

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Planning Committee

7 September 2011

**AUTHOR/S:** Executive Director (Operational Services) / Corporate Manager – Planning and New Communities

---

### CAMBOURNE – DRAINAGE AND UTTONS DROVE

#### **Purpose and Background**

1. This matter is being reported to the Planning Committee for the following reasons :
  - (a) Following assurances given to Full Council on 22 April 2010 the Planning Portfolio Holder said drainage matters would be kept under regular review by Members
  - (b) At the meeting of the Planning Committee in December 2010 , when the Committee resolved to give officers delegated authority to approve the outline application and grant planning permission for a further 950 units at Cambourne, the Committee said this was subject to “..reference back to Planning Committee to make sure it is satisfied that substantial resolution of drainage issues relating to Cambourne and a programme to upgrade Uttons Drove have been secured”.
2. A short Joint Statement from Anglian Water, MCA ,Taylor Wimpey and Bovis Homes is attached confirming a recommendation to the Planning Committee that delegated authority be given for the Planning Permission to be issued for the 950 dwellings without the need for any further works or reports back on drainage matters before the grant of the actual permission. Representatives from AW and MCA will give short presentations to confirm their support for the recommendation and will be available to answer questions.
3. In relation to upgrade of Uttons Drove, the form of a legal Agreement between the parties listed below is substantially agreed (and some final drafting points are currently being finalised) but it has been agreed by the parties that the final form of Agreement will be completed before or at the same time as completion of the section 106 Agreement and the issue of the planning permission for the 950 units.

The Environment Agency (EA)  
Anglian Water (AW)  
South Cambridgeshire District Council (SCDC)  
MCA Developments Limited (MCA)

The Agreement provides for the following;

- i) Requisite works to accomodate discharge of an additional 950 units at Cambourne will be carried out by the EA and SCDC.
- ii) The EA will appoint a contractor on or before 30 October 2011 and both SCDC and the EA shall each start their respective works on or before 31

November 2011 and each shall use reasonable endeavours to complete their works by 1<sup>st</sup> August 2012

iii) The cost of the works will be paid to the EA and SCDC for their respective parts of the works and the form of Agreement provides for costs to be paid for by AW and MCA

iv) SCDC will be paid a commuted sum to cover future maintenance of the SCDC element of works and SCDC will be responsible for future maintenance in such regard

iv) the EA will be responsible for future maintenance of the EA element of works and AW will be responsible for payment to the EA of the EA's costs reasonably incurred in future maintenance in such regard

4. The downstream section of the Swavesey Main Drain is designated "main river" pursuant to the Water Resources Act 1991 and is regulated by the EA. The upstream section of the Swavesey Main Drain is an ordinary watercourse and is regulated by SCDC pursuant to the Land Drainage Act 1991 and the Floods and Water Management Act 2010. The EA has assured SCDC that as the relevant statutory body it is satisfied that the works will reduce flood risk from the Swavesey Drain system.
5. The EA and SCDC have the requisite powers, if necessary, to carry out and complete the works but the EA are currently liaising with individual landowners so as to avoid having to use their requisite powers if matters can proceed by negotiation.
6. The EA have said they are satisfied that they are able to address points raised by the Swavesey Internal Drainage Board (SITB) and that the works proposed by the EA should not be delayed because the SITB might have preferred an alternative arrangement. The EA will give a short presentation to confirm their support for the Uttons Drove works and an EA representative will be available to answer questions.

**Recommendation:**

7. If the forms of presentation on Drainage and Uttons Drove are satisfactory to the Planning Committee it is recommended that the Committee confirm delegated authority for the planning permission to be issued without further reference back to the Committee on these matters.

**Contact Officer:** Stephen Reid – Planning Lawyer, telephone: (01954) 713195