply, the continued provision helps Fenland retain an ongoing supply, and meet much needed affordable housing need.

- 11.4 Matters of Flood Risk, Highway safety and impact on infrastructure provision, all raised consistently by objectors, have been considered in detail and it is concluded the application accords with policy requirements. Whilst concerns regarding harm to residential amenity will largely be relevant for a detailed application, concerns regarding the impact of the access on immediate neighbours has been addressed and resulted in appropriate planning conditions. Design and impact on the character of the area (landscape and visual impact) including appeal decisions have been addressed and considered to accord with Policy LP16. Other issues regarding loss of agricultural land and biodiversity are not considered to merit refusal of the application.
- 11.5 The proposal is considered to accord with the adopted local plan and does not conflict with the neighbourhood plan.

12 RECOMMENDATION

- 1 That the Committee delegates authority to finalise the planning conditions and terms of the S.106 unilateral agreement to the Head of Planning, and
- 2 Following completion of the S106 obligation to secure the necessary affordable housing and open space and infrastructure contributions as detailed in this report, F/YR22/0062/O application be granted.

OR

3. Refuse the application in the event that the S.106 unilateral agreement referred to above has not been completed within 4 months and that the applicant is unwilling to agree to an extended period of determination to accommodate this, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

An initially proposed list of conditions is as follows;

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the layout of the site ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the landscaping <p>(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development to which this permission relates shall be begun no later than the expiration of two years from the final approval of the reserved matters.</p> <p>Reason: To enable the Local Planning Authority to control the</p>

	development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.
3	<p>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.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p>The residential elements of the development shall be up to and no more than 110 dwellings (Use Class C3). 110 dwellings shall depend on submission of an acceptable layout at the submission of reserved matters stage, no layout of 110 dwellings has been accepted by the granting of this outline permission.</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5	<p>No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the consideration of the following aspects of demolition and construction:</p> <ul style="list-style-type: none"> a) Construction and phasing programme. b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures. c) Construction hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. d) Delivery times and collections / dispatches for construction purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the Local Planning Authority e) Soil Management Strategy having particular regard to potential contaminated land and the reuse and recycling of soil on site, the importation and storage of soil and materials including audit trails. f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate. h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways. i) Use of concrete crushers. j) Prohibition of the burning of waste on site during

	<p>demolition/construction.</p> <p>k) Site artificial lighting including hours of operation, position and impact on neighbouring properties.</p> <p>l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.</p> <p>m) Screening and hoarding details.</p> <p>n) Access and protection arrangements around the site for pedestrians, cyclists and other road users.</p> <p>o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.</p> <p>p) External safety and information signing and notices.</p> <p>q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures.</p> <p>r) Membership of the Considerate Contractors Scheme.</p> <p>The approved CEMP shall be adhered to throughout the demolition and/or construction period and must demonstrate the adoption of best practice to reduce the potentially adverse effects on those living and working nearby the development site, whilst also acknowledging the health, safety and welfare of those working on site. The CEMP should be in accordance with the template on the Fenland District Council website via the following link: https://www.fenland.gov.uk/planningforms</p> <p>Reason: In the interests of safe operation of the highway and protection of residential amenity in accordance with policy LP15, LP16 and LP19 of the Fenland Local Plan (2014).</p>
6	<p>The details submission as required by condition No 1 shall include a scheme for the provision of external lighting together with a light impact assessment. This should be undertaken by a suitably qualified professional, and the accompanying report would be required to demonstrate to what levels the residential properties will be potential affected by the proposed scheme and what mitigation measures are considered necessary. The report must include an Iso contour plan and demonstrate that any proposed lighting will be within parameters set in accordance with the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, having regard to the relevant Environmental Zone, that being (E2) rural areas.</p> <p>Furthermore, the report shall address biodiversity concerns of external lighting from the development affecting wildlife habitats on adjacent woodland and shall include the following:</p> <p>a) identify those areas/features on site that are particularly sensitive for ecological constraints that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</p> <p>b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.</p>

	<p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority</p> <p>Reason: To protect the amenity of nearby properties in accordance with Policy LP16 and LP19 of the Fenland Local Plan(2014).</p>
7	<p>If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.</p> <p>Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment and in accordance with policy LP16 of the Fenland Local Plan (2014).</p>
8	<p>The layout as required by condition No 1 shall include a 3metre wide green easement in which no development shall occur other than landscape planting, on the eastern edge that abuts woodland to the east. The layout as submitted in the Arboricultural report is not approved and carries no weight.</p> <p>Reason: In the interests of biodiversity for ecologically sensitive woodland and for the avoidance of doubt and in accordance with policy LP19 of the Fenland Local Plan (2014)</p>
9	<p>The details submission as required by condition No 1 shall include a detailed design of the surface water drainage of the site. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.</p> <p>The scheme shall be based upon the principles within the agreed Flood Risk Assessment prepared by Residential and Commercial Engineering (ref: RACE/AH/URM/FRA4) dated 15 November 2022 and shall also include:</p> <p>a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events.</p> <p>b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance.</p> <p>c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);</p>

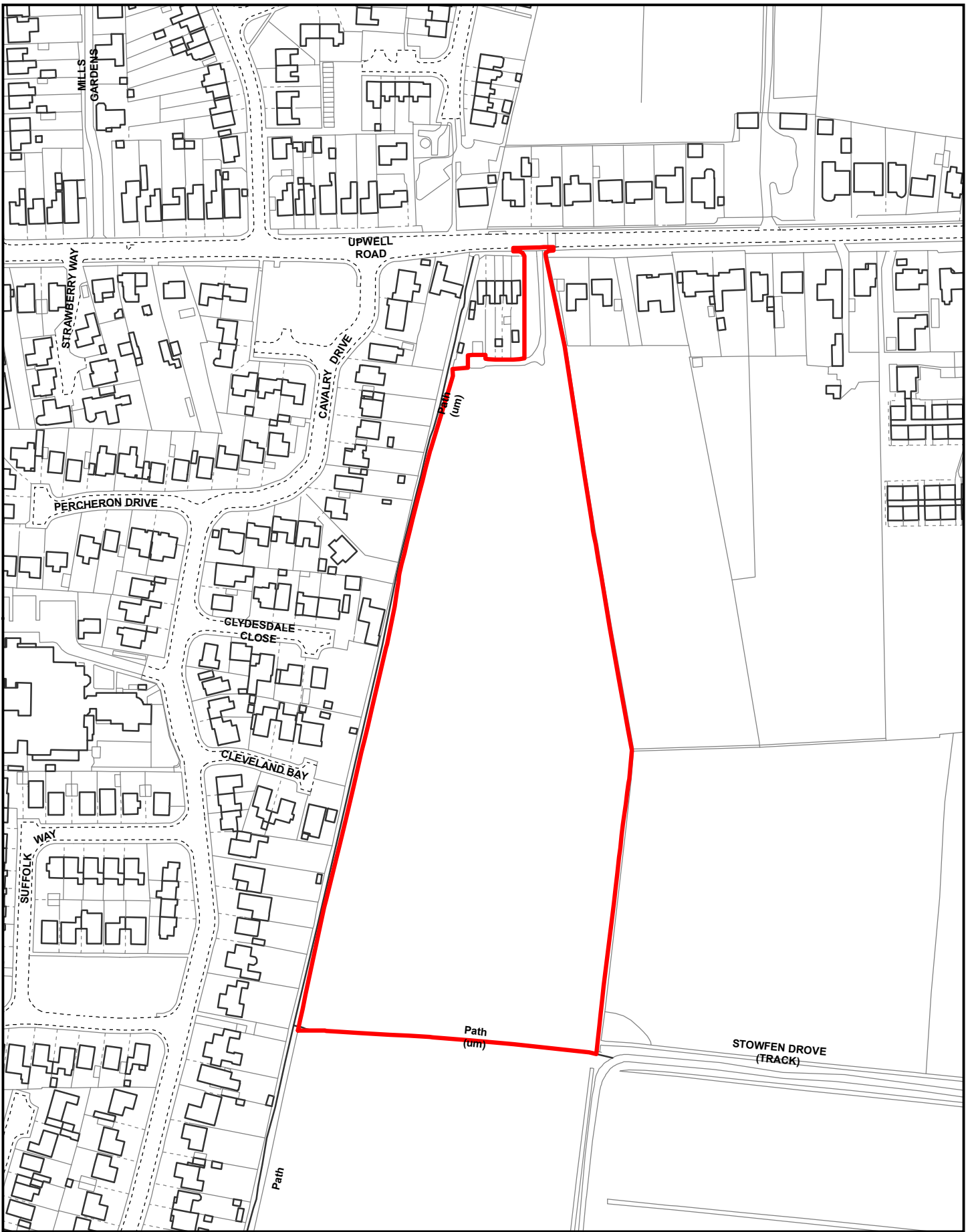
	<p>d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</p> <p>e) Site Investigation and test results to confirm infiltration rates;</p> <p>f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</p> <p>g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;</p> <p>h) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>i) Permissions to connect to a receiving watercourse or sewer;</p> <p>j) Demonstration of connectivity between the proposed outfall from the site and Horse Moor Drain.</p> <p>k) Measures taken to prevent pollution of the receiving groundwater and/or surface water</p> <p>Reason To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts. Also, in accordance with Policy LP14 of the Fenland Local Plan (2014)</p>
10	<p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself, recognising that initial works to prepare the site could bring about unacceptable impacts and in accordance with Policy LP14 of the Fenland Local Plan (2014)</p>
11	<p>Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the</p>

	<p>Local Planning Authority.</p> <p>Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development and in accordance with Policy LP14 of the Fenland District Plan (2014).</p>
12	<p>Prior to occupation of the development, the developer shall be responsible for the provision and implementation of a Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan is to be monitored annually, with all measures reviewed to ensure targets are met,</p> <p>Reason: In the interest of sustainable transport in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
13	<p>Prior to occupation of the development, the developer shall upgrade Public Footpath 156/8 to a 3m wide shared use path along the southern boundary of the site, and to a minimum 2m wide footway between the southwestern boundary of the site and the existing tarmacked section of Public Footpath 156/8 between nos. 51 and 47 Cavalry Drive via the permissive path (Woodman's Way). Details to be submitted to and agreed in writing with the Local Planning Authority.</p> <p>Reason: In the interest of sustainable transport and pedestrian safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
14	<p>Prior to occupation of the development, the developer shall upgrade the side road junctions on the eastern side of Cavalry Drive to include drop kerbs and tactile paving. The developer shall also upgrade the Suffolk Way junction on the western side of Cavalry Drive to include drop kerbs and tactile paving. Details to be submitted to and agreed in writing with the Local Planning Authority.</p> <p>Reason: In the interest of pedestrian access and safety in accordance with Policy LP15 of the Fenland Local Plan (2014)</p>
15	<p>Prior to the last dwelling being occupied the highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build).</p> <p>Reason: In the interest of satisfactory development and highway safety in accordance with Policy LP15 of the Fenland Local Plan(2014).</p>
16	<p>Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.</p> <p>Reason: In the interest of satisfactory development and highway safety in accordance with Policy LP15 of the Fenland Local Plan(2014).</p>
17	<p>Notwithstanding the provisions of the Town and Country Planning</p>

	<p>(General Permitted Development) (England) Order 2015 (or any order revoking, amending or re-enacting that order) no gates or other means of enclosure shall be erected across the vehicular access hereby approved.</p> <p>Reason: In the interest of satisfactory development and highway safety in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
18	<p>The details submission as required by condition No 1 shall include development details of existing ground levels (in relation to an existing datum point and refer to levels on the properties adjacent to the site), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details.</p> <p>Reason To ensure that the precise height of the development can be considered in relation to adjoining dwellings and for the visual appearance of the finished development in accordance with policy LP16 of the fenland Local Plan (2014).</p>
19	<p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ul style="list-style-type: none"> a) the statement of significance and research objectives; b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c) The timetable for the field investigation as part of the development programme; d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives. <p>Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework and Policy LP 18 of the Fenland Local Plan (2014).</p>
20	<p>The layout as required by condition No 1 shall include details of an access for emergency services separate from the access off Upwell Road.</p> <p>Reason: In the interests of public safety for developments over 100 dwellings in accordance with Policy LP15(c).</p>
21	<p>No construction work shall be carried out and no plant or power</p>

	<p>operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the local planning authority.</p> <p>Reason: To protect the amenity of nearby properties in accordance with Policy LP16 of the Fenland Local Plan (2014).</p>
22	<p>Prior to commencement of construction of the access road a noise assessment and noise mitigation scheme within the application site regarding traffic noise from the use of the proposed access road and its impact on occupiers of the adjacent dwellings (No's 81 and 85 Upwell Road) shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of management and maintenance. The development shall be implemented in accordance with the approved scheme prior to occupation of the first house and shall be retained thereafter.</p> <p>Reason: In the interest of the amenity of occupiers of No's 81 and 85 Upwell Road in accordance with Policy LP16(e) of the Fenland Local Plan (2014).</p>
23	<p>No development shall take place (including demolition, ground works,) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <ul style="list-style-type: none"> a) Summary of potentially damaging activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site. d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: In the interests of biodiversity and in accordance with Policy LP19 of the Fenland Local Plan.</p>
24	<p>If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.</p>

	<p>Reason: To ensure that the development complies with approved details in the interests of the protection of human health and the environment in accordance with Policy LP16 of the Fenland Local Plan(2014).</p>
25	<p>The submission of a detailed layout as required by condition No 1, shall include an assessment of the layout, scale, appearance and landscaping against the sections within the National Design Guide (those relating to residential developments). This is in order to demonstrate and achieve high quality development in accordance with the conclusion within the Design and Access Statement submitted with this application.</p> <p>Reason: In the interest of satisfactory development and in accordance with Policy LP16 of the Fenland Local Plan (2014) and paragraphs 129-134 of the NPPF</p>
26	<p>The detailed layout and the landscaping required by condition 1 shall be in broad accordance with the indicative parameters plan. No agreement is given to the removal of trees as detailed in the Arboricultural report unless a landscaping scheme seeks semi mature native replacement trees in the same or similar position.</p> <p>Reason: In the interests of visual and residential amenity and for biodiversity reasons in accords with policy LP16 and LP18 of the Fenland Local Plan.</p>
27	Approved Plans



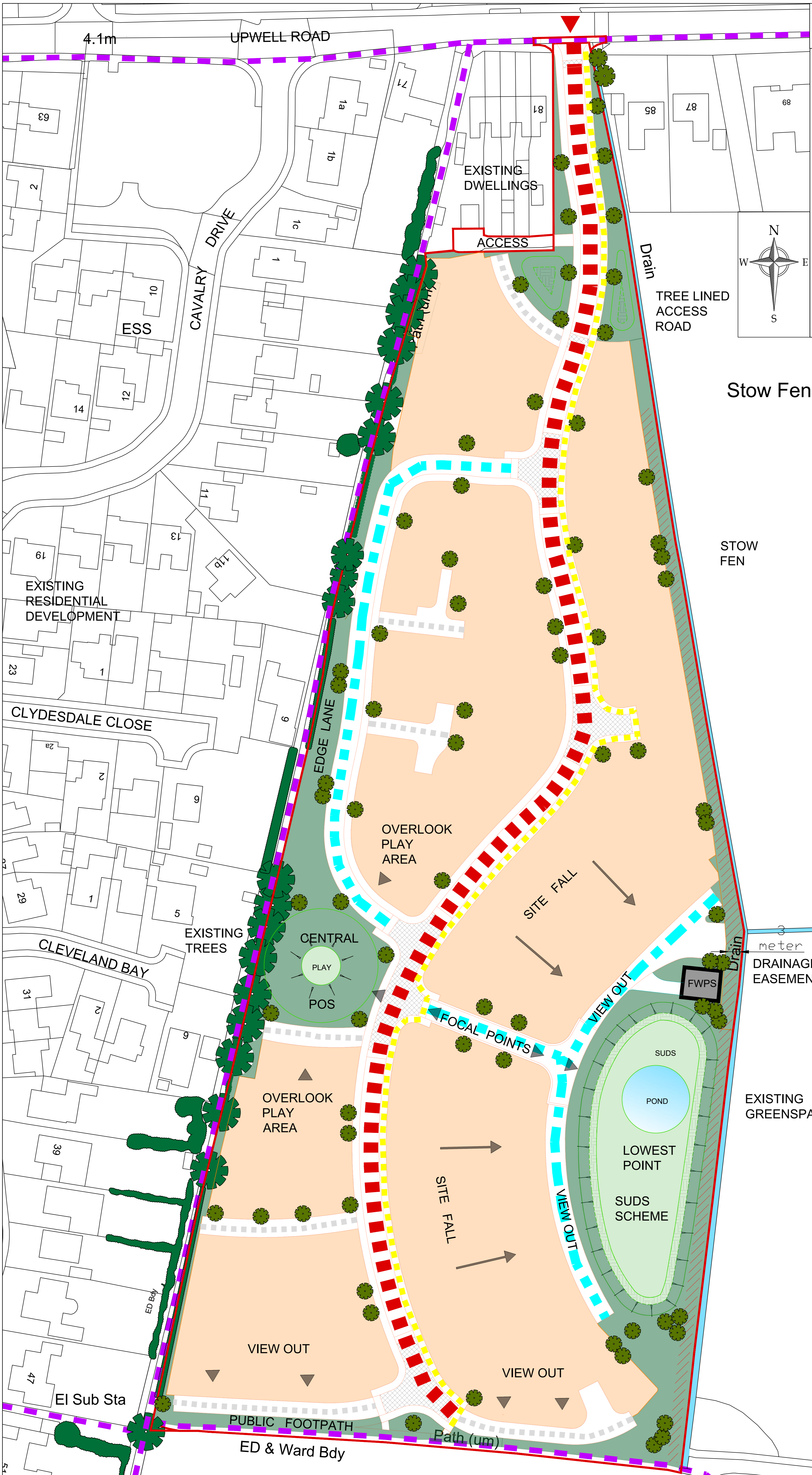
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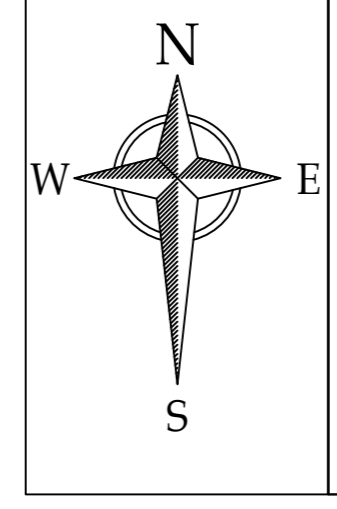




0m 5m 10m 20m 50m
1:500
SCALE BAR

LEGEND:

- Site Boundary
- Housing Area
- Existing PRDW
- Key Footpath Route
- Spine Road
- Secondary Roads
- Edges Lanes
- Private Drives
- Existing Trees & Hedging
- Proposed Trees & Hedging
- Public Open Space / Natural Green Space
- SUDS / Wetland Habitat
- Dry Ponds
- Existing Drain
- LAP
- 3m Easement
- Proposed Pump Station



REVISION	DATE	DESCRIPTION	DRAWN



ALLISON HOMES
LARKFLEET HOUSE
SOUTHFIELDS BUSINESS PARK
BOURNE
LINCOLNSHIRE
PE10 0FF
TEL: 01778 391550

PROJECT: **UPWELL ROAD MARCH**

DRAWING TITLE: **INDICATIVE PARAMETERS PLAN**

SCALE	DATE	DRAWN	APPROVED
1:500 @ A1	01.03.2023	BN	-

DRAWING NO.: **L---/DG/01**