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**F/YR24/0509/RM**

**Applicant: Mr George Wilkinson  
Allison Homes East**

**Agent :**

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

**Reserved Matters application relating to detailed matters appearance, landscaping, layout and scale pursuant to outline permission APP/D0515/W/23/3327578, relating to application F/YR22/0062/O to erect 110 x dwellings (3 x 1-bed flats, 3 x 2-bed flats, 32 x 2-storey 2-bed, 4 x 3-storey 3-bed, 55 x 2-storey 3-bed and 13 x 2-storey 4-bed)**

**Officer recommendation: Grant subject to conditions**

**Reason for Committee: Number of representations submitted which conflict with the Officer recommendation including March Town Council**

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**Government Planning Guarantee**

**Statutory Target Date For Determination: 17 September 2024**

**EOT in Place: Yes**

**EOT Expiry: 6th November 2024**

**Application Fee: £42,020**

**Risk Statement:** This application must be determined by 6<sup>th</sup> November 2024 otherwise it will be out of time and therefore negatively affect the performance figures and poses a risk to an appeal against non-determination of the application.

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**1 EXECUTIVE SUMMARY**

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| <p>1.1 Outline permission was granted on Appeal on the 31<sup>st</sup> January 2024 for up to 110 dwellings subject to conditions and a Section 106 agreement. Thus, the principle of the development is not a matter for consideration in this application.</p> <p>1.2 This application seeks approval of details of appearance, landscaping, layout and scale only. Certain elements of the layout were formulated as part of the outline permission.</p> <p>1.3 As well the reserved matters, two of the conditions attached to the Appeal decision require the submission of further details to be submitted concurrently with the submission of reserved matters as required by the first condition. These being in relation to external lighting (including Light Impact Assessment) and regarding details of a non-vehicular access for emergency services separate from the access off Upwell Road .</p> <p>1.4 Through amendments the original details submitted, it is considered the application proposes a policy compliant scheme in relation to the reserved matters under consideration</p> |
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1.5 The recommendation is therefore to grant approval of reserved matters subject to conditions. Conditions 6 and 16 can also be discharged as the details submitted are also considered to be acceptable.

## **2 SITE DESCRIPTION**

- 2.1 The site is approximately 3.9 hectares located on the south-eastern side of March to the south of Upwell Road and the dwellings fronting this. It is a flat agricultural field with some hedgerows and trees existing on the site boundaries. Residential areas of Cavalry Drive, Clydesdale Close and Cleveland Bay form the site's western boundary alongside the permissive footpath (Woodman's Way) which links to a Public Right of Way (156/8) located along the site's southern border. Cavalry Primary School is located approximately 400 meters from the site. The nearest bus stop is approximately 400 metres away.
- 2.2 The site is located with Flood Zone 1.

## **3 PROPOSAL**

- 3.1 The planning application is submitted seeking approval of reserved matters in respect of appearance, layout, landscaping and scale pursuant to outline planning permission reference F/YR22/0062/O for the construction of 110 dwellings. Although the Parameters Plan submitted as part of the outline application was not approved, it established some fundamental principles which have been taken into account during the designing of the layout. This includes:
- The creation of a vehicular access off Upwell Road.
  - A 3 metre wide easement along the ditch forming the eastern boundary of the site
  - A surface water attenuation ponds located in the southeastern corner as this is the lowest point of the site.
  - Open frontage into the site off Upwell Road.
  - Play space provision
  - Outward-facing properties along the southern boundary.
  - Public footpath provision along the southern boundary.
- 3.2 The layout has built upon the principles established in the Parameters Plan, with a main primary road coming down from Upwell Road off which are a number of secondary streets and driveways. The proposed layout including areas of open space throughout, including an open frontage coming into the site with dwellings looking onto the public open space. The public open space on the west of the site includes a LEAP provision to allow for play space enhancements for this area of March.
- 3.3 Soft and Hard Landscaping plans have been submitted as part of this application, including:
- Strong front entrance with enhanced planting along the main primary road coming into site, with POS at the front allowing for an open site entrance;
  - Usage of street trees along the primary and secondary roads to enhance biodiversity and enhance the public realm;

- Attenuation pond planting to allow for biodiversity enhancements, as well as improving the outlook from nearby properties onto this area; and
- Frontage planting to include shrubs and ornamental planting to create a variation in the street scene through the use of a wide variety of species.

- 3.4 As regards connectivity to the wider area, the Bridleway will be improved along the western boundary running north to south, along with the PRoW running west to east along the southern boundary of the site, inside of the application boundary. A sum has been secured in the Section 106 agreement for Bridleway improvements along the western boundary, with the PRoW along the southern boundary improved as part of this application which links to a footpath joining Cavalry Drive to the west and with the wider countryside to the east. Footpath connectivity throughout the site is provided by the primary street, allowing for safe walking routes to the LEAP provided on site, along with further connectivity to the public footpaths.
- 3.5 As secured by the Section 106 agreement, the site is to provide 20% affordable units, split 70:30 in favour of affordable rent. On the site the layout shows, 7 shared ownership units are provided, along with 15 affordable rented units, and therefore, the scheme is in compliance with the parameters established in the Section 106. A variety of dwelling sizes is proposed, with 14% being 1 beds, 27% being 2 beds, 45% being 3 beds, and 14% being 4 bed units on site. All house types meet or exceed Nationally Described Space Standards (NDSS). Affordable units are pepper-potted around the development to avoid large affordable clusters.
- 3.6 With regard to open market properties, there would be 88 in total, comprising: 3% of 1 Bed; 33% of 2 Bed; 53% of 3 Bed 11% of 4+ Bed. The applicant states that the mix has been influenced from local market demand based on sales and interest in nearby developments. Most properties are 2-storey, with some 2 ½ storey being used.
- 3.7 The materials are detailed in drawings and propose to use three types of bricks to be used for different properties across the site. Roofing would be provided as either red or grey tiles. There would be a variety of house types provided and within the scheme mixed although that there is a consistency of appearance across the scheme within the range of materials. Sustainability features include electric charging points as well as solar panels in all plots.
- 3.8 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

## 4 SITE PLANNING HISTORY

4.1

Reference	Description	Decision
F/YR22/0062/O	Erect up to 110no dwellings (outline application with matters committed in respect of access)   Land South Of 73-81 Upwell Road March Cambridgeshire.	Refused 22.06.2023. Allowed on Appeal dated 31.01.2024 (APP/D0515/W/23/3327578)

## **5 CONSULTATIONS**

### **5.1 March Town Council - 17.09.2024 - latest response**

*Recommendation; Refusal – The Town Council considers that in terms of layout, the provision for emergency access is wholly inadequate for this development.*

#### **20.08.2024 - reconsultation response**

*Recommendation Refusal - The applicant has failed to address/comply with at least 6 conditions within the Planning Inspectorate's decision; namely, 6(b) (lighting), 19 (ground levels), 26 (assessment in accordance with the National Design Guide), 27 (landscaping layout) and, crucially, 21 (layout to include access for emergency vehicles). There is no emergency access provided for.*

#### **02.07.2024 - initial response**

*Recommendation: Refusal – the developer has not submitted documents/information required by the Planning Inspectorate.*

### **5.2 CCC Historic Environment Team - 19.08.2024 - latest response**

*We have reviewed the amended documentation and can confirm they do not alter the advice given by this office previously. Namely that we would advise that the archaeological work should be undertaken as secured by the archaeological condition applied (15) applied to outline application (F/YR22/0062/O) following appeal (reference APP/D0515/W/23/3327578). We therefore have no further comment or recommendation for the application.*

#### **27.11.2023 - initial response**

*We have reviewed the application and would advise that advised the archaeological work should be undertaken as secured by the archaeological condition applied (15) applied to outline application (F/YR22/0062/O) following appeal (reference APP/D0515/W/23/3327578). We therefore have no further comment or recommendation for the application.*

### **5.3 FDC Environmental Health Team 29.08.2024 - latest response**

*The Environmental Health Team note and accept the information submitted in respect of the above re-consultation and have 'No Objections' to the latest content.*

#### **03.07.2024 - initial response**

*The Environmental Health Team note and accept the submitted information in respect of the above reserved matters application and have 'No Objections' to the proposals.*

### **5.4 Designing Out Crime Officer 21.08.2024 - latest response**

*I have viewed the documents and note the changes, however I do have the following comments.*

*Lighting: - The lighting appears acceptable; however, I do have concerns that there is limited/no coverage of the following plots/parking.....Plot 1/2, 33/34, 46/47, 66-72, and 94-97.*

*Boundary Treatments: - Plot 4, 7 and 109, fence/wall should be dropped to 1.5m with 300mm trellis above, as there is limited surveillance over private vehicles. Plot 4/5 – the plan doesn't show a gate providing access to plot 5/6.*

*Attenuation pond – What are the proposals to enclose the pond?*

*Gable Ends: - I have concerns on the following plots 4 and 109, there are what appear to be gable ends with small or no windows, having viewed the layout I have*

*concerns that these plots provide no/limited surveillance, I would recommend that windows are installed on these two properties within active rooms to improve the surveillance.*

*Pumping Station: - Having viewed the details for the pumping station and security This appears to be acceptable, I would ask that the gates are fitted with a keypad lock for staff access.*

*I would encourage the applicant considers submitting a “Secured by Design” (SBD) residential 2024 application as I believe this development could attain accreditation with consultation.*

*I currently have no other comments.*

#### **27.06.2024 - initial response**

*This appears to be a well thought out development, where in the main security and safety appears to have been considered. Having viewed the documents I note my previous comments dated 11th February 2022 some of which still stand, relating to sheds/cycle storage if being provided also the below concerns regarding lighting and gates to rear footpaths mid terraced houses.*

*Advice then set out on lighting and gates arrangements then given in detail.*

#### **5.5 Cambridgeshire Fire and Rescue Service 08.07.2024 - initial response**

*With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition. The position of fire hydrants are generally agreed upon when the Water Authority submits plans to: Water & Planning Manager Community Fire Safety Group*

*Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.*

*The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the “National Guidance Document on the Provision of Water for Fire Fighting” 3rd Edition, published January 2007.*

*Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.*

#### **5.6 Anglian Water 06.09.2024 - latest response**

##### **ASSETS**

##### **Section 1 - Assets Affected**

*There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.*

*Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of*

*apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.*

## **WASTEWATER SERVICES**

### **Section 2 - Wastewater Treatment**

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

*When assessing the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom we take an average flow over the past 5 years to take account of changing weather patterns. Where the average exceeds the WRC's permitted allowance, we also take account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" – this must include non-compliance from the last annual data return. Based on the above assessment March WRC is within the acceptance parameters and can accommodate the flows from the proposed growth*

### **Section 3 - Used Water Network**

*We have reviewed the applicant's submitted Drainage Strategy Plan RACE-AH-UPM-ENG-002-PRELIMINARY DRAINAGE STRATEGY- REV D and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage.*

### **Section 4 - Surface Water Disposal**

*The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.*

*We have reviewed the applicant's submitted surface water drainage information Drainage Strategy Plan RACE-AH-UPM-ENG-002-PRELIMINARY DRAINAGE STRATEGY- REV D and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.*

### **17.09.2024 - initial response**

*Same response as latest response reproduced above.*

### **5.7 CCC Local Lead Flood Authority 28.08.2024 - latest response**

*We have reviewed the following documents:*

- *Technical Note – LLFA Comments, prepared by RACE, ref: RACE/ AH / URM / TN001, dated August 2024.*
- *Drainage Strategy Plan, prepared by RACE, ref: ENG\_002, rev: D, dated 13th August 2024.*
- *Proposed Pond Cross Section, prepared by RACE, ref: ENG\_300, rev: B, dated 13th August 2024.*
- *Level and Drainage Concept, prepared by RACE, ref: ENG\_010, rev: D, dated 13th August 2024.*

*Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the reserved matters application.*

*The applicant proposes to discharge to an ordinary watercourse at a rate of 4.1 l/s for all events up to a 1% Annual Exceedance Probability (AEP) storm event, with an appropriate allowance for climate change. Proposed SuDS include geo-cellular crates, permeable paving and an attenuation pond. The LLFA is supportive of the use of permeable paving as an addition to controlling the rate of surface water leaving the site as it also provides water quality treatment in particularly when discharging to a watercourse. The applicant has clarified that a 3.0m easement is provided along the existing ditch allowing a management company to have access for maintenance within the site boundary.*

A number of informatives are then set out in the response.

### **03.07.2024 - initial response**

State that at this time, the LLFA are unable to support approval of reserved matters and details these in their response.

### **5.8 CCC Highways Development Management 01.10.2024 - latest response Recommendation**

*On the basis of the information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable.*

#### **Comments**

*The revised layout as shown on the drawing 1353-004 E has addressed my previous comments. Provided that it is constructed in line with Cambridgeshire County Council's Housing Estate Road Construction Specification, the internal roads are in principle suitable for adoption.*

3 conditions are then recommended relating to Binder Course, Management of Estate Roads and Wheel Wash Facilities

### **03.09.2024 - initial response**

Response notes that whilst the Local Highway Authority consider the proposed development is acceptable, a number of points will need to be addressed if the applicant wishes to pursue adoption of the internal roads by Cambridgeshire County Council. The response notes that at present, the site will not be considered for adoption.

### **5.9 CCC Definitive Map Team – 22.08 2024 – latest response**

*Public Footpath, Number 8, March, runs along the southern boundary of the planning application site. In response to the Further details letter dated 13 August*

*2024, we would like to thank the applicant for highlighting Condition 11 from the Planning Inspectorate. Considering this, we withdraw our objection. Ideally, we would want planners to do what they can to increase connectivity and access to the public rights of way network for all non motorised users, including equestrians. As there is an intention to upgrade the footpath and change the surface, I would like to draw the applicant's attention to Cambridgeshire County Council's Change of Surface policy: Definitive Map and Statement.*

A number of informatives are then set out in the response.

#### **15.07.2024 - initial response**

*The Definitive Map team objects to the proposed development on the following grounds: In the plans, the section of Public Footpath, Number 8, March as it runs along the southern boundary is designated to be upgraded to a shared use path. A "shared use path" is not a classification of Public Right of Way. We would request that the route is designated as a Public Bridleway which would allow pedestrians, cyclists, and equestrians to use the route. This would provide connectivity between the Woodmans' Way permissive footpath as it runs along the western boundary, and which according to the plans is to be upgraded to a bridleway, and Public Byway, Number 24, March. We warmly welcome and support the proposed upgrade of Woodmans' Way.*

#### **5.10 FDC Environmental Services Operations Manager – 26.06.2024 - initial response**

*In broad principal we have no objection to this development however the following points would need addressing:*

*- From the plans and design statement the extent of the roadways to be adopted is not clear. Should access be required onto unadopted roads, these would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from landowners or future management company against any potential damage to the road surface etc. which may be caused during vehicle operations.*

*- Shared Bin collection point for plots 1-4 (BCP 1) would need to be within 10m of the public highway so requires moving. All other shared bin collection points for properties served by private access driveways are OK.*

*- Swept path plan indicates vehicle could access and turn on site without issue. - New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.*

*- Refuse and recycling bins will be required to be provided as an integral part of the development.*

#### **5.11 FDC Housing Strategy & Enabling Officer – 23.07.2024 - initial response**

Confirm that they are happy with the proposed mix of tenure and dwelling sizes as this meets what was requested at outline stage under F/YR22/0062/O and reflects the local demand on the housing register.

#### **5.12 FDC appointed Consultant Tree Officer – latest response – 10.09.2024**

*I have no objections with the amendments.*

#### **17.08.2024 - initial response**



*I suggest some minor changes to the landscape plans are made to consider the following to prevent future conflict and ensure trees are not removed or harshly pruned by residents:*

*Adjacent to plot 61 & 81 it shows a Gleditsia tree to be planted, the growth potential of this tree could become unsuitable for this location, so an alternative species with a more compact crown habit would be more suitable. The location of tree species in relation to their growth potential and future management needs to be considered to ensure they do not become a problem for future residents where harsh pruning or removal could occur.*

*A number of locations show Malus Tribulata e.g. adjacent to parking space 52 & 59, the fruit drop from these trees could present a slip hazard and nuisance resulting in removal of the trees by future residents. An alternative species which does not produce fruits would be more suitable in areas where canopies will overhang paths, drives etc. Trees with fruits are more suitable to areas where when they drop they fall on grass or flower beds where this nuisance is less likely to become an issue.*

*Around the play area there is space where a couple of trees such as Beech, Hornbeam and Oak could be installed, where they have the space to develop unhindered and become future landscape features where minimal management would be required. The species shown in this location is mainly ornamental tree species which have growth potentials and limited life expectancies, to offer more long term and wider visual amenity. Other locations where longer lived trees that have growth potentials to be large, prominent specimens with space to develop should be explored as well.*

#### **5.13 Natural England – 03.09.2024 - latest response**

*Natural England has no comments to make on this reserved matters application. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.*

*Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.*

*The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.*

#### **11.07.2024 - initial response**

*Same response as latest response reproduced above.*

#### **5.14 CCC Ecology Officer**

No response received despite several requests for comments to be made.

## 5.15 Local Residents/Interested Parties

### Objectors

16 responses have been received with the main concerns summarised are as follows:

- Loss of greenspace/agricultural land and impact on landscape;
- Flooding in area that will be made worse and foul drainage issues already exist;
- Increased congestion and highways safety concerns,
- Lack of existing infrastructure which is already at capacity and new required, such as schools, doctors, dentists,
- Overdevelopment, out of character of existing area, some buildings too high, no bungalows;
- Environmental impact from construction – noise and light pollution;
- Impact on wildlife including protected species; and
- Negative impact on house values.

## 6 STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the March Neighbourhood Plan (2017).

## 7 POLICY FRAMEWORK – please delete as appropriate

### 7.1 National Planning Policy Framework (NPPF)

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed and beautiful places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 17 – Facilitating the sustainable use of minerals

### 7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

### 7.3 National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources  
Lifespan

#### 7.4 **Fenland Local Plan 2014**

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP4 – Housing
- LP5 – Meeting Housing Need I
- LP7 – Urban Extensions
- LP9 – March
- LP12 – Rural Areas Development Policy
- LP13 – Supporting and Managing the Impact of a Growing District
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP17 – Community Safety
- LP18 – The Historic Environment
- LP19 – The Natural Environment

#### 7.5 **March Neighbourhood Plan 2017**

- H1 – Large Development Sites
- H2 – Windfall Development
- H3 – Local Housing Need
- TC1 – Primary Shopping Frontages
- TC2 – Regeneration Sites
- OS1 – Open Space

#### 7.6 **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

- Policy 5 - Mineral Safeguarding Areas
- Policy 10 - Waste Management Areas (WMAs)
- Policy 14 - Waste management needs arising from residential and commercial Development
- Policy 16: - Consultation Areas (CAS)

#### 7.7 **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

- DM2 – Natural Features and Landscaping Schemes
- DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
- DM4 – Waste and Recycling Facilities
- DM6 – Mitigating Against Harmful Effects

#### 7.8 **Developer Contributions SPD 2015**

#### 7.9 **Cambridgeshire Flood and Water SPD 2016**

#### 7.10 **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance

with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP4: Securing Fenland's Future  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP11: Community Safety  
LP18: Development in the Countryside  
LP19: Strategic Infrastructure  
LP20: Accessibility and Transport  
LP21: Public Rights of Way  
LP22: Parking Provision  
LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP27: Trees and Planting  
LP28: Landscape  
LP29: Green Infrastructure  
LP30: Local Green Spaces and Other Existing Open Spaces  
LP31: Open Space and Recreational Facilities  
LP32: Flood and Water Management  
LP34: Air Quality

## **8 KEY ISSUES**

- **Principle of Development**
- **Consideration of the Layout of the proposals**
- **Consideration of the Scale of the proposals**
- **Consideration of the Appearance of the proposals**
- **Consideration of the Landscaping of the proposals**
- **Other conditions required to be submitted concurrently with the reserved matters**
- **Biodiversity Net Gain (BNG)**

## **9 BACKGROUND**

- 9.1 The outline planning application was allowed on appeal on the 31<sup>st</sup> January 2024 and the decision was subject to 19 planning conditions, the first of which requires that details of the appearance, landscaping, layout, and scale, (called "the reserved matters") should be submitted to and approved in writing by the Local Planning Authority.
- 9.2 Two further conditions require the submission of further details to be submitted concurrently with the submission of reserved matters as required by the first condition. The first relevant condition is number 6, where a scheme for the provision of external lighting together with a light impact assessment is required. The second is condition number 16, where details of a non-vehicular access for emergency services separate from the access off Upwell Road are also required.
- 9.3 The remaining conditions attached to the outline consent are a mixture of those requiring further details for approval – to be considered outside of this reserved matters application and relate to the following:

- Condition 4 – Construction Management Plan
- Condition 8 - Design and management and maintenance strategy of the surface water drainage of the site
- Condition 9 - Measures to avoid surface water during construction
- Condition 11 - Rights of Way upgrade details
- Condition 12 - Off site highways improvement details
- Condition 15 – Programme of archaeological works
- Condition 17 – Noise mitigation scheme relating to properties on Upwell Road
- Condition 18 – Travel Plan submission
- Condition 19 - Construction Environmental Management Plan

9.4 These details would be expected to come forward in due course, post approval of the reserved matters. The only conditions which can be imposed when a reserved matters application is approved, are conditions which directly relate to those reserved matters. Conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted.

9.5 Following the comments made on the original plans and details as submitted during the initial consultation period, further updates, revisions and information have been supplied from the applicant. These form the basis of the application details under consideration in this report.

## **10 ASSESSMENT**

### **Principle of Development**

10.1 The principle of a residential development for up to 110 dwellings was established under the outline permission F/YR22/0062/O which was allowed on Appeal on the 31<sup>st</sup> January 2024. The outline permission also approved the detailed vehicular access into the site from Upwell Road to the north.

10.2 The outline application assessed the transport impacts of the development for up to 110 dwellings and was considered to be acceptable by the Planning Inspector, subject to conditions. Furthermore, the Inspector reported that other matters relating to infrastructure provision, visual impact and the loss of agricultural land, flooding and foul water provision as well as the living conditions of occupiers were all considered to be satisfactory, subject to conditions.

10.3 As such, whilst the concerns raised by some residents through this reserved matters submission are noted, many of these matters were explored at the outline stage and found to be acceptable or not material in the decision made by the Planning Inspector. As such, it is not appropriate to re-visit the principle of development. This application seeks to agree the reserved matters relating to the development in more detail regarding layout, scale, appearance and landscaping with many other matters such as drainage, for example, still to be dealt with by details to be submitted via conditions.

### **Consideration of the Layout of the proposals**

10.4 The definition of 'Layout' means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. The application as

submitted and revised includes the following drawings and documents relating to the Layout of the site:

- Layout Plan;
- Public Open Space Landscaping and Play Area plans;
- Parking Statement;
- Electric charging points Plan;
- Connectivity Plan;
- Design Compliance document,
- Building Healthy Life Assessment
- Refuse Plan
- Non vehicular Emergency Access Plan
- Existing and proposed levels and final floor level plan; and
- Highways General Arrangement Drawings.

- 10.5 Although the Parameters Plan submitted as part of the outline planning application was not an approved Plan as part of the Appeal decision, it nevertheless established some fundamental principles which have been taken into account during the designing of the layout. This included:
- The creation of a vehicular access off Upwell Road.
  - A 3 metre wide easement along the ditch forming the eastern boundary of the site
  - A surface water attenuation ponds located in the southeastern corner as this is the lowest point of the site.
  - Open frontage into the site off Upwell Road.
  - Play space provision
  - Outward-facing properties along the southern boundary.
  - Public footpath provision along the southern boundary.
- 10.6 The layout has built upon the principles described above which results in a blended mix of 1, 2, 3, and 4-bed properties on site, with all properties meeting 100% NDSS. Affordable units are pepper-potted around the development to avoid large affordable clusters.
- 10.7 Access to the proposed properties would be via a main primary road coming down from Upwell Road off which are a number of secondary streets and driveways. The primary street has street trees where possible, with shared surfaces having different materials and therefore distinguishing the difference between the road and streets on the development. The inclusion of shared surfaces with block paving around the site, balancing the movement of vehicles and pedestrians around the site. This encourages the shared use of roads and slower moving traffic. The Local Highways Authority raise no objection to the proposed layout and comment that the internal roads are in principle suitable for adoption.
- 10.8 Dual elevation units are also placed on street corners to address multiple viewing aspects and overall, the Designing Out Crime Officer does not object to the proposals and initial comments have been incorporated into updated plans. Notwithstanding this, the Officer recommends a few other design features which require attention, and these can be secured via condition.
- 10.9 Tandem parking is used along the majority of the main primary street, allowing for a strong frontage that is not dominated by frontage parking. Car parking is in compliance with Fenland Parking Guidance, with 1 beds having 1 space, 2 & 3 beds have 2 spaces, and 4 beds having 3 spaces. Plots are also set back slightly further, allowing for more room for threshold planting to the front of plots.

- 10.10 Waste/bin storage are located in the rear gardens and will be presented during collection times. Although slightly more inconvenient for owners, this is not an unacceptable arrangement, is less unsightly and avoids a reduction in the size of the plot frontages. The location of the bins have been revised to account for the comment made by FDC Environmental Services.
- 10.11 The Layout show the proposals including pockets of open space including an area as the primary street comes into the site and an area on the western side in the middle of the site as well other open areas around the attenuation pond. With regards to all these areas the front elevation of proposed dwellings look out over them, thus allowing a positive degree of surveillance that would assist in making these areas appear safer and reduce the likelihood of anti social activities. The public open space in the middle of the site includes a LEAP provision of 405 square metres, well above the required level of provision in the Local Plan to allow for play provision enhancements for this area of March. It is positioned so all residents can access it, as well as existing residents off Cavalry Drive.
- 10.12 In respect of connectivity, the Bridleway will be improved along the western boundary running north to south, along with the PRoW running west to east along the southern boundary. A financial contribution has been secured in the Section 106 agreement for Bridleway improvements along the western boundary, with the PRoW along the southern boundary improved as part of this Reserved Matters application. A 3m footpath formalises the currently trodden footpath and joins Cavalry Drive with the wider countryside to the east. Footpath connectivity throughout the site is provided by the primary street, allowing for safe walking routes to the LEAP provided on site, along with further connectivity to the public footpaths.
- 10.13 Overall, the aspects relating to 'Layout' within the development are considered to be acceptable and accords with Policy LP16 of the Local Plan and Policy H2 of the March Neighbourhood Plan.

### **Consideration of the Scale of the proposals**

- 10.14 The definition of 'Scale' means the height, width and length of each building proposed within the development in relation to its surroundings. The application as submitted and revised includes the following drawings and documents relating to the Scale of the proposed buildings:
- Storey Heights Plan;
  - House type and elevation plans, sub station and pumping station plans;
  - Existing and proposed levels and final floor level plan; and
  - Design Compliance document.
- 10.15 All but four properties are 2-storey in height, and whilst there are a number of single storey bungalows in the surrounding area there are 2-storey dwellings on Upwell Road to the north and Cavalry Drive to the west. Therefore, 2-storey dwellings are in scale with the existing properties in the vicinity of the site. A pair of the 2 ½ storey dwellings are located on a key vistas when entering the site from Upwell Road to enhance the street scene. The other pair of 2 ½ storey dwellings are located towards the centre of the site to reduce amenity impact on nearby residents along Cavalry Drive. On this basis the minimal inclusion of 2 ½ storey dwellings is considered acceptable and introduces a subtle variance to the majority of 2 storey dwellings. The width and length of the dwellings result in shaped rectangular dwellings of a size that would be expected for the various bedrooms each property has. In conclusion, the development is not anticipated to result in any severe amenity

impacts on existing residents and would provide a high standard of amenity for future occupiers. Overall, the aspects relating to 'Scale' within the development in relation to its surroundings and the layout are considered to be acceptable and accord with Policy LP16 of the Local Plan and Policy H2 of the March Neighbourhood Plan.

### **Consideration of the Appearance of the proposals**

- 10.16 The definition of 'Appearance' means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. The application as submitted and revised includes the following drawings and documents relating to the Appearance of the proposals:
- House type and elevation plans, sub-station and pumping station plans;
  - Materials Plan;
  - Materials Statement;
  - Lighting Plan;
  - Surfacing Plan; and
  - Design Compliance document.
- 10.17 The plans provided illustrate that would be a variety of house types provided but with some commonality of appearance across the scheme to ensure that a sense of place is established.
- 10.18 The materials proposed are detailed in the Materials Plan showing three types of bricks to be used for different properties across the site. Roofing would be provided in a rustic or light grey colour. Materials and house types are reflective of local character on new build developments throughout March. The mixture of bricks would replicate the local character on Upwell Road and Cavalry Drive.
- 10.19 Windows on site will be of a traditional white colour to blend in with the local characteristics of east March, creating a more traditional looking new build. Horizontal bars will be used on all properties to enhance the detailing of the windows to be in keeping with the local area. All front elevational windows will have brick cills and headers to treat the elevations. This adds detailing whilst being subtle through providing the cills and headers in the same/similar coloured brick.
- 10.20 It is considered that the materials proposed are suitable for the dwellings proposed in this locality and therefore the aspects relating to 'Appearance' within the development are considered to be acceptable and accord with Policy LP16 of the Local Plan. and Policy H2 of the March Neighbourhood Plan.

### **Consideration of the Landscaping of the proposals**

- 10.21 The definition of 'Landscaping' means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated. The application as submitted and revised includes the following drawings and documents relating to the Landscaping of the land:
- Public Open Space Landscaping Plans;
  - Landscape and Ecological Management Plan;
  - Boundaries Plan;
  - Surfacing Plan;
  - Existing and proposed levels and final floor level plan; and
  - Design Compliance document.



- 10.22 As an agricultural field, the site has limited landscaping features but does have large trees/hedgerows along the western boundary which are to be retained and enhanced through the landscaping scheme. The landscaping scheme has been developed to provide a wide variety of habitats for a range of flora and fauna and includes planting details for the areas of open space and the attenuation feature showing the provision of trees, specimen shrubs, hedgerows planting, other shrubs as turf and grassland seeding. The planting details have been updated following comments of the Tree consultant who has reviewed them. A Landscape & Ecological Management Plan has been prepared and this document provides a comprehensive schedule of maintenance for annual operations and long-term management plan for the proposed open spaces.
- 10.23 The primary street has a number street trees, with shared surfaces having different materials and therefore distinguishing the difference between the road and streets within the development. Defensible threshold planting has been included to the front of plots, with a variety of species of planting. Larger front gardens along the primary road allow for residents to personalise the front of their homes.
- 10.24 A mixture of close-board fencing, brick walls, and metal estate railing are proposed throughout the site. This now includes brick walls along the primary street where fencing would have been too exposed. The brick walls will match the adjoining property to allow for continuity in the street scene. Close-board fencing separates properties and provides security for future residents. Minimal fencing will be seen from the street scene along the primary street, and most private drives abutting open space have been separated using 1.2m metal estate railing.
- 10.25 The proposed land levels broadly reflect the existing ground levels in order to facilitate the layout proposed. A retaining wall ranging between 0.5 and 1.5 metres is proposed along the edge of the properties next to the 3 metre drainage easement strip where ground levels begin to fall away towards the ditch that will allow that strip to be traversed for its intended purpose.
- 10.26 Overall, the It is considered that the details submitted protect and enhance the amenities of the site and the area in which it is situated and therefore the aspects relating to 'Landscape' within the development are considered to be acceptable and accord with Policy LP16 of the Local Plan and Policy H2 of the March Neighbourhood Plan.

**Other conditions required to be submitted concurrently with the reserved matters**

- 10.27 Two of the conditions attached to the Appeal permission require the submission of further details to be submitted concurrently with the submission of reserved matters as required by the first condition. The first relevant condition is number 6, where a scheme for the provision of external lighting together with a light impact assessment is required. In this respect the required details have been submitted as part of the application. In the absence of comments from the County Council's Ecologist it is considered that the assessment report has been undertaken by a specialist consultant who is a Member of the Institution of Lighting Professionals and that the street lighting design has been undertaken in accordance with the standards and guidance documents expected of such an assessment. The assessment concludes that proposed street lighting has been designed to reduce any adverse impacts on the surrounding environment which could have been caused by poorly designed

lighting, as per recommendations of ILP Guidance Note 08/23: Bats and artificial lighting in the UK and, ILP Guidance Note 01/21: The Reduction of Obtrusive Light.

10.28 As such it is concluded that subject to the implementation of the design measures the proposed street lighting design, with a dark corridor being maintained across the western boundary (where bats were positively identified during the survey) can be discharged as part of this reserved matters application.

10.29 The other relevant condition (number 16), requires details of a non-vehicular access for emergency services separate from the access off Upwell Road. In this respect, a plan has been submitted showing a 2-metre wide tarmacked non-vehicular emergency access from the new footpath proposed within the site in the south western corner of this through to Cavalry Drive to the west of the site. The implementation of the works shown on this plan is considered to provide an adequate arrangement for non-vehicular access to the site for emergency services should the main access into the site from Upwell Road become unpassable in an emergency.

### **Biodiversity Net Gain (BNG)**

10.30 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

10.31 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required because the approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission).

## **11 CONCLUSIONS**

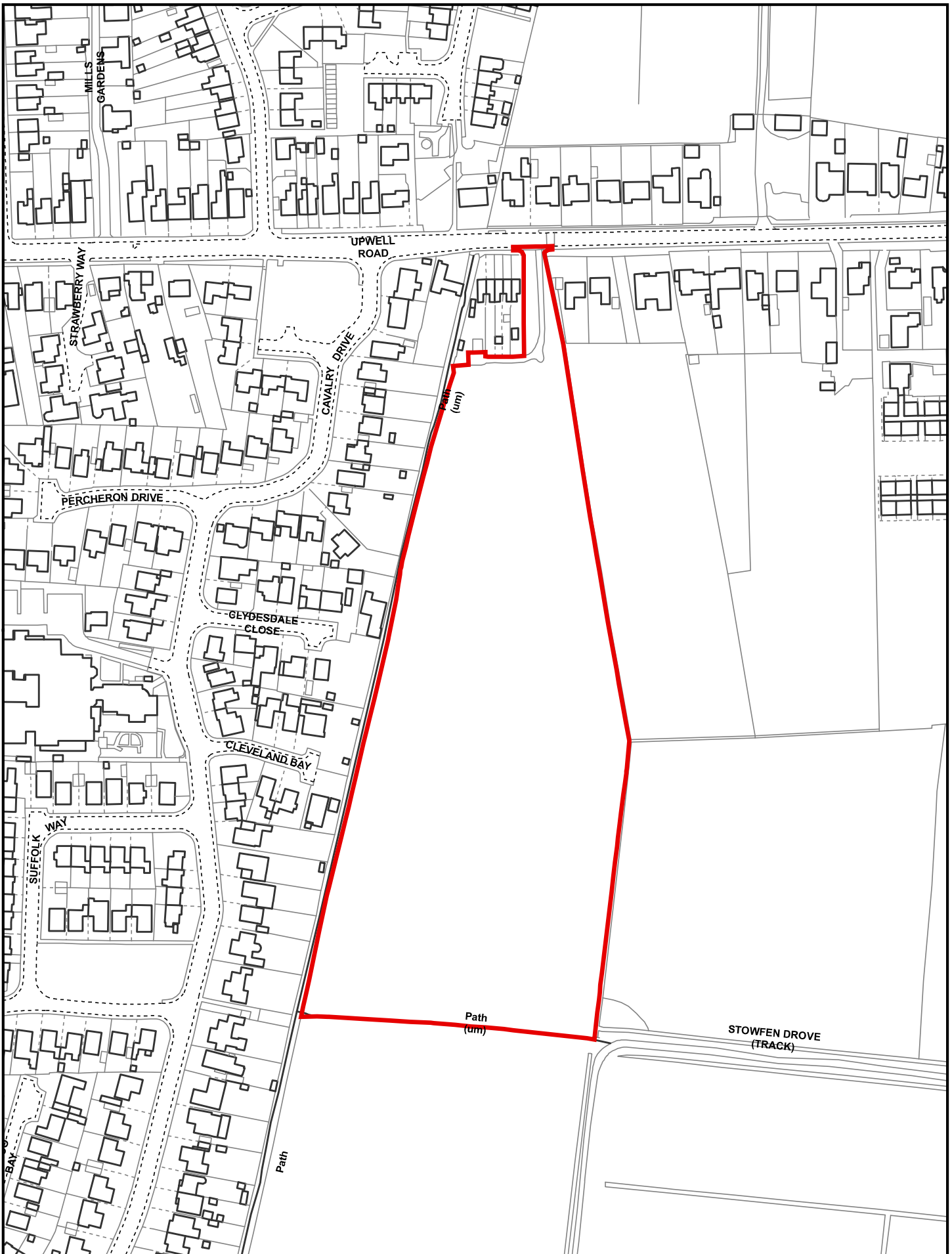
11.1 As set out within the above Assessment of key issues, it is considered that the submitted details in respect of the layout, scale, appearance and landscaping of the proposed development are acceptable and accord with adopted Local Plan Policies. The application is therefore recommended for approval subject to recommended conditions. Details required to be submitted in line with conditions 6 and 16 of the outline permission are also acceptable and therefore can also be approved as part of a decision.

## **12 RECOMMENDATION**

12.1 **Approve subject to the following conditions;**

1.	<ul style="list-style-type: none"><li>• Notwithstanding the plans submitted no development above slab level shall take place until further details in respect of securing appropriate surveillance and/ or crime prevention measures have been submitted to and approved in writing with the Local Planning Authority to in relating to the following:</li></ul>
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	<ul style="list-style-type: none"> <li>• Lighting at plots 1/2, 33/34, 46/47, 66-72, and 94-97;</li> <li>• Boundary treatment to plots 4-7 and 109; and</li> <li>• Gable end treatments of properties on plots 4 and 109.</li> </ul> <p>Details as approved shall thereafter be implemented as part of the development.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 and Policy LP17 of the Local Plan.</p>
2.	<p><i>Solar panels</i></p> <p>No development above slab level shall take place until details of the location, amount and type of solar panels to placed on the roof of each dwelling shall be submitted to and approved in writing with the Local Planning Authority and thereafter implemented prior to the occupation of each dwelling.</p> <p>Reason: To ensure the details of solar panels are delivered as put forward in the application in line with part A of Local Plan policy LP14 and in the interests of visual amenity in accordance with Policy LP16 of the same.</p>
3.	<p><i>Fire Hydrants</i></p> <p>No development above slab level shall take place until details for the provision of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any dwelling within the respective development phase is occupied.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>
4.	<p><i>Landscaping implementation</i></p> <p>All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
5.	<p><i>Approved plans and documents to be implemented</i></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents submitted with the application:</p>



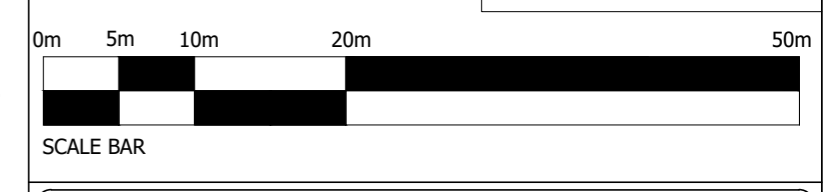
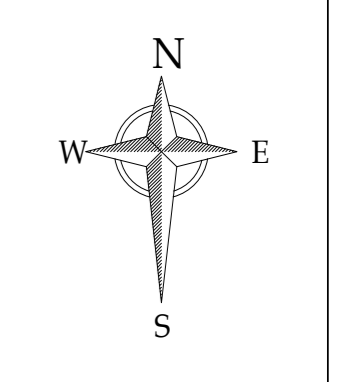
Created on: 21/06/2024

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**F/YR24/0509/RM**

Scale = 1:2,500





key

- SITE BOUNDARY
- - - EXISTING PROW
- R AFFORDABLE RENT
- SO SHARED OWNERSHIP
- INDICATIVE TREE PLANTING

house type schedule

Type	Beds	Storey	Size	No
S106				
AP1336	1	2	590sq.ft	3
AP1328	2	2	746	3
P855	2	2	855	3
P1001	3	2	1001	9
P1001C	3	2	1001	1
P1165	4	2	1165	3
TOTAL				22
PRIVATE				
P855	2	2	855	28
P1001	3	2	1001	35
P1001C	3	2	1001	7
C309	3	2.5	1116	4
C307	3	2	979.5	4
P1165	4	2	1165	10
TOTAL				88
GRAND TOTAL				110units
SITE GROSS AREA			3.9 ha	
NET AREA			2.87ha	
DENSITY			38dph	

Revisions:

Rev E: Build outs added to shared surface, ped vs plays added.	18.9.24
Rev D: Updated in line with Highway comments.	17.9.24
Rev C: Eastern drainage easement updated.	12.8.24
Rev B: Southern PROW widened to 3m.	8.8.24
Rev A: Attenuation area amended.	5.8.24

**NKW DESIGN**

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PROJECT: UPWELL ROAD, MARCH, CAMBS

TITLE: PLANNING LAYOUT

CLIENT: ALLISON HOMES EAST  
FLEET HOUSE  
CYGNET ROAD  
HAMPTON  
PETERBOROUGH  
PE7 8FD

SCALE: 1:500 @ A1    DATE: JULY 2024    DRAWN: NKW    REVISION: E

DRAWING NUMBER: 1353-004

4.1m

UPWELL ROAD

CAVALRY DRIVE

CLYDESDALE CLOSE

CLEVELAND BAY

ED & Ward Bdy

ED Sub Sta

81

85

87

68

TREE LINED ACCESS ROAD

Drain

Stow Fen

3m DRAINAGE EASEMENT

Drain

3m DRAINAGE EASEMENT

EXISTING GREENSPACE

ATTENUATION AREA

5.4

5.3

3.5

Path (um)

PUBLIC RIGHT OF WAY TO BE DIVERTED INTO SITE (3m wide)