

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Development and Conservation Control Committee	3 rd November 2004
AUTHOR/S:	Director of Development Services	

**S/1846/04/F - Longstanton
Resubmission- Balancing Pond and Scheme of Ditch Widening to serve Approved
Residential and Commercial Development, Land west of Longstanton for Persimmon
Homes (East Midlands) Ltd.**

Recommendation: Approval

Site and Proposal

1. The 2.3 hectare application site lies in the countryside to the north west of Longstanton adjacent to the C191 Gravel Bridge Road. The land is at present in agricultural use. There are no significant trees affected by the proposal.
2. The full application, received 2nd September 2004, proposes the construction of a surface water balancing pond to cater for run-off from the commercial and residential development envisaged in the Illustrative Master Plan for the land west of the High Street, and included as allocated land in the Inset No.67 (Longstanton) of the South Cambridgeshire Local Plan. The application site is outside the allocated land and is north of the consented village bypass. The pond is triangular in shape, with sides of approximately 170 metres length. It is intended to have a storage volume of 20,000 cubic metres.
3. This flow-balancing pond will accommodate flows within Longstanton Brook whilst Webb's Hole Sluice is closed during periods of high water levels in the River Great Ouse System. The application includes measures to regrade the existing ditch that extends to Longstanton High Street, in accordance with the consent issued by the Environment Agency.
4. The application conforms to the approach indicated in the previously agreed 'Statement on Principles of Storm Water Drainage, Development at Home Farm, Longstanton for Persimmon Homes East Midlands Ltd'. This statement has been accepted by South Cambridgeshire District Council, the Environment Agency and the Middle Level Commissioners.
5. The application is accompanied by landscaping proposals to the balancing pond, ecology statements including a water vole survey and an archaeological evaluation.
6. I have issued a screening opinion to the effect that the application is not required to be accompanied by a formal environmental impact assessment under the relevant regulations.

Planning History

7. A previous application for the balancing pond was withdrawn prior to determination because it infringed upon the protected line of a Cambridge Water Company main –

S/1379/04/F. The current application shows the pond resited to take account of this pipeline.

8. Outline planning permission **S/0682/95/O** for the provision of B1050 bypass, 21ha housing, 6.3ha business park, 2.8ha recreation area extension and related provision was granted 16th October 2000. The application was accompanied by an Illustrative Master Plan. Condition no.9 of the consent states: *'No development shall commence until a phased scheme for the disposal of foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority and no development shall take place other than in accordance with the approved scheme'*. Condition no.18 states, *'Within each phase none of the dwellings or business premises shall be occupied until the surface water drainage in accordance with details approved in accordance with condition 9 and required to serve that phase, shall have been constructed in accordance with such approved details'*. An informative attached to the permission states, *'Full details of surface water flow attenuation and associated storage areas will be required. Any designs should allow for an equivalent maximum discharge of 3 l/s/developed hectare within 1:100 year long and short duration storms being considered in terms of water volume produced'*.
9. S/1762/03/RM – 91 dwellings and ancillary works (Phase 1) approved 22.12.03
10. An appeal against refusal to vary Condition 16 of S/0682/95/O to allow the construction of more than 500 dwellings is pending. The outcome of the Public Inquiry held in October is awaited.
11. S/0845/04/RM and S/1429/04/RM: duplicate reserved matters applications for 103 dwellings on part of Phase 3 – in progress.
12. S/2069/04/RM – reserved matters application for 153 dwellings (Phase 2) following refusal of S/0696/04/RM for 200 dwellings by Members at the Development and Conservation Control Committee on 6th October 2004 – in progress.

Planning Policy

13. Cambridgeshire and Peterborough Structure Plan 2003: **Policy P6/4** (Drainage): new development will be expected to avoid exacerbating flood risk locally and elsewhere by utilising water retention areas or other forms of sustainable drainage systems for the disposal of surface water run-off.
14. South Cambridgeshire Local Plan 2004: **Policy CS5** (Flood Protection) – planning permission will not be granted for development where this is likely to increase flood risk in areas downstream due to additional surface water runoff, unless it is demonstrated that the effects can be overcome by appropriate alleviation and mitigation measures, and secured by planning conditions or planning obligation providing the necessary improvements which would not damage interests of nature conservation.
15. The proposal is designed to cater for surface water runoff from land allocated for residential and commercial development in the Inset Plan 67 (Longstanton) **Policies 1, 2 and 3**.

Consultation

16. **Longstanton Parish Council**- has made no recommendation on the proposal, but has commented that the scheme is adequate for Phase 1 Home Farm. For

subsequent phases, the Parish Council considers there to be a requirement to divert Longstanton Brook along the western edge of the proposed bypass.

17. **Bar Hill Parish Council** – recommends approval of the application.
18. **Over Parish Council** - makes no recommendation but comments on the prospect of more localised flooding. The Council assumes that research has been carried out that Swavesey drain will be able to cope with this increased flow.
19. **Willingham Parish Council** - makes no comment
20. **Environment Agency** – has confirmed that the works have been granted consent under the Land Drainage Act 1991, and are acceptable as part of the surface water drainage strategy for the full development of the Home Farm site. The Agency recommends that the works be completed prior to development to ensure no detriment to the local drainage regime. The Agency recommends that a suitable condition be imposed to require the provision of a management plan to ensure future maintenance of the facility.
21. **Middle Level Commissioners** – supports the application. Although the site is outside the Board's area, there are possible implications for flooding from the tributaries of Swavesey Drain. Agreement has been reached between the Commissioners, Environment Agency and the developers that the proposal relates to the current proposal for 500 houses at Home Farm, that the pond should be completed to its maximum dimensions and operational before development on Home Farm commences and not a phased construction to match the various development stages. It is essential that the developer should enter into a long-term management contract for maintenance of the balancing pond. The Commissioners state that, in the event of the appeal to increase the maximum permitted number of houses on the site succeeding, further negotiations between all parties concerning the drainage strategy would be required.
22. **Old West Internal Drainage Board** – no comments.
23. **Longstanton Residents for Dry Homes**- accepts that the proposals are sufficient to cater for Phase 1 of Home Farm, and would like approval of this application to be so restricted. With respect to future phases, LRDH wishes to be afforded the opportunity to comment on the drainage proposals of later phases of development, including stream diversion. If this is not possible, then LRDH would wish to object to the current proposal. LRDH considers that the brook should be diverted at the southern end of the B1050 bypass to flow along the western edge of the bypass, rejoining the existing brook at Home Farm. This is recommended as part of Phase 2 Home Farm, which should be a condition of any planning consent for that phase.
24. **Cambridge Water Company** – no objection to the resubmitted application. It is pleased that the pond has been off-set to avoid the line of its 12" cast iron water main.
25. **Ecology Officer** – is satisfied that the working procedures and design of the pond, and proposed planting are acceptable. He recommends a condition that the developer should provide monthly position updates to enable the Local Planning Authority to monitor the mitigation works.
26. **English Nature**- EN is satisfied that the proposed working methods for the balancing pond and ditch widening are appropriate to safeguard the presence of water voles on

this site. EN recommends that a condition be attached to any permission granted to ensure the works are implemented as proposed.

27. **County Archaeological Section** – has indicated that the Section is in discussion with the developers concerning the required extent of archaeological works. The Section recommends that a condition be attached to require the submission of a programme of archaeological investigation.
28. **Highways Agency** and **Local Highway Authority** – no comments.
29. **Council's Landscape Design Officer** has no objections.
30. **The Council's Land Drainage Manager**, commenting on the earlier withdrawn application (see Para 7 above), said:
 1. No fencing, hedging, buildings etc will be allowed within 5 metres of Council's main award drain.
 2. A maintenance contribution will be required from developers to cover enhanced maintenance to award drain for the future."

Representations

31. A resident of Longstanton has written to advise that the root cause of the flooding issue in the village is the sewer network that criss-crosses the High Street. The developer should be required to improve this network, rather than the cheaper option of a pond and ditch network. He predicts more flooding in the village as a result of the Home Farm development. A second resident, who lives adjacent to Longstanton Brook, is concerned at the extra water to be diverted to the brook. The sides are of clay and liable to subsidence after dredging. The brook is not well maintained and is quickly impeded with vegetation and litter. Particularly in the village the brook will need maintenance to keep the water flowing freely. It can quickly fill up and overflow its banks.

Planning Comments – Key Issues

32. The application has been brought to Members' attention in order to consider the views put forward by Longstanton Parish Council and Longstanton Residents for Dry Homes.
33. The main issue raised is whether the proposed works are sufficient to cater for the consented residential and commercial development pursuant to outline planning permission S/0682/95/O. This issue has been examined in detail by the developers, and their conclusions as set out in the 'Statement on Principles of Storm Water Drainage, Development at Home Farm, Longstanton for Persimmon Homes East Midlands Ltd (revision 1)' has received the agreement of this Council as a Drainage Authority, Environment Agency and Middle Level Commissioners.
34. The developers have pointed out that the balancing pond is intended to resolve drainage from the proposed development, which is downstream from issues identified by LRDH and local residents. They do not accept that the two issues should be linked, as none of the phases of the development will contribute to any problems upstream within Longstanton itself.

35. The statement on Principles of Storm Water Drainage makes it clear that the volume of storage available within the attenuation pond is equivalent to the maximum storm water discharge from a 100 year storm event for the whole of the Home Farm Development, arising over a period of three weeks. On that basis the Drainage Authorities have approved the scheme in compliance with condition 9 of the outline planning permission.
36. Moreover, the Environment Agency would wish to enter a Section 30 Agreement under the Anglian Water Authority Act 1977 with the landowner to ensure protection of the balancing system in perpetuity with the development.
37. The scheme does not rely on any diversion of Longstanton Brook. Permission therefore cannot be limited to Phase 1, Home Farm, only.

Recommendation

38. Subject to the prior completion of the necessary agreement with the Council, as Drainage Authority, in respect of a maintenance contribution, Approve subject to:

Conditions of Consent

1. Standard Condition A – Time limited permission (Reason A);
2. Prior to development commencing, details of means to provide long term management and maintenance of the balancing pond shall be submitted to and agreed by the Local Planning Authority in consultation with the Environment Agency and Middle Level Commissioners. (Rc - To ensure that the balancing pond continues to serve its purpose of flood attenuation in perpetuity.)
3. Sc52 – Implementation of landscaping (Rc52);
4. Subsequent to works commencing, monthly position updates shall be provided in writing to the Local Planning Authority concerning the ecological mitigation measures to be achieved in the balancing pond and ditch, in accordance with the submitted schemes of mitigation; (Rc In order to inform the Local Planning Authority of the progress of the ecological mitigation work.)
5. No development shall commence until a scheme for the provision of a programme of archaeological investigation has been submitted to and approved by the Local Planning Authority. The scheme shall be carried out in its approved form. (Rc 66)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: Policy P6/4** (Drainage);
 - **South Cambridgeshire Local Plan 2004: Policy CS5** (Flood Protection).

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
- surface water disposal
 - ecological impact
 - highway safety

Background Papers: the following background papers were used in the preparation of this report: Planning Applications S/0682/95/O and S/1846/04/F; Cambridgeshire and Peterborough Structure Plan 2003; and South Cambridgeshire Local Plan 2004.

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