PLANNING COMMITTEE DATE: 31st May 2023 pages 25- 62

APPLICATION NO: F/YR22/0062/O - Agenda Item 7

SITE LOCATION: Land south of 73-81 Upwell Road, March

UPDATE

Further consultation comments received from Lead Local Flood Authority in response to additional survey data from applicant regarding condition of the watercourse.

Consultee Comment

We have 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*
- *Upwell Road Topographical Survey, MK Surveys, Dated: May 2023*
- *Drainage Survey Overview from Applicant, Allison Homes, dated: (Uploaded to Planning Portal 16 May 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 the following conditions are imposed:

Condition 1 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has

been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Flood Risk Assessment prepared by Residential and Commercial Engineering (ref: RACE/AH/URM/FRA4) dated 15 November 2022 and shall also include:

a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events.

b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance.

c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it).

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

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

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

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

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

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

j) Demonstration of connectivity between the proposed outfall from the site and Horse Moor Drain.

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

Reason

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

Condition 2

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide

collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

Condition 3

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 Local Planning Authority.

Reason

To ensure the effective operation of the surface water drainage scheme following construction of the development.

Condition 4

Prior to connecting surface water drainage from the site to the watercourse at the eastern boundary of the site, that heads east via 3 culverts, and discharges into Horse Moor Drain, the applicant/developer shall:

a) Cut back / strim or mechanically flail and remove all vegetation along the ditch line along the boundary of the site, and the length of the ditch to the outfall to Horse Moor Drain, to provide access to the ditch line.

b) Excavate the ditch line to below the outfall(s) of the three culverts that are currently located in the watercourse, ideally to bed level.

c) Remove such or more silt from the three culverts such that water can be conveyed through them.

d) Create a suitable sump at the point where the new connection will outfall into the watercourse

e) Ensure the ditch line has a suitable gradient away from the point at which it is proposed to connect into it, along the length of the ditch for a distance of at least 765m.

f) Make good all works disturbed and leave the site in a tidy/clean condition.

Reason: To ensure that the receiving watercourse is of suitable capacity and quality, from the proposed connection point from the site to the outfall to Horse Moor Drain,

to accommodate flows discharging from the site.

Informatives

Infiltration

Infiltration rates should be worked out in accordance with BRE 365/CIRIA 156. If for an outline application it is not feasible to access the site to carry out soakage tests before planning approval is granted, a desktop study may be undertaken looking at the underlying geology of the area and assuming a worst-case infiltration rate for that site. If infiltration methods are likely to be ineffective, then discharge into a watercourse/surface water sewer may be appropriate; however, soakage testing will be required at a later stage to clarify this.

IDB Consent

Part or all of your proposed development area falls within the Middle Level Commissioners (MLC) catchment and that of March East Internal Drainage Board (IDB) whose consents are managed by the MLC. All increased discharges proposed to enter watercourses directly or indirectly or any works affecting watercourses or access to or along them for maintenance if the site is within the Board's district will require MLC/IDB consent. It is therefore recommended that you contact the IDB/MLC to discuss their requirements. Further information is available at: https://middlelevel.gov.uk/

Signage

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

Pollution Control

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

Officer Note: Condition no 4 is additional to those previously requested and responds to the applicant's additional survey data on the condition of the watercourse. It is recommended this condition be attached.

Further representation received.

Further representation received from a resident (available in full on the Councils website). A summary of the objection is as follows:

Reference made to NPPF Para 111 *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*

Issues summarised as follows:

a) Considers the impact of 5000 plus vehicle movements has not been properly assessed with the survey being carried out at time of fuel shortages and therefore not representative or valid accounting for a reduction.

b) No consideration has been given to a loss of parking for those who park on the site access road.

c) Concerns of a blind-spot on Cavalry round-a-bout.

d) No consideration regarding schoolchildren crossing Upwell Road (opposite the dentist).

e) Both Cavalry School and St. Peter's Road impassable at periods during the day, being major access routes and has not been considered.

The applicant provides photos of cars parked on Cavalry Drive, St. Peters Road at peak times, Cavalry Drive round-a-bout, children crossing Upwell Road with no traffic, cars parked in the development site off the existing track (allegedly by Upwell Road residents).

The Objector concludes this is an inappropriate location for a major development, the road infrastructure is not suitable given the hazards that have been overlooked by both developer and highways and should be rejected as it is not in line with NPPF2021 Paragraph 111 or planning policy LP2 & LP16. The effects from the additional traffic have been based on a survey conducted during significant vehicle moment reductions on the roads and is not representative, also the major bottle neck areas of Calvary school and St Peters Road have not been properly evaluated as part of the transport assessment.

If approved the objector considers development with have a negative impact on the community at a time when there is already more than sufficient available development land at other more suitable sites which have better road infrastructure, also the full impact of traffic flow from the proposed broad street development should first be implemented to access any negative impacts on the rest of March. Serious consideration should be given to the suitability of road infrastructure to support construction traffic as it is clearly not suitable for such a large-scale development.

Officer Note:

Access is maintained for No's 73-81 Upwell Road to gain access to the rears of their properties as shown on the indicative layout. The informal or other ownership rights of access to park on the land is not a matter for the planning authority to consider and is therefore not material to the application.

The credibility of the Transport Assessment has previously been rigorously checked

by the Local Highway Authority; however, this correspondence has been forwarded for an immediate reply and any response shall be verbally given to Committee.

It is understood that the original TA modelling was assessed on a development of 170 houses, 54 % greater than the 110 now proposed. The modelling took account of other committed developments including the West March application. It is understood that the traffic surveys took place at an agreed date with the LHA and are considered representative of typical peak hour traffic flows in the area. The traffic flows have also been increased to reflect a future year of 2031 and include for all local committed developments. Accident data has been verified by the LHA particularly relating to the crossing of Upwell Road near Cavalry Primary School (and therefore consideration given by the LHA regarding the safety of Cavalry Road/Upwell Road round-a-bout). The LHA concluded there is no evidence for safety concern at this point.

The LHA has not identified any evidence that the development will lead to unacceptable impact on highway safety, or that the cumulative impacts on the road network would be severe. Therefore, the proposal is not contrary to the NPPF paragraph 111, or policies LP2 or LP16 (or LP15).

Subject to any contrary comments from the Local Highway Authority, the recommendation remains as detailed on this update sheet.

Resolution:

There was an error in the recommendation on page 51 section 12 No 1. referring to unilateral, which is now removed and is recommended to read as follows:

RECOMMENDATION
1 That the Committee delegates authority to finalise the planning conditions and terms of the S.106 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.