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**F/YR18/1136/F**

**Applicant: Mrs S Newstead  
Clarion Housing Group**

**Agent : Mr Tony Welland  
The Design Partnership (Ely) Ltd**

**Land South West Of 1 To 23, Springfield Avenue, March, Cambridgeshire**

**Erection of 40 dwellings comprising of 4 x 1-bed and 4 x 2-bed 2-storey flats; 20 x 2-storey 2-bed and 12 x 2-storey 3-bed dwellings; formation of a surface water lagoon and pumping station and new access to cricket club**

**Reason for Committee: The Officer's recommendation is contrary to that of March Town Council.**

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## **1 EXECUTIVE SUMMARY**

The application seeks full planning permission for the residential development of the site for up to 40 affordable homes.

The site is undeveloped primarily forming a semi-natural habitat with scattered trees, some established hedgerow and scrubland. The majority of the site lies within the West March Strategic Allocation as laid out under Policy LP9 of the Fenland Local Plan, 2014. The allocation proposes around 2000 homes with associated infrastructure and services including a school, shops and recreation land.

Policy LP7 identifies the importance of planning and implementing strategic allocations and broad locations for growth in a co-ordinated way, through an overarching BCP that is linked to the timely delivery of key infrastructure.

The site is located with sustainable links to the town centre and the wider district and beyond and the development demonstrates clear social benefits in terms of its contribution to affordable housing stock. Furthermore, the development comes forward with no technical issues.

However, the bulk of the application site lies within the strategic allocation for West March and comes forward without an approved BCP. Furthermore, the proposal does not demonstrate that its delivery, without conforming to an approved BCP would be inconsequential to the wider allocation – particularly in regard to habitat (and potential recreation land) loss or how it could effectively connect to the wider allocation in the future to access services and facilities that the allocation is expected to provide e.g. primary school, shops. The proposal is therefore contrary to LP7 and LP9 of the Fenland Local plan and H1 of the March Neighbourhood Plan.

On balance, the identified benefits of the scheme are considered to be outweighed by the identified harm and resultant policy conflict. The recommendation is therefore to refuse the application.

## **2 SITE DESCRIPTION**

The site comprises around 1.64 hectares of land located to the south of Springfield Avenue. The site is undeveloped forming a semi-natural habitat with scattered trees, some established hedgerow and scrubland. An informal pedestrian access leads directly from The Causeway to the east and the site also incorporates an access serving the March Town Cricket Club to the north-west.

The southern boundary of the site abuts the recreation ground and open countryside extends westwards. To the east are groups of residential properties, some fronting onto The Causeway and a small in-depth grouping of dwellings at Causeway Close.

The site lies in flood zone 1. The properties within Springfield Avenue are owned and maintained by the applicant, Clarion Housing Group.

The majority of the site lies within the West March Strategic Allocation as laid out under Policy LP9 of the Fenland Local Plan, 2014.

## **3 PROPOSAL**

The application seeks full planning permission for the residential development of the site for 40 dwellings including associated infrastructure such as a foul pumping station, SuDS attenuation pond and roads.

The site is proposed to be 100% affordable housing and the applicant has agreement for funding from the Cambridgeshire & Peterborough Combined Authority for this project against the rented units.

The scheme is offering 40 units comprising;

- 4 x 1 Bed Flat for rent
- 4 x 2 Bed Flat for rent
- 20x 2 Bed Houses for shared ownership
- 12 x 3 Bed Houses for shared ownership

The access is taken off Springfield Avenue and follows the route of the underground high pressure mains Gas pipe, spurring off in southerly direction to serve a tight-knit grouping of dwellings. The foul pump and SuDS basin are located at the north western corner of the site.

Dwellings are primarily arranged to front onto the highway and incorporate private drives with the exception of the flats/ maisonettes (Plots 9-16) which rely on small rear parking courts served by shared private drives. The dwellings are generally paired or terrace units – all are 2-storey in scale, as are the flats.

An informal path is proposed at the south of the site linking to the existing recreation ground. An access road is proposed at the north of the site serving March Town Cricket Club.

The application is supported by the following documents;

- Topographical Survey (200 Plan)
- Design & Access Statement
- Flood Risk Assessment & Drainage Strategy (171599)
- Ecology report (revised April 2019 following GCN survey)
- Affordable Housing Statement – 7<sup>th</sup> May 2019

- Geotechnical report
- PICADY report
- Utility Assessment (171599)
- Refuse tracking plans (sheet 1 and sheet 2)
- Elevations and Floor Plans (P07-P13)
- Shed Elevations and Floor Plans (P14)
- Location Plan (P01)
- Site Plans – west and East
- Block Plan
- Tree Plan (6726-D-AIA)
- Typical Pumping Station Layout

Full plans and associated documents for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/>

#### 4 SITE PLANNING HISTORY

No relevant site history however the following planning applications and decisions relate to proposed development within the West March Strategic Allocation;

Reference	Description	Decision
F/YR19/0090/F	Erection of 80 dwellings [100% affordable housing] comprising of 14 x 2-bed flats; 53 x 2-bed and 13 x 3-bed 2-storey dwellings and the installation of a pumping station and substation and formation of an attenuation pond at Land East Of York Lodge, Gaul Road, March.	Refused 26.06.2019
F/YR19/0016/F	Erection of a 2-storey 5-bed dwelling with detached garage involving the formation of a new access at Land West of 181 Burrowmoor Road, March.	Refused 09.05.2019
F/YR17/0739/O	Erection of up to 2 dwellings and garage to serve No. 69 The Avenue (Outline application with all matters reserved) at Land West Of 69 The Avenue, March.	Refused  Appeal Dismissed 09.07.2018
F/YR13/0724/F	Erection of 22 dwellings: 2 x 2-storey block of flats comprising of 10 x 1-bed dwellings, and erection of 1 x single-storey 2-bed, 11 x 2-storey 2-bed dwellings, including sheds, refuse store and cycle store involving demolition of existing care home (retrospective) and works to western footpath of Kingswood Road at Site Of Former Kingswood Park Residential Home, Kingswood Road, March.	Committee Refused  Appeal Allowed 27.01.2015
F/YR18/0458/F	Erection of 24 x 2-storey dwellings comprising of 12 x 2-bed and 12 x 3-bed together with an extension to Kingswood Road to provide new vehicular and pedestrian access at Site of Former Kingswood Park Residential Home, Kingswood Road, March	Committee resolved to approve subject to S106 29.05.2019

## 5 CONSULTATIONS

### **March Town Council (MTC)**

Recommend approval subject to adequate Section 106 agreements for local projects.

*\*Officers recently sought clarification on the rationale for recommending this site compared to F/YR19/0090/F (objection to 80 affordable homes in the WMSA). MTC advised as follows;*

*“Application 1136/F appears to councillors to be for a limited number of dwellings, albeit with potential to extend three culs-de-sac. Given that traffic generated would exit through Springfield Avenue and onto The Causeway only minor additional development is likely to be approved. Hence the decision to approve. The vast majority of the Burrowmoor Road/Knights End Road area would require new accesses to existing highways – not using Springfield Avenue which is clearly unsuitable for high traffic flows. Application 0090/F – this is part of the Gaul Road/Burrowmoor Road area. There is limited opportunity for new access roads. This proposal must therefore be considered a potential main access to the whole area. So, vital that the proposal reflects that, it needs to be part of BCP to show how all areas of land will be developed and accessed. Hence recommend Refusal.”*

### **Natural England**

Advises they have no comments to make

### **PCC Wildlife Officer**

Concurs with Newt survey work in respect of no evidence of newts. Considers that it would be disappointing to see this part of the site developed. Concludes that if approved, it would be important to secure the biodiversity compensation figure proposed.

### **Middle Level Commissioners**

No comments received

### **Cambridgeshire County Council – Lead Local Flood Authority (LLFA)**

Raises no objection subject to a condition securing a surface water drainage scheme for the site

### **Cambridgeshire County Council S106**

Advises that the County Council does not require any developer contributions in respect of education, library or strategic waste from this development.

### **Cambridgeshire County Council Highways**

Advises that the applicant has addressed previous concerns and provided an acceptable road layout, PICADY capacity information detailing reverse capacity at the Springfield Avenue/B1101 junction has been provided and raises no concerns.

No highways objections subject to conditions securing access and road delivery, visibility splays, a scheme for future management/ adoption arrangements, provision of a green travel plan and closure of existing Cricket Club access.

### **Cambridgeshire County Council Archaeology**

Does not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through a pre-commencement condition.

### **Cambridgeshire Fire & Rescue**

Requests that a scheme for fire hydrants is secured.

### **Cambridgeshire Police - Designing Out Crime Officer**

Confirms that they have been contacted in regards to this development with the intent to submit a Secured by Design application. Are supportive of the design and layout and consider that vulnerability to crime should be addressed. The only requirement would be that consideration be given to a Condition re: external lighting.

### **FDC Environmental Services (Waste & Refuse)**

Happy with the tracking shows access and turning can be made.  
Also happy with collection from the front of properties (9-16).

### **FDC Environmental Protection**

No objection subject to securing a condition addressing unsuspected contaminated land.

### **FDC Housing**

Supports the scheme. Expects to see 10 dwellings come forward as affordable housing. The current tenure split expected for affordable housing in Fenland is 70% affordable rented tenure and 30% intermediate tenure. This would equate to the delivery of 7 affordable rented homes and 3 intermediate tenure in this instance.

### **Cadent Gas**

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

### **NHS England**

No comments received

### **Anglian Water**

The foul drainage from this development is in the catchment of March Water Recycling Centre that will have available capacity for these flows.

Requests foul drainage scheme secured via condition.

### **Local Residents/Interested Parties**

64 letters of objection received from 61 households raising the following concerns (summarised)

- Access and highways impacts through increased traffic
- Parking arrangements
  
- Density/Over development
- Scale/ Out of character/not in keep with area
- Visual Impact

- Design/Appearance
- Backfill development
  
- Drainage & flood risk
- Light Pollution
- Noise
- Loss of view/Outlook
- Overlooking/loss of privacy
- Devaluing property
- Residential Amenity
- Shadowing/loss of light
- Proximity to property
  
- Environmental Concerns
- Wildlife Concerns – loss of protected species
- Loss of Trees
- Waste/Litter
- Agricultural land
  
- Gas main on the site
- Pressure on schools, healthcare, local services etc.
- Harm to pets
- Residents will feel less safe/ ASB
- Lack of community consultation for residents in Causeway Close
- Lack of green energy provision on properties
- Does not comply with policy
- Would set a precedent

### **Support**

3 letters of support raising the following points;

- Previously a commercial nursery until the mid-1970's, then a builders yard
- Is not a nature reserve
- The site is within easy walking distance to both the Neale Wade and Burrowmoor schools therefore it will not increase traffic at peak times
- The town centre shops need more footfall. More housing=more people.
- Not every household will have two cars all travelling at school run times
- Most children in homes there should walk to the local secondary school
- Good idea to build on unused land close to the schools
- Good opportunities for young families

## **6 STATUTORY DUTY**

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)**

Paragraph 2 & 47: Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise;

Paragraph 8: The three dimensions to sustainable development.

Paragraph 11: Presumption in favour of sustainable development.

Paragraph 127: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 102-107: Promoting sustainable transport

Chapter 5: Housing land supply

Paragraphs 124-132: Requiring good design

Paragraphs 170, 175-177: Conserving and enhancing the natural environment

Paragraphs 34, 54-57: Planning conditions and obligations.

### **National Planning Practice Guidance (NPPG)**

#### **Fenland Local Plan 2014 (FLP)**

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

LP7: Urban extensions

LP9: March

LP13: Supporting and Mitigating the Impact of a Growing District

LP14: Responding to Climate Change and managing the risk of flooding in Fenland

LP15: Facilitating the creation of a More Sustainable Transport Network in Fenland

LP16: Delivering and Protecting High Quality Environments across the District

LP17: Community Safety

LP19: The Natural Environment

#### **March Neighbourhood Plan 2017 (MNP)**

H1: Large Development sites

H2: Windfall Development

H3: Local Housing need

#### **Supplementary Planning Documents/ Guidance:**

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- Cambridgeshire Flood & water SPD (2016)
- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) which includes the RECAP CCC Waste Management Design Guide SPD (2012)

## 8 KEY ISSUES

- **Principle of Development**
- **Access, Highway Safety/ Transport impacts**
- **Flood Risk and Drainage**
- **Ecology/ Biodiversity**
- **Archaeology**
- **Layout**
- **Scale, appearance and landscaping**

- Residential Amenity
- Planning Obligations
- Housing supply
- Other considerations

## 9 ASSESSMENT

### Principle of Development

Policy LP3 identifies March as being a focus for growth given its sustainable links to services and facilities. LP7 sets out the LPA's aims in achieving a majority of the growth in the main market towns through strategic allocations and broad locations for growth. Policy LP9 identifies West March (in which the application site lies) as being a strategic allocation accommodating around 2000 dwellings, with potentially some business provision gaining access from the A141. Policy H1 of the March Neighbourhood Plan (MNP) supports the delivery of the strategic allocation requiring development within the allocations to accord with LP7 and LP9 of the FLP.

Policy LP7 identifies the importance of planning and implementing these locations for growth in a co-ordinated way, through an overarching Broad Concept Plan (BCP) that is linked to the timely delivery of key infrastructure. LP7 goes on to state that;

*“with the exception of inconsequential very minor development, proposals for development within the growth locations which come forward prior to an agreed BCP will be refused.”*

The bulk of the development site sits within the WMSA and the application is not accompanied by a BCP - neither has one been previously approved for the WMSA.

As such, in the absence of an agreed BCP, the principle of the development is only acceptable if it can be demonstrated to be inconsequential to the objectives to the delivery of the wider allocation. This is considered as follows;

### Inconsequential development

#### Transport

LP7 enables delivery of very minor, inconsequential development within the WMSA. The proposal is for 40 dwellings and therefore in simple terms is not very minor in nature albeit the FLP does not define 'very minor development' and this is to be determined on its own merits. A scheme for the provision of 22 units at Kingswood Road (ref: F/YR13/0724/F) was allowed at appeal following the Inspector's findings that the development would be minor in comparison to the 2000 houses expected across the WMSA.

Notwithstanding this, the applicant has provided a statement which seeks to clarify how the development would not be prejudicial to the planning of the wider allocation, considering that the scheme has been devised consideration as to what might happen on adjacent land. Furthermore that the development of the remainder of the allocation will be unaffected by this application in terms of transport, drainage nor any implications for "critical mass" or viability."



The applicant considers that there is considerable benefit from providing much needed housing; particular affordable housing and considers the development meets the 3 strands of sustainability in terms of economic, social and environmental benefits.

On noting the layout, the access is taken from Springfield Avenue which, in turn is accessed via The Causeway (B1101). Following concerns raised by residents and further information requested by the Local Highways Authority (LHA) the applicant provided capacity data (PICADY) for the Springfield/ Avenue junction. The data indicates that this junction, including the proposed 40 dwellings, would still have capacity to serve substantially more dwellings stating that;

*“at 0.28, the RFC is significantly lower than the recommended maximum figure of 0.85 – providing plenty of spare capacity.”*

The layout proposed does not support any vehicular extension into the wider allocation to serve more properties or to access future services e.g. school, shops etc. – only an informal footpath into the existing park to the south. This in itself may have consequences in terms of serving development across the wider allocation when in fact there appears to be capacity at this time but where the access road is effectively cut short.

Application F/YR19/0090/F was recently refused for 80 dwellings south of Gaul Road, March amongst other reasons; for failing to demonstrate connectivity to the wider allocation.

Whilst the development site raises no transport issues in its own right – it is uncertain whether the release of this site without the vehicular connectivity may result in compromises having to be made to accesses to adjacent land and the ability of future occupiers of this site being able to easily access the services and facilities within the wider allocation.

### Biodiversity

The site currently comprises an established area of bird breeding and foraging habitat as identified in the submitted ecology report. The report goes on to state;

*“The loss of scattered and dense scrub, which provides habitat for nesting birds on the site, will not be adequately compensated by planting and open space on site, and further compensatory action will be required to achieve net gain as per the NPPF. The development will make a contribution to habitat creation or green infrastructure offsite, to be achieved in negotiation with the Local Planning Authority. A suitable package in terms of location and costs will need to be sought”.*

The Council’s Wildlife Officer has noted that the proposal would affect semi natural habitats which are known to be declining locally. The development would result almost in the total loss of this habitat but with some opportunities for partial on-site mitigation measures e.g. bird boxes and planting.

Paragraph 175 of the NPPF sets out a hierarchy for development affecting biodiversity and seeks to avoid such harm firstly through locating on an alternative site with less harmful impacts, if not then being adequately mitigated, or, as a last resort, compensated for.

The applicant has agreed to a financial contribution to compensate for this loss through identified habitat projects to the north of March. The financial amount has been agreed with the Council's Wildlife Officer. However, notwithstanding this it nonetheless results in a consequential loss to established habitat that may be avoidable if the development was located elsewhere within the WMSA in accordance with the NPPF's aims. Due to the lack of BCP, it is not possible to ascertain whether this consequence could reasonably be avoided.

The WMSA would need to include areas of habitat and natural greenspace in order to achieve net gains in biodiversity – including areas of green corridor to encourage healthy lifestyles. The development would likely result in habitat and greenspace having to be delivered elsewhere within the WMSA which may compromise the delivery of some housing. The loss of this area through development would likely result in the loss of a potential green corridor which could be enhanced to enable for example; a leisure route from the existing park to the south, up to the cricket and bowls club to the north. LP9 sets out that;

*“Opportunities should be taken to add to the area of open space currently forming part of the Recreation Ground in the Avenue as a focus for community”*

This opportunity hasn't been explored through a BCP process and the development would likely compromise the ability to expand the recreation ground northwards across the existing area of open space and established habitat. There is therefore clear potential for the development to compromise the objectives of LP9 for the WMSA.

Having regard to the above issues identified with the development, it is concluded that the principle of the development proposed is not supported due to its conflicts with policy LP7 and LP9 of the FLP and H1 of the MNP in respect of failing to provide an agreed BCP thereafter failing to demonstrate that the development would be very minor and inconsequential to the wider allocation with clear potential to undermine the strategic aims of the WMSA.

Referring again to the Kingswood Road appeal (ref: F/YR13/0724/F), whilst the Inspector found that the scale of development could not reasonably be defined as inconsequential and therefore conflicted with LP7, and whilst acknowledging the disadvantages of piecemeal development, due to the site's relationship to the existing built up area of the town and having been previously developed, *“its characteristics distinguish it from the undeveloped land within the wider allocation”*.

Officers consider this conclusion is material to the application now before them in that the application site is undeveloped, enabling habitat to establish and LP9 sets out a broad strategy of expansion of the recreation ground which this development would inhibit thereby compromising the objectives of LP9 notwithstanding the lack of access linkages to the WMSA.

### **Access, Highway Safety/ Transport impacts**

A significant number of resident objections raised concerns over the transport and highways safety impacts of the development.

As noted above, the applicant has provided capacity assessment of the junction with The Causeway which indicates that no capacity issues would arise through the development – the LHA concur with the findings. Furthermore, the LHA has

raised no objection to the proposal following some minor amendments to the access and internal road arrangements and are satisfied that the geometry would enable future adoption of the majority of the estate. As such, subject to conditions securing delivery of the access, roads, footpath and travel plan, there is no evidence to indicate that that development would result in severe harm in transport terms or result in highways safety conflicts in accordance with policy LP15 and LP16 of the FLP.

## **Flood Risk and Drainage**

### *Surface Water drainage*

The site lies in Flood Zone 1 and therefore at the lowest risk of flooding.

Some residents have expressed concerns over existing surface water flood issues. The application is supported by a Flood Risk Assessment which considers existing ground conditions, drainage infrastructure and current requirements for the management of surface water.

Policy LP14 of the FLP and the adopted Cambridgeshire Flood and Water SPD requires development to include a drainage strategy which demonstrates that suitable consideration has been given to surface water drainage and that appropriate arrangements for attenuating surface water run-off can be accommodated within the site.

The development proposes a sustainable drainage system (SuDS) incorporating areas of permeable paving and an attenuation pond at the north-western corner of the site which would hold surface water before releasing it into the adjacent drainage ditch along the western boundary. Having regard to the proposed method of surface water management and infrastructure the LLFA has raised no objection subject to finalised details of the drainage strategy. Whilst residents have raised concerns over existing, periodical surface water flooding, there is no evidence to indicate that the development would exacerbate this and could effectively manage the surface water arising from the development without adversely affecting neighbouring properties.

March Town Cricket Club (MTCC) has raised concerns over the intention to discharge into the watercourse which runs underneath the MTCC field via a culvert. To address this, the applicant has proposed to install an upgraded silt trap chamber and outlet pipe at the inlet to the culvert entrance and to clear the adjacent watercourse along the eastern boundary to improve flows. Anglian Water has raised no objection to this. These works would fall outside of the application site and therefore the LPA couldn't control this element. Nonetheless the initial strategy raises no objection from any statutory undertaker. The culvert upgrade works would therefore be an 'in-kind' gesture from the applicant to MTCC but not strictly necessary to make the development acceptable in planning terms. This is notwithstanding riparian responsibilities for all landowners in ensuring that watercourses are appropriately maintained

### *Foul drainage*

The applicant has proposed a foul pumping station to manage the discharge of foul drainage into the existing Anglian Water systems. Anglian Water has advised that capacity exists in their systems at the March Water Recycling Centre and raises no objection to the proposal. As such, it is considered that the method of foul drainage is acceptable in accordance with policy LP16.

## **Ecology/ Biodiversity**

The application is accompanied by an ecology survey. The site is identified as a semi-natural habitat and an established area of bird breeding and foraging habitat. The Council's Wildlife Officer has commented that such areas are in decline locally. The development would result in a near total loss of this habitat and the submitted ecology report notes that the development would not be able to mitigate all of this loss on-site – relying instead on a financial contribution to compensate for this loss, for the money to be spent on creating habitat elsewhere.

The financial calculation has been derived from a biodiversity metric which is a formula based approach which considers the type of habitat at risk, its local value in biodiversity units and places a monetary value against this. The site has been calculated to have a biodiversity value of 7.02 biodiversity units and on-site mitigation could achieve 4.43 units leaving a residual of 3.35 units to compensate for.

Cambridgeshire County Council has identified the Green Reed Trail project which effectively uses the old railway line stretching from Whitemoor Prison to Rings End creating new habitat and nature trails along its length. The financial compensation could be used for habitat enhancement work along the route. The applicant has worked with the Wildlife Trust in agreeing the financial compensation figure for the 3.35 units which is agreed at £32,415 and could be reasonably secured through a planning obligation and secured against the Green Reed Trail Project to achieve net gains in biodiversity.

As noted above, the requirement of the NPPF is to safeguard biodiversity loss through a hierarchy of approaches – firstly through considering alternative sites for the development, then through on-site mitigation if relocating is not possible and finally, as a last resort through compensation measures. As previously noted, the site forms part of a wider strategic allocation and it has not been adequately demonstrated that alternative land could not be used to secure the development through the BCP approach. In this regard, the proposal would not accord with paragraph 175 of the NPPF.

However, policy LP19 of the FLP sets out that the Council will;

*“Refuse permission for development that would cause demonstrable harm to a protected habitat or species, unless the need for and public benefits of the development clearly outweigh the harm and mitigation and/or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity.”*

Policy LP19 therefore takes a markedly different approach to biodiversity loss – setting out a public benefit test to justify compensation where development resulting in habitat loss is necessary.

In this regard, there is clearly a need for affordable housing in the district and the public benefits of securing this in a sustainable location such as March are evident. Whilst this does not necessarily address the question of the “need” to develop this site out, rather than other land within the WMSA, Policy LP19 does lend support for the principle of the compensation approach to biodiversity loss.

During the initial stages of the application, concerns were raised by residents regarding the presence of Great Crested Newts at the site. This was echoed by the Council's Wildlife Officer who having visited the site noted the presence of a watercourse to the south which presented potential habitat for this species.

Subsequently the applicant undertook a great Crested Newts DNA survey to scope for the presence of newts. This work was undertaken in April in accordance with best practice. The results indicated that there were no Newts present at the watercourse and therefore very low chance of Newts at the application site. In this regard it is considered that the presence of newts at the site has been fully considered and no further action is required on this matter.

### **Archaeology**

Cambridgeshire County Council's Archaeology team has advised that this site lies in an area of archaeological potential with investigations at Neale-Wade Community College to the south-east producing evidence of multi-period usage of the site, with wells dating from the Bronze Age and Iron Age as well as evidence of medieval occupation. Finds identified during the construction of a new dwelling also to the south-east of the development area were predominantly of Roman date, including coinage. In this regard they consider that a programme of archaeological investigation should be secured via planning condition, to be undertaken prior to development commencing.

Given the archaeological evidence gleaned from nearby sites, it is considered reasonable to secure the investigative works which would accord with policy LP16(a) and LP19 of the FLP. The applicant has indicated their agreement to a pre-commencement condition in this regard.

### **Layout**

The general layout relies on a main route through the site initially following the gas main before leading southwest and spurring off south. Dwellings are laid out fronting their respective highway with small front gardens and driveways with the exception of the flats (Plots 9-16) which rely on small rear parking courts served by shared private drives. The amount of parking per property (notwithstanding the extra visitor parking) accords with the parking standards laid out under Annex A of the FLP and the parking courts, driveways and streets are arranged to enable satisfactory access and manoeuvring in accordance with LP15. In addition, the Council's Environmental Services team has confirmed that they are satisfied with the waste collection points and general strategy thereby satisfying LP16(f).

Furthermore, each dwelling achieves a good level of private amenity space commensurate to the standards as laid out in LP16(h) and each house also incorporates a shed for cycle storage thereby enabling safe storage of more sustainable modes of transport in accordance with LP15(C).

The Police's 'Designing Out Crime Officer' is supportive of the design noting that the applicant intends to submit a Secured by Design application. They consider that vulnerability to crime should be addressed through the layout subject to details of lighting. Such details could be reasonably secured via planning condition.

A new access to the Cricket Club car park is proposed at the north of the site and would enable good access to the Cricket Club and can be secured via a gated access when required.

### **Scale and appearance and landscaping**

The development proposes 2-storey properties in the form of detached, semi-detached dwellings and flats/ maisonettes at a scale of c.8.5m. The development leads off from the Springfield Avenue estate which comprises single-storey dwellings. However, the proposed development is located south west of Springfield

Avenue and would appear relatively detached from the estate and from the streetscene would be viewed in the context of The Causeway and Causeway Close developments which comprise large, 2-storey dwellings. In this regard the proposed scale raises no concerns in terms of character harm in accordance with LP16(d). This would be subject to final details of finished floor levels which would be required prior to the commencement of development. The applicant has indicated their agreement to this

Likewise, due to the development's relatively remote location, set back from the streetscene, this offers broader scope in respect of the external appearance of the dwellings which utilises a mixture of buff and red brick and rendered finishes and concrete profiled roof tiles (precise details to be agreed).

The development proposes a mixture of boundary treatments utilising 1.8m high brick wall to enclose private amenity areas which face onto public realm, 1.8m high close boarding primarily to enclose rear gardens, and low metal rail fencing to enclose the SuDS feature and along the southern boundary adjacent to the informal pedestrian access to the public park. The roads comprise a mixture of tarmac surface for the main 5.5m wide access with footpath and block-paviours for the adopted shared surface road leading south and private roads. The parking courts and driveways are proposed to be either tarmac or block paviours and the precise details could be reasonably secured via planning condition.

The soft landscaping generally comprises laid lawn to front and rear gardens with a mixture of tree and shrub planting. The SuDS feature is proposed to be grassed with some planting around the perimeter. The proposal should incorporate biodiversity enhancement opportunities as noted above in order to mitigate against the habitat loss and this detail, along with specific soft and hard landscaping finishes can be reasonably secured via planning condition. Notwithstanding this, the principle landscaping details submitted would make a positive contribution to the scheme and would accord with LP16 in respect of providing high quality environments.

Subject to agreement of the final external finishes and landscaping details therefore, it is considered that the development would not appear out of character and could achieve a good standard of visual amenity.

### **Residential Amenity**

Policy LP2 and LP16 seek to ensure that development achieves good standards of residential amenity for both existing and future residents. Some objections received from local residents raise concerns that the development would result in poor outlook, loss of view and light, overlooking and overshadowing impacts.

In respect of this, the dwellings along the eastern and southern perimeters are considered to be adequately distanced from existing properties with c.10m long gardens and window to window distances of over 20m creating adequate separation having regard to general design standards. In this respect it is not considered that any severe overshadowing or loss of light will occur. Furthermore, due to the separation distances, orientation of individual dwellings and their respective window positions – the main area of development will not result in any overlooking issues. It is noted that the rear elevations of Plots 1 to 5 face onto the northern elevation and rear garden of 59 The Causeway. Here, the rear windows of proposed dwellings Plots 1 to 3 are at a separation distance of 15m from the windows of 59 The Causeway which is at the limit of acceptability but not unacceptable and would maintain adequate privacy standards for occupiers of 59

The Causeway and the proposed dwellings - also assisted by the existing hedge which runs along the boundary.

Whilst it is noted that outlook for some existing residents will change as a result of the development given that the site is undeveloped at this time, the changes are not considered to unacceptably compromise residential amenity. In respect of loss of views - the planning system operates in the public interest and there is no right to a private view within planning legislation.

As noted previously, the development itself offers good levels of amenity space for future occupiers and the layouts of the dwellings, whilst relatively high in density (c.26 dwellings per hectare) would not result in residential amenity conflicts.

### **Planning Obligations**

Policy LP5 of the FLP requires major housing schemes to deliver 25% affordable housing on site in the first instance or via a commuted sum if it can be demonstrated that on-site delivery is not achievable. The obligation would need to be secured via a S106 agreement.

The scheme comprises 100% affordable housing with a mix of social rent and shared ownership tenure. In this regard the scheme would provide a substantial contribution towards the Council's affordable housing needs notwithstanding housing stock in general. The Council's Housing team has indicated support for the scheme and the delivery of affordable housing could be reasonably secured via a S106 planning obligation.

In respect of other infrastructure contributions, the Council's adopted Developer Contributions Supplementary Planning Document states that planning obligations will not normally be sought from affordable housing schemes (other than the provision of the homes themselves). Notwithstanding this, the County Council has advised that they would not be seeking contributions from this scheme for education, libraries or waste.

However, notwithstanding the Developer Contributions SPD, due to the requirement to compensate for the habitat loss which is necessary under the and in accordance with the NPPF and LP16(b) a planning obligation for £32,415 is required to be secured through a S106 alongside the affordable housing provision.

The applicant has indicated their agreement to this.

### **Housing supply**

The latest assessment of the Council's Five Year Housing Land Supply published in June 2019 shows that this now stands at 7.18 years. The implications of this are that the relevant policies of the Fenland Local Plan can be afforded full weight in decision making and paragraph 11(d) of the NPPF which applies the 'tilted balance' is not engaged.

Notwithstanding this, the Council has a clear need for affordable housing with 1575 households registered for affordable housing in June 2019. As such, the provision of affordable housing such as with this scheme can be given significant weight.

## **Other considerations**

### Resident Comments

Whilst it is considered that most comments and concerns raised have been addressed in this report the following matters require consideration;

#### *Noise, odour and Pollution*

Concerns have been raised by residents that the development would give rise to amenity harm through the construction process in respect of noise, dirt and dust. It is considered that the use of appropriate conditions to secure a Construction Management Plan would ensure that the construction of the development would not result in adverse impacts on noise, air quality and other pollutants, notwithstanding the developers requirements to comply with health and safety law.

#### *Increase in ASB*

The Police have been consulted on the application and has raised no objection to the proposals subject to securing lighting details. The Police would be consulted on future submissions with an approach to designing out crime.

#### *Devaluing property*

The planning system does not exist to protect private interests such as value of land or property and as such no weight can be afforded to this concern.

#### *Waste/ Litter*

Waste produced and removed off-site during the construction of the development would be controlled under license through the Environment Agency. The County Council confirms that a contribution towards strategic waste infrastructure will not be sought through this development. Furthermore, the District Council has a statutory duty to collect household waste and already operates in the March area – the proposed development provides adequate arrangements for this.

#### *Would set a precedent*

All applications are to be considered against the development plan as required by law (unless material considerations suggest otherwise). As such, should any future development proposals come forward, these would be dealt with on a case by case basis in accordance with the development plan having regard to the overall sustainability of the proposal.

Notwithstanding this however, consistency of decision making *is* a material consideration and to allow this development to come forward without adequate evidence to indicate that it would be inconsequential to the wider WMSA may compromise the ability to secure a cohesive form of development across the remaining allocation and may result in further piecemeal forms of development coming forward. The LPA has consistently refused proposals which indicate a conflict with the objectives of its strategic allocations as detailed in the history section above.

#### *Lack of green energy*

The proposal does not set out any particular green energy features. Notwithstanding this, the development would need to comply with Building Regulations which would require the dwellings to meet current energy performance ratings. This would likely lead to the inclusion of energy efficient measures, possible in the form of renewable energy systems.



## 10 CONCLUSIONS

The policies in the NPPF when taken as a whole constitute the Government's view of what sustainable development means. Paragraph 8 of the NPPF lists the three dimensions to sustainable development; the economic, social and environment dimensions, and says how these roles should not be undertaken in isolation, and therefore to achieve sustainable development a proposed development should jointly and simultaneously deliver gains that are economic, social and environmental.

The site is located with sustainable links to the town centre and the wider district and beyond. The development demonstrates clear social benefits in terms of its contribution to housing stock, particularly in this case in assisting to address the affordable housing needs of the district beyond that which policy LP5 would otherwise secure and significant weight can be afforded to this. The introduction of further housing would also secure economic benefits for the town and the wider district.

Furthermore the development comes forward with no technical issues and mitigation/ compensation arrangements can be secured against the biodiversity harm that the development would cause. Officers consider that neutral weight should be applied in this regard.

However, the bulk of the application site lies within the strategic allocation for West March as laid out under LP9 of the FLP. Policy LP7 identifies the importance of planning and implementing strategic allocations in a co-ordinated way, through an overarching BCP that is linked to the timely delivery of key infrastructure. The application comes forward without an approved BCP and fails to demonstrate that its delivery, without conforming to an approved BCP would be inconsequential to the wider allocation – particularly in regard to habitat (and potential recreation land) loss which may not be necessary if the site was considered more broadly and master-planned with the WMSA. This weighs substantially against the scheme.

Furthermore, the development (other than an informal footpath link to the adjacent park) does not demonstrate how it could effectively connect to the wider WMSA in the future and access to services and facilities that the WMSA is expected to provide e.g. primary school, shops. The proposal is therefore contrary to LP7 of the FLP and H1 of the MNP. The LPA has consistently refused proposals which indicate a conflict with the objectives of its strategic allocations as detailed in the history section above.

As such, whilst the development in its own right may be acceptable in technical terms and would derive significant benefits in terms of housing delivery, its consequences to the wider WMSA cannot be ignored. On balance, the benefits of the scheme are considered to be outweighed by the identified harm and resultant policy conflict.

A S106 agreement to secure the affordable housing and biodiversity compensation has not been progressed given the Officer's recommendation and as such, at this time the scheme is also in conflicts with policy LP5 and LP19 of the FLP.

## 11 RECOMMENDATION

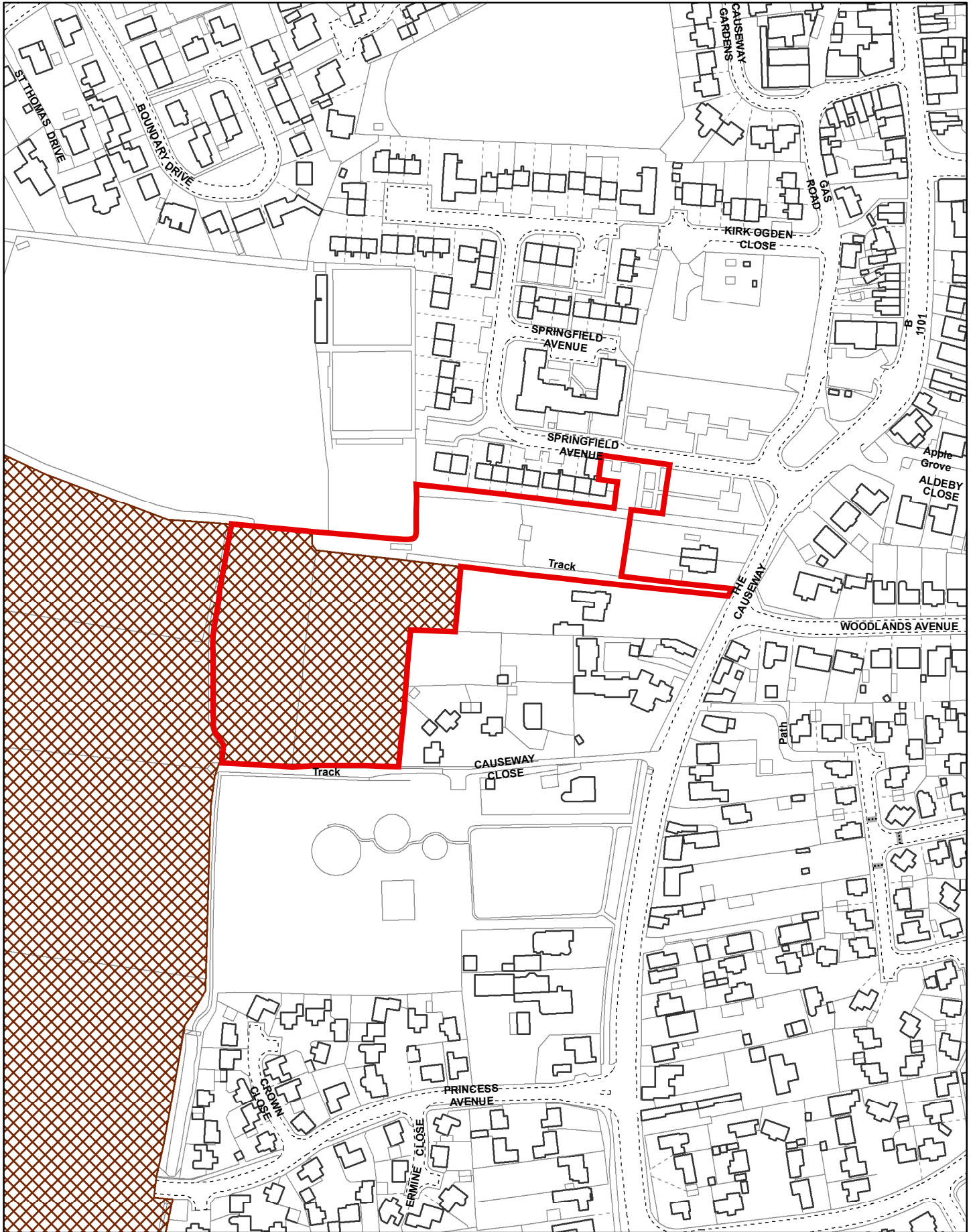
Refuse for the following reasons;

1. Policy LP7 of the Fenland Local Plan and Policy H1 of the March Neighbourhood Plan identifies the importance of planning and implementing Fenland's locations for growth in a co-ordinated way, through an overarching Broad Concept Plan (BCP) that is linked to the timely delivery of key infrastructure and states that with the exception of inconsequential very minor development, proposals for development within the growth locations which come forward prior to an agreed BCP will be refused.

The proposal comes forward without an agreed BCP and is not considered to be very minor or inconsequential to the wider site allocation with potential access and connectivity issues and potentially avoidable loss to valued biodiversity habitat. As such the proposal conflicts with Policy LP7 and LP9 of the Fenland Local Plan (2014) and H1 of the March Neighbourhood Plan (2017) in respect of failing to provide an agreed BCP and failing to demonstrate that the development would not compromise the objectives of the West March Strategic Allocation.

2. Policy LP5 requires development of 10 or more units to secure affordable dwellings or in exceptional circumstances, financial contributions towards such provision. Policy LP19 requires development to offset biodiversity harm which in this case should be via financial compensation to invest on off-site biodiversity enhancement projects.

Notwithstanding refusal reason 1, a planning obligation to ensure the provision of affordable housing and biodiversity compensation has not been agreed and completed with the Local Planning Authority. In the absence of such an obligation, the development is contrary to Policies LP5 and LP19 of the Fenland Local Plan (2014).



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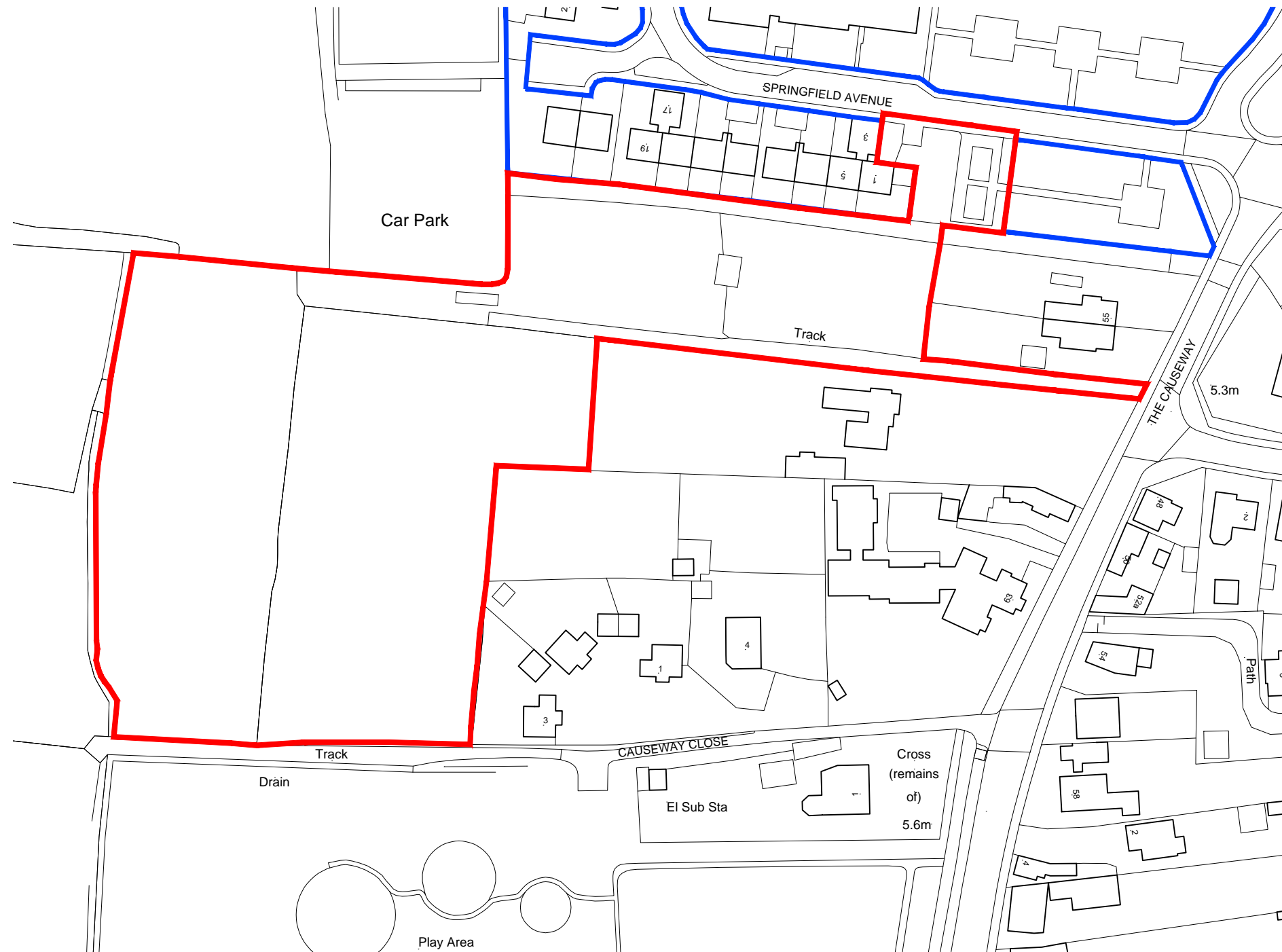
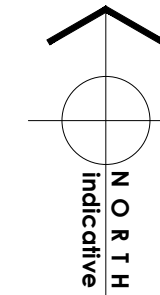
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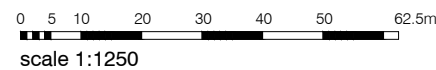
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### Location Plan



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Job Title

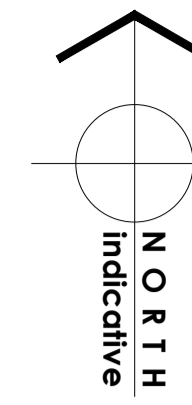
Proposed Development of 40 Dwellings  
Land Off Springfield Avenue March  
for Clarion Housing Group

Drawing Title

Planning Submission  
Location Plan

Date	Scale	Drwn	Dwg. No.	Rev.
Nov 2018	1:1250@A3	PD	CA.790.P01	





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Development Summary - Affordable			
Plot no.	Type	m <sup>2</sup>	Quantity (nr.)
9,10,15,16	1 Bed (2 p) maisonette	51.5 / 61	4
11-14	2 Bed (3 p) maisonette	61.6 / 75.9	4
17,18	2 Bed (4 person) house	79	2
6,7,19-24,26-35	2 Bed (4 person)	79.3	18
1,8,25,36	3 Bed (5 person) detached	93.8	4
2,5,37-40	3 Bed (5 person) semi	93.8	8
			<b>Total 40 dwellings</b>

Site Area 1.6 Ha  
 Density 25 dwellings per hectare  
 Affordable 100%



Key Plan

- 1 Bed (2 p) maisonette
- 2 Bed (3 p) maisonette
- 2 Bed (4 person) house - version 1 - Plots 6,7,28-31,34,35
- 2 Bed (4 person) house - version 2 - Plots 17,18,32,33
- 2 Bed (4 person) - version 3 - 19-24,26,27
- 3 Bed (5 person) detached
- 3 Bed (5 person) semi

Block Plan  
 scale 1:500

Revisions		
Suffix	Date	Amendments
A	06.02.19	Highway updates
B	13.03.19	General amendments to Site.

Status **PLANNING SUBMISSION**

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 Land Off Springfield Avenue March  
 for Clarion Housing Group**

Drawing Title  
**Planning Submission  
 Block Plan**

Date	Scale	Drwn	Dwg No.	Rev.
Sept 2018	1:500@A1	PD	CA.790.P02	B