

APPLICATION NO: 22/0098/PREAPP

Adoption of South East March Broad Concept Plan

UPDATE

Further representations have been received in relation to the Broad Concept Plan. These are set out below.

Cambridgeshire County Council (Education)

The County Council have provided further explanation/justification for potentially requiring the provision of sports pitches for the adjacent Neale-Wade Academy within the BCP area. To summarise their position, any future expansion of the school may result in a loss of existing playing fields which could be replaced by utilising land within the BCP area.

Officer Comment: The BCP drawing has been amended to indicate an area as “potential land for grass playing field associated with Neale-Wade Academy subject to needs evidence”. The exact details of this will need to be resolved at the planning application stage but the developer has shown an intent to work with the education authority in this respect.

Middle Level Commissioners

The Board has been advised that the above matter which is being discussed at the next Planning Committee.

Please note that this response is submitted by the Middle Level Commissioners who provide a planning consultancy service to March East IDB (the Board).

A. General

It is understood that this proposal is the subject of Pre-application consultation with your Council which the Board, understand from previous examples, is not the subject of the normal consultation procedure. In view of this the Board is uncertain on its position but in view of the following comments it considers that the proposal does not meet its requirements or current guidance.

Like your Council, and in accordance with best practice, the Commissioners and associated Boards promote meaningful pre-application consultation, as encouraged by national guidance and, where possible and when requested, work with Council Officers to ensure that issues concerning the aquatic environment, water level and flood risk management are dealt with and resolved prior to and not during the decision making process thus offering the Board, your authority and the applicant more certainty. This can ensure that our respective limited resources are maximised.

Despite being involved in detailed discussions with the representatives from both the applicant's agent, Pegasus Group, and the applicant's engineering consultant, Woods Hardwick Ltd., with other developments within March and the local area it is disappointing to note that a formal application to enter into a consultation procedure has not been

submitted. Upon the receipt of a formal application further discussion at the developer's expense can commence.

B. The Boards System

Whilst the site is within the larger area Middle Level Commissioners area the application site is within the catchment of March East IDB. The site is predominantly within the Boards rateable district, where it is the "approving authority" and its prior written consent is required for relevant items, but parts of the site, mainly alongside Wimblington Road, are within the Boards "highland" catchment and thus the responsibility of the LLFA in respect of Section 23 applications.

It is understood that the area discharges into the following Boards District Drains:

- 1. Barkers Lane Drain, to the north east of the site, which currently serves a large agricultural area but also serves an increasing urban area around the Cavalry Drive/Neale Wade School area.*
- 2. The Lambs Hill Drove Drain, to the south of the site, which currently serves a large agricultural area with a limited urban catchment alongside Wimblington Road and at Knights End Road but this will increase as development in the South west March (Broad location for growth) area occurs.*

Both of these watercourses form part of the pumped system served by the Boards Latches Fen pumping Station approximately 2.5 km to the south east which also serves the northern part of Wimblington including Eastwood End and The Hook.

These watercourses are primarily designed to provide a Standard of Protection (SoP) to serve the needs of agriculture. In the absence of any hydraulic modelling, it is difficult to be conclusive but it is considered that whilst these systems may be adequate for its current agricultural use it is unlikely to be suitable to accommodate flows from this and other developments in the area. Where improvement works are required to provide a suitable SoP, as further development in the sub-catchment occurs and ensure that an adequate freeboard is available to prevent the surcharging of the on site system, will be at the developers expense.

C. Known Flooding

March has a history of flooding primarily from surface water sources and both the Commissioners and the Board encourages further investigation to be undertaken by the relevant parties to identify and alleviate the causes of flooding and together with other RMA including the LLFA, the District Council and AWSL are endeavouring to resolve these issues as best that can be achieved given the limited resources available.

As identified in the LLFA's Section 19 Flood Investigation Reports (FIR) flooding has been experienced in the local area both before and during the events experienced in August 2014 and December 2020. These reports can be viewed at:

March flood investigation 2019_v2 (cambridgeshire.gov.uk)

March December 2020 Flood Investigation Report (cambridgeshire.gov.uk)

Whilst the site is not within a "wet spot" or an "acute drainage area" the Board acknowledges this area as an "area of concern" where care and diligence will be required by all parties including your Council if flooding and poor drainage are to be avoided.

The failure to maintain such watercourses was one of the causes of the flooding incidents experienced across Cambridgeshire, including March, during December 2020. The failure to properly manage and maintain these watercourses could lead to flooding of the site and adjoining land to the detriment of their environment and that of adjoining occupiers.

D. Other Watercourses

i. It is understood that there are several open watercourses within the site extents and whilst these watercourses are not “protected” by the Boards Byelaws in the same manner as District Drains these should be retained and provided with suitable maintenance access strip, at least 5.0m wide, to enable them to be maintained in perpetuity by an appropriate body, such as the maintenance company.

ii. Any works that restricts the flow within a watercourse requires prior written approval under Section 23 of the Land Drainage Act (LDA) either by the LLFA or the Board.

iii. In order to assist water level management, prevent an increase in flood risk, by reducing available hydraulic and water storage capacities, restricted access for maintenance, raising the local ground water table etc and to protect the aquatic habitat, the retention of open watercourses is encouraged. The piping and filling of long lengths of open watercourses are contrary to national, local and the Boards policy.

iv. Where the piping and filling of watercourses is permitted it will be subject to conditions which will require suitable mitigation to be provided to replace/enhance the natural environment and any storage that may be lost.

E. Biodiversity

Having checked the Boards records it appears that no biodiversity survey, such as a Preliminary Ecological Appraisal (PEA), has been provided.

In addition, a Biodiversity Net Gain (BNG) Assessment does not appear to have been undertaken.

F. On Site Water Level and Flood Risk Management Systems

Concern is also raised about the insufficient consideration given to the following:

(i) The detrimental effects of surface water run-off and overland flows from the site adversely impacting neighbouring properties or other locations which may be affected by the proposed ground raising/re-shaping operations.

(ii) The layout of the development, which should be designed to facilitate access by routine maintenance access machinery to the on site water level and flood risk management systems, particularly to the attenuation ponds.

(iii) In view of the potential impermeable area created, it is suggested that the illustrative attenuation ponds shown are too small and in the wrong location.

(iv) The shape and dimensions of the attenuation pond are a key consideration.

(v) The whole life funding, management and maintenance of the associated water level and flood risk management systems serving the site.

The Board will require that adequate provisions are made for the long-term ownership funding, management and maintenance arrangements for the upkeep of any water level and flood risk management system, whether on or off site, in perpetuity. These requirements may be in addition to those imposed by planning conditions or required by the LLFA and that details of the works to be carried out by the occupier/land owner, adopting authority, the Management Company or other responsible person/authority, together with the costs attached, are included in the "Homeowners Pack" and the Deed of Sale.

G. General Comment

As discussed in the response to the Emerging Local Plan Public Consultation comment c on Policy LP 32: Flood and Water Management, concern is raised about the piecemeal development being proposed in various locations within your Councils district which is resulting in many small and isolated attenuation systems which will be difficult to maintain and will be a future liability for the parties concerned, the failure of which could potentially increase flood risk. The Commissioners and associated Boards would prefer and encourage more holistic solutions and it is considered that there is a suitable opportunity in the area which could enable further development in the area.

In view of the above, the applicant is urged to discuss the relevant issues via the post-application consultation procedure as a matter of urgency.

In response to MLC's comments a further Drainage Technical Note has been prepared on the developers behalf. This is set out below:

Introduction

1.1 This Drainage Technical Note has been prepared by Woods Hardwick Ltd (WH) on behalf of Barratt David Wilson Homes (BDW) Cambridge, in response to a letter received from the Middle Level Commissioners (Ref:312/PL/1026) dated 21/6/23 (Appendix A). WH are BDW's flood risk and drainage advisors in respect of the Broad Concept Plan (BCP) for South East March and a future residential planning application.

1.2 For ease of reference items A-F as set out in the Middle Level Commissioners (MLC) letter are referred to in turn.

A. General

1.3 Woods Hardwick submitted a formal Pre-Application Request to the MLC in early February 2023.

1.4 The email chain containing the formal pre-application submission which provided MLC with the detailed information listed below is included within Appendix B.

- Pre-Application Forms.*
- Draft Drainage Strategy Plan. (2 sheets)*
- Site Location Plan*
- Draft Development Framework Plan*
- Topographical Survey*
- Phase 1 Site Investigation*

1.5 As evidenced in the appended email chain the submission was made on 7/2/2023 and was chased on the following dates. A reply is still awaited.

- 7th February - Woods Hardwick applying for the pre-application consultation response.*
- 3rd March*

- 23rd March
- 5th May
- 18th May

1.6 Woods Hardwick on behalf of BDW would be pleased to attend a meeting at MLC's earliest convenience.

1.7 Notwithstanding the above, the current proposals are considered to be consistent with MLCs requirements as set out in the responses to the remainder of their letter below and BDW would welcome MLCs input on the relevant elements of the proposals as the scheme progresses through the planning process.

1.8 It should be noted that a formal pre-application meeting was held with Cambridgeshire County Council (CCC) in their role as Lead Local Flood Authority (LLFA), their subsequent written response which confirms that the proposals are acceptable in principle are contained within Appendix C.

1.9 Anglian Water (AW) were commissioned by BDW to provide a Pre-Planning Assessment Report, a copy of which is included within Appendix D. Within the Report AW confirm that there is capacity within the Potable Water network to supply the site and they also confirm capacity within the foul water network and at the March Water Recycling Centre for treatment works.

1.10 During the public consultation event held on 9/2/23 a number of local residents advised of existing flooding issues relating to the foul water network in Barkers Lane. In light of these concerns Woods Hardwick met with AW seeking confirmation that the proposed network had sufficient capacity. During the meeting AW confirmed that the issues were due to a very shallow and flat section of existing sewer and that an alternative outfall that bypasses this section of sewer would be appropriate and that this solution is deliverable.

1.11 In light of these concerns Woods Hardwick met with AW seeking confirmation that the proposed network had sufficient capacity. During the meeting AW confirmed that the issues were due to a very shallow and flat section of existing sewer and that an alternative outfall that bypasses this section of sewer would be appropriate and that this solution is deliverable.

B. The Boards System

1.12 As suggested in the MLC letter, the proposal is to discharge surface water into the Barker's Lane Drain and the Lambs Hill Drove Drain. The site will be divided such that surface water remains within its natural catchment.

1.13 The proposal is to discharge at the greenfield (Qbar) rate for all storm events up to the 1 in 100 year + 40% climatic change storm. The flows from the site would therefore replicate the existing natural regime in the lower return storm events and provide significant betterment in the more onerous storm events.

1.14 Surface water in excess of the proposed restriction will be temporarily stored onsite in large attenuation facilities. Based upon preliminary calculations it is anticipate that the combined attenuation features will provide approximately 10,000 cubic metres of storage.

1.15 As described above a formal Pre-Application meeting was held with the LLFA where the principle of the strategy, including outfall locations, discharge rates and methods and volume of attenuation were discussed and agreed in principle.

1.16 For the avoidance of doubt the proposals would therefore pose no greater burden on the IDB's network. Indeed, the proposed drainage regime would provide betterment given that flows from the site will be regulated and the rate of discharge will be significantly lower than the natural rate during more onerous storm events.

C. Known Flooding

1.17 The BCP has been designed to ensure that no built development is located within the areas shown to be within Flood Zone 2 or 3 on the Environment Agency Flood Maps.

1.18 The aforementioned LLFA Pre-Application Response advises that where possible development is located in areas at low surface water risk. The scheme has been designed on this basis.

1.19 The last paragraph of Section 2 of the LLFA response explicitly states that there would be no objection to the provision of attenuation features in the area of the site shown to be at a greater risk of flooding.

1.20 The provision of the attenuation within this area is an established principle and is acceptable on the basis that the storage will be provided below the existing ground level meaning that the above ground area will be unaffected and will remain available for flood waters in the unlikely event of flows reaching the site.

1.21 As noted above, the management of surface water onsite and the restriction of discharge will provide betterment to the downstream network and would reduce the risk of flooding during extreme events.

D. Other Watercourses

1.22 As noted in the MLC letter the onsite watercourses are not protected by the IDB bylaws, however discussions relating to the treatment of these watercourses were held with the LLFA.

1.23 Within the LLFA's formal response they note that ideally 5m should be provided on both sides of the watercourse, however, it is also advised that this can be reduced to 3m where necessary.

1.24 The LLFA response also advises that they would not object to a single sided easement where it is demonstrated that it allows for appropriate maintenance to be undertaken by a management company.

1.25 In the event that sections of watercourse are to be piped or culverted, the cross-sectional area of the culvert will be of an equal or greater diameter of the cross-sectional area of the ditch it is replacing.

1.26 It should be noted that the onsite ditches solely serve the site itself and any changes to the network would not impact upon upstream or downstream catchments.

1.27 The details of maintenance zones and culverting will be discussed with the LLFA at the detailed design stage. However, the BCP allows for the retention of these features with appropriate maintenance zones.

E. Biodiversity

1.28 The BCP Vision document confirms that the BDW land has been subject to Ecology Surveys by qualified Ecologists; and provides a summary of the site conditions in the light

of these Surveys. The BCP proposals, including the drainage strategy, have been developed in light of this work. The detailed Survey work and a full Ecological Appraisal will be provided at the planning application stage.

1.29 The BCP Vision document also confirms BDW's intention to deliver 10% Biodiversity Net Gain as part of the future residential planning application. At the planning application stage, BDW will provide a Biodiversity Net Gain Assessment and the associated Metric to demonstrate the level of net gains.

1.30 The ecological work highlighted by MLC has been undertaken and will be reported in full at the more detailed planning application stage. The BCP has been prepared in light of the ecological work undertaken to date and BDW have full confidence that the BCP will assist in facilitating a policy compliant scheme which achieves significant biodiversity net gains equating to 10%. The MLC will have access to this detailed information upon submission of the BDW planning application for the residential development.

F. Onsite Water Level and Flood Risk Management Systems.

1.31 As confirmed above, discharge during all storm events will be restricted to the Qbar rate, this means that during the lower return storm events flows from the site will be equal to the existing natural greenfield rate while during the more onerous storm events significant betterment will be provided to communities downstream as water will be temporarily attenuated onsite. There will therefore be no detrimental impact on neighbouring properties.

1.32 The BCP proposals at this stage are indicative and as the design evolves details such as maintenance access corridors to the attenuation facilities will be provided in accordance with the LLFA's requirements.

1.33 As confirmed above the LLFA have advised as to their requirement for the maintenance of onsite ditches and the proposals will be finalised and agreed with the LLFA at the appropriate stage. Allowance for these requirements is made within the current BCP proposals.

1.34 It is unclear why the MLC consider the attenuation basins to be too small and in the wrong location. At this stage the features are shown indicatively on the BCP with a star symbol depicting the principle of providing a basin in this location. Clearly as the planning and design process progresses beyond the BCP stage further detail regarding the shape and size of basins will be provided to the LLFA and MLC for assessment. Notwithstanding the above, the basin symbols shown on the BCP are proposed at the low points of the site.

1.35 At the planning application stage technical information will be provided showing that basins are sized based upon the final impermeable development area with an additional 10% allowance for urban creep. Based on preliminary calculations it is anticipated that a total of approx. 10,000 cubic meters of storage will be provided within three attenuation basins. The basins will therefore be suitably sized to accommodate a 1 in 100 year storm with 40% allowance for climatic change as per the LLFA's requirements.

1.36 The volume of the basins will be designed using industry standard modelling software. The calculations and design will be included within the Flood Risk Assessment and Drainage Strategy (FRA) document that accompanies the forthcoming outline planning application. The designs will then be developed in greater detail at the reserved matters stage.

1.37 Within their Pre-Application response the LLFA confirm that they are supportive of the approach to attenuation on the basis that, as well as attenuation benefits, the proposed features provide surface water treatment and biodiversity and amenity benefits.

1.38 Additional SuDS features including swales and permeable paving will be considered as the proposals are further developed in order to provide additional surface water treatment.

1.39 The shape and dimensions of the attenuation features are of course a key consideration, the final designs will be suitably sized as described above and will have input from the applicant's landscape architect and ecologist to ensure all round benefits.

1.40 At the Planning Application stage, the principles of the maintenance regime and the body responsible for maintenance will be agreed with the LLFA and the Planning Authority. At this stage it is anticipated that the piped network will be adopted by Anglian Water.

1.41 The attenuation features will also be offered to Anglian Water or alternatively they could be maintained by MLC if this would be their preference. If neither of these organisations wish to adopt the facilities they will be maintained by a developer funded management company for the lifetime of the development.

1.42 The full details of the maintenance responsibilities will be agreed with the LLFA and the Planning Authority at the detailed design stage.

G. General Comment

1.43 It is unclear why the MLC consider the proposed attenuation features for the allocation to be piecemeal given that the BCP is for the full extent of the Local Plan site allocation. The attenuation is proposed in locations suit the site's topography and will allow connection to existing outfall locations and thereby remaining consistent with the natural drainage regime while providing betterment where possible.

Conclusion

1.44 This Technical Note provides a response to each of the matters raised by MLC in their recent letter and demonstrates that the BCP has been designed in light of robust flood risk and drainage advice which was supported at the pre-application stage by the statutory consultee for flood risk, the LLFA. Indeed, BDW have had positive pre-applications advice and discussions with the LLFA and Anglian Water in regard to the BCP and a future planning application for residential development at South East March.

1.45 BDW welcomes the recent engagement from MLC following a period of time whereby BDW have made repeated attempts to obtain early pre-application advice. Following the MLC contact last week, BDW have again contacted the MLC again with a view to setting up a meeting to discuss a future planning application for residential development however no response has yet been received. At this point a more detailed Masterplan and a Flood Risk Assessment will be available to MLC for review.

1.46 The BCP provides a positive and robust basis to inform future planning applications for residential development from a flooding and drainage perspective, with the next level of detail to be provided to the LPA for assessment at the planning application stage. The approval of the BCP will allow BDW to progress and submit their planning application

which will be a key milestone in the delivery of this longstanding Local Plan allocation for residential development.

Officer Comment: It is considered that the Technical Note provides a robust assessment of the concerns raised by MLC, but that essentially the purpose of the BCP is to provide a further level of detail as to how the Local Plan allocation may be developed out in principle. Further detailed information would still be required at the planning application stage regarding drainage and ecological matters. However, there is nothing within the BCP to indicate that the broad principles of how such matters would need to be approached are inherently unacceptable.

Landowner Representation

As set out within the main report part of the BCP area is the subject of a separate planning application for up to 130 dwellings. The agent acting on behalf of this landowner has written stating "My clients support the broad concept plan and share its objectives to deliver the 'around 600 dwellings' of this strategic allocation.....We continue to work alongside and with BDWH in securing the deliverability and delivery of this allocation".

Officer Comment: With this representation it would now appear that all of the landowners within the strategic allocation are supportive of the submitted BCP.

Resolution: No change to the recommendation to adopt the Broad Concept Plan as set out on Page 46 of the Agenda.