East Chatteris Broad Concept Plan (BCP) – Comments received from Consultees

Natural & Historic Environment Team, Peterborough City Council - James Fisher, Wildlife Officer – 27/04/2016

Regarding Ecology, it appears that an Extended Phase 1 Habitat Survey has been carried out but not provided at this stage. The report has identified Priority Habitats that may be impacted on by the proposal including ponds, deciduous woodland and hedgerows. In addition a range of protected species may be impacted by the proposal including great crested newts, bats, badgers, water voles, reptiles, breeding birds (incl. barn owls), invertebrates and plant species.

I would therefore recommend that the Phase 1 Ecology Survey Report be submitted to the LPA, and that the specific species surveys recommended in the Report be carried out at the earliest opportunity (many of which are time-specific and will be required to be carried out certain times of the year e.g. great crested newts in the spring period).

Once these surveys have been carried out I would advise that this information is then used to help guide and inform the site design/ layout to avoid/ minimise loss of priority habitats and associated impacts on protected species. Any necessary mitigation and enhancement measures should also be taken into account when preparing the outline site plan design.

I hope that helps at this stage and I would be happy to engage further if required.

Natural & Historic Environment Team, Peterborough City Council - James Fisher, Wildlife Officer – 16/05/2016

Protected Species:
I am pleased to note that a Phase 1 Survey Report (Dec 2014) has been carried out with subsequent protected species surveys also submitted. The surveys carried out to date all appear acceptable however it should be noted that many will be required to be repeated after a period of 2-3 years from the date of the surveys, many of which were carried out in early 2015, and are therefore likely to require re-surveying in 2017/18. In addition, recommendations for bat activity surveys do not appear to have been carried out or submitted.

Bats: Surveyed in Jan 2015. Whilst no evidence was found of any bat roosts, there were 14 trees which contain features suitable for roosting bats and therefore will require activity surveys to establish whether bats are present. In addition a summer bat activity survey should seek to identify important bat foraging/ commuting routes, which are likely to be the linear habitat features, as well as the parkland landscape area.

Mitigation & enhancement measures proposed in section 4 appear acceptable.

Badgers: Surveyed in Feb 2015. No signs found, but would recommend precautionary measures set out in section 4 of report.

Barn owls: Surveyed in Feb 2015. No signs found, but would recommend precautionary measures set out in section 4 of report.

Great Crested Newts: Surveyed in spring 2015. Evidence of small population of GCN in one pond (Robin Knights Pond). Suitable habitat across site also likely to be considered GCN terrestrial habitat, therefore EPS Licence likely to be required. I would recommend that this pond is enhanced for GCN (e.g. pond de-silted, over-hanging vegetation cleared back) and habitat connectivity across site enhanced. Also consider creating new wildlife ponds in retained/ new open spaces.

Reptiles: Surveyed during 2015. Evidence of a small Common Lizard population confirmed at two locations but assumed to be present in low numbers across whole site. Scheme will result in loss of habitat and increased predation by cats and disturbance, therefore mitigation measures will be required including habitat enhancement and creation and the production of an Ecological Management Plan.

Water Voles: Surveyed in during 2015. No evidence found however they are known to be present in the local area, I would therefore recommend that ditches on site are enhanced/ created to benefit water voles. The precautionary approach & enhancement measures set out in section 4 appear acceptable.

Breeding Birds: Surveyed in during 2015. 38 species breeding on site, mainly associated with linear vegetation e.g. hedges & wet ditches, woodland & scrub. Mitigation & enhancement measures recommended in section 4 appear acceptable.

Plants: Surveyed in during 2015. 260 species recorded, 9 of local interest, mainly associated with boundary features. Therefore important to protect and buffer these wherever possible.

Invertebrates: Surveyed in during 2015. 811 kinds of inverts recorded including a number of nationally scarce & RDB species, meaning the site is at least of County Importance for its assemblage of invert species. The most important areas are the south-west area including the parkland/ grassland and associated mature Elm & Oak trees, mature woodland belts and hedgerow boundary features. It is critical that these mature trees in particular are retained as part of the scheme.

Site Design & Landscaping:

I would recommend that the proposed scheme takes full account of the results of the ecological surveys to ensure that the most valuable habitats are protected and enhanced (by improving connectivity and buffering existing features). Habitat connectivity is of particular significance for species including GCN, Reptiles & breeding birds.

The most valuable habitats within the site broadly include the parkland/ grassland and associated mature Elm and Oak trees in the s-w area of the site, along with the hedgerow/ wet ditches and tree belt boundary features.

It should also be noted that several areas of land within the application boundary are likely to be required for the purposes of receiving trans-located species and/ or habitat creation and should therefore be carefully incorporated into the site design proposals.

Recommendations:

Bat activity surveys have not yet been carried out and should therefore be completed during May – Aug 2016 as recommended in the report. Results should be used to help inform key bat roosts/ foraging habitat to be retained and enhanced.

An Ecological Management Plan should be prepared in combination with a landscape plan, setting out species and habitat mitigation and enhancement measures plus long-term habitat management measures.

I trust that this is helpful, please do not hesitate to contact me if I can be of further assistance or you have any outstanding ecological concerns.

Arboricultural Solutions - Graham Causey – 19/05/2016

Following my site visit to the Wenny Road area to assess the tree belt along Wenny Rd, the following is a brief summary:

The belt along the north side of Wenny Road consists of mature oak, elm, beech and horse chestnut with occasional field maple and an understorey of dense elm regeneration, hawthorn, elder, young oak and ash; this forms a dense green corridor of continuous tree cover. There are a number of mature, healthy elm in the stand but also evidence of Dutch elm disease in younger specimens with groups of semi-mature dead trees.

The belt is clearly very important for wildlife providing excellent foraging opportunities with significant bird activity and is of high landscape and amenity value with the trees visible from the A141; Savills own Masterplan refers to the "remarkable natural landscape."

However, as I have to take an objective view of the trees, there are a couple of places where an access could conceivably be constructed away from the mature trees and only impacting on semi-mature trees of drawn form, and including trees in poor structural condition and/or dead elms.

The sections are:

1. approximately opposite 36/38 Wenny Rd,
2. to the east of 38 opposite houses in Cricketers Way,
3. opposite Cricketers Way adjacent to the public footpath through the site.

This latter position is at the narrow end of the belt with few significant trees impacted. Whilst the other options would not remove significant trees of moderate/high value, bisecting the belt with a road would remove one of the plus points of the belt which is that of a continuous green corridor. In addition, the existing road level is higher than the woodland belt and changes in grading to achieve the required levels may impact on a far wider area and consequently more trees. In addition, the demand for visibility splays is likely to have a further impact requiring additional trees/understorey being removed along the back edge of the footway further eroding the belt and its overall wildlife/amenity value.

However, I do not consider that the trees should be looked at as individuals, this is an important site and all the individual trees/hedges make a significant contribution to the site as a whole. Any development, no matter how sensitively planned, is likely to lead to the erosion and degradation of the site over time.

If I were on the opposite side of the fence, I would likely be saying that access could go through the belt without significant damage to trees of moderate to high landscape value but that an engineered solution would be required to ensure changes in levels did not impact on retained trees. However,

the wider argument is the break-up in the continuity of the tree belt. It may require ecological input as my concern is the degradation of the site over time if developed.

I also see no reason to remove any of the trees/hedges as they are all part of the landscape and biodiversity of the area. In particular, we would want wide 'exclusion zones' around retained trees so that we do not have to deal with complaints for trees to be pruned in the event of any development; this is particularly true of two mature elm on site whose retention is sacrosanct.

Anglian Water Services Ltd - Sue Bull, Planning Liaison Manager - 15/07/2016

Thank you for the opportunity to comment on the Plan.

We have completed a pre planning assessment on behalf of the developers agent for the foul drainage of the site and we are satisfied the foul flows from the proposal will not cause detriment to the sewer and will not result in increased flood risk. We have also confirmed the requirements for a water supply for the site.

We have not been asked to assess surface water and therefore we assume there is no requirement on Anglian Water in this regard. It is noted the proposal to drain to the Birch Fen Award drain.

Cambridgeshire County Council Officer Comments – 18/07/2016

ARCHAEOLOGY
The inclusion of the archaeological earthwork preservation area at the west end of the site, extending the public open space in this area, is very welcome and officers thank the applicants and their agents for their co-operation in this matter.

However, with specific reference to the final master plan of the BCP, officers advise that further work to rationalise the many pathways of desire should be undertaken to aid the long-term preservation of the earthworks and avoid or minimise their erosion (see attached for present and planned layouts). Officers also recommend that the orientation of new paths be altered from those shown to reflect the orientation and trends of the earthworks, using the opportunities within the preservation area to locate new paths in presently eroded areas (showing as wide, white strips in the ridge and furrow) and along higher headlands. This was discussed in the joint meeting officers had, but has probably been overlooked since then.

If the BCP will use the summary of the archaeological evaluation in the public consultations it would be useful to have this edited to correct typos, missing words (in headers) and provide a tighter message in the archaeological implications section as to why the earthworks should be retained and managed within the development. Furthermore, the reference to numbered fields in the text suggest that it should be supported by a plan, or alternatively re-written to be less geographically specific. Plans and visual aids are always better.

With regard to the setting of the Manor House, to preserve the integrity of the medieval cultivation remains evaluation in this area trenching did not take place in the western end. The presence of an earlier manor house could not therefore be established, and is in any case likely to lie outside the development area. It is clear that the open fields of Chatteris, as evinced by the ridge and furrow earthworks that formed through very many years of single directional ploughing, were subsequently preserved from obliteration through modern ploughing by their incorporation into the park land in

the 19th century, some years after the latest 'Manor House' was built. Any antecedent manor in this location remains unknown, and the derivation of the name 'Manor House' for the 19th century house at the west end of the site is unknown.

Should they wish to do so, officers would be happy to meet again with the designers to relocate the paths and so preserve the earthworks for the long term. Perhaps you would advise me though, if the BCP should include a sentence or two on the long term management and maintenance of the earthworks, or if this is better placed in a s106 agreement.

EDUCATION
Early days to comment upon 300 houses on this site, other than the development will need to contribute towards an appropriate proportion of the cost to the new 2FE primary school on the Hallam Land and towards the expansion of secondary school provision.

FLOODS AND WATER
Floods and Water Officers have reviewed the Concept Plan for East Chatteris and wish to make the following comments in regards surface water drainage and flood risk:
The site is located in Flood Zone 1 and although development within Flood Zone 1 is not considered to be at a high risk of fluvial or coastal flooding, there may be a risk of flooding from other sources, e.g. groundwater or surface water.

The majority of the site is at very low risk of flooding from surface water; however there is an area in the north-east that is shown to be at low to high risk. In addition the existing track through the site towards Robin Knight's Pond is shown to be at low risk of flooding from surface water.

The proposals should therefore follow a Sequential Approach (at the site scale) to flood risk. The Sequential Approach should apply to all sources of flood risk and is central to the Government' approach as outlined in the NPPF.

<u>Flood Risk Assessment & Surface Water Drainage Strategy</u>
For sites proposing 10 or more dwellings, a surface water strategy should be prepared (often alongside a Flood Risk Assessment (FRA)) to demonstrate that the proposed development will not result in an increased risk of flooding from surface water both on and off site. The surface water strategy should be prepared in accordance with the National Planning Policy Framework, the Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems. The latter requires development to give priority to the use of SuDS, giving preference to infiltration over discharge to a watercourse, which in turn is preferable to discharge to surface water sewer.

<u>Peak Flow Control</u>
As the site is greenfield, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1 in 1 annual probability and 1 in 100 annual probability (plus an appropriate allowance for climate change) critical rainfall event should never exceed the peak greenfield runoff rate for the same event. The impermeable area of the development should also include an appropriate allowance (usually a minimum of 10%) for urban creep over the proposed development lifetime.

<u>Volume Control</u>
As the site is greenfield, the runoff volume from the development to any highway drain, sewer or surface water body in the 1 in 100 annual probability, 6 hour rainfall event should never exceed the greenfield runoff volume for the same event. Methods to deliver volume control include infiltration

and rainwater harvesting as these can significantly reduce the volume of water discharged offsite. Where the controlling of runoff to greenfield volumes is not practicable, the runoff volume should be reduced as much as possible with any additional volume stored on site and released at a low rate that will not increase downstream flood risk (normally 2 1/s/ha).

Exceedance Flows

At minimum, properties should be fully protected against any flooding associated with the surface water drainage system for up to the 1 in 100 annual probability event.

The surface water scheme must ensure the level of flood risk from the drainage system is acceptable for the site. For extreme events, the layout of the site should be designed so that any exceedance flows (those flows in excess of what the system has been designed to cater for) are safely managed in conveyance and storage zones.

SuDS

The site's surface water drainage strategy must give priority to the use of SuDS as this is now a material planning consideration. SuDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SuDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SuDS can offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and volume of surface water run-off from a site, promoting groundwater recharge, and improving water quality. SuDS can also be integral in the design and delivery of green infrastructure across a site.

Existing drainage features (such as watercourses, ditches, wetlands, high water table, natural depressions and steep slopes) should be identified and integrated into the proposed surface water drainage system.

The variety of SuDS techniques available means that virtually any development should be able to include a scheme based around these principles.

'End of pipe' solutions are not desirable as they promote the swift conveyance of surface water through the site rather than providing control at source and this has the potential to increase the risk of flooding across the site. Source control features such as permeable paving, rain gardens, swales and filter strips should be utilised to provide a greater level of control across the site.

Water Quality

The presence of impermeable areas across a development can increase the risk of pollution entering a watercourse or groundwater and the variability in the level of pollutants arising from urban runoff is great. To protect the quality of receiving water bodies, surface water runoff arising from the site should be of an acceptable quality. This can be achieved through pollution prevention measures, interception, treatment and maintenance.

As discussed above, 'end of pipe' solutions promote the swift conveyance of surface water through the site, thus reducing any potential for water quality control. The greater the number of SuDS features surface water can pass through, the greater the level of treatment. Water that has not been treated to a sufficient degree can cause pollution to receiving water bodies.

Maintenance and Management

In line with the Planning Practice Guidance (PPG), the design of a SuDS system needs to take into account the construction, operation and maintenance requirements of both the surface and subsurface components. An appropriate maintenance plan should be submitted with any planning

application which covers the maintenance for the lifetime of the system. Such a plan will often be required a condition of planning permission for a site.

Awarded Watercourse

The Birch Fen is an Awarded Watercourse located partly within Nightlayers Internal Drainage Board Area. Under the Land Drainage Act 1991, development that involves a culvert or any impediment to flow on an Awarded Watercourse or any other Ordinary Watercourses will require prior written consent from Cambridgeshire County Council as Lead Local Flood Authority for works to ordinary watercourses outside of the I DB's rateable area. This is applicable to both permanent and temporary works. In addition, Fenland District Council may have additional requirements for any works that are to take place near or on within the awarded watercourse.

LIBRARIES AND LIFE-LONG LEARNING

Whilst there are no specific comments in relation to the plan, Officers would be looking at a requirement for internal modifications to the local library, as a result of development on this site, provisionally costed at £60.02 per head of increased population.

MINERALS AND WASTE

There are no implications arising from this broad concept area in terms of designations made by the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) or Site Specific Proposals Plan (2012).

In due course, officers can comment on planning applications and matters such as waste audits and Construction Environmental Management plans (in accordance with Policy CS28 of our Core Strategy).

HOUSEHOLD RECYCLING SERVICE

In due course, officers can comment on planning applications and matters such as the impact on Household Recycling Centres.

NEW COMMUNITIES

The draft BCP would benefit from reference to Local Plan Policy LP7(u) particularly in relation to support for the creation of neighbourhood community, approach to addressing the needs of families and children moving in and where and what community facilities should be included. Cambridgeshire County Council officers would be happy to work with Fenland District Council to capture this policy in the document.

TRANSPORT

Comments to be provided separately.

Transport Assessment Team, Cambridgeshire County Council - Lou Mason-Walsh, Transport Assessment Manager (Interim) - 18/07/2016

Thank you for the opportunity to comment on the draft Broad Concept Plan for East Chatteris. This is a joint response from Cambridgeshire County Council and Fenland District Council in respect of transport matters.

The transport proposals in the draft document are limited and there is no specific evidence base information from which we can comment. This email is therefore a holding objection until further

information is provided to us from which an adequate assessment can be made on the transport implications of the BCP.

We would draw to your attention to the pre-application comments provided by Cambridgeshire Count Council dated 21 January 2015.

We would also refer you to the link below from FDC website with the South Wisbech BCP in principal approval. This clearly sets out that there are transport implications with this BCP area. It also includes proposals to mitigate the effects of the transport implications. The South Wisbech BCP includes details of the transport work, the specific transport evidence document is also attached. Whilst we realise that there is no SATURN traffic model for Chatteris unlike Wisbech, we do expect a level of assessment upon which to understand the transport effects of the BCP proposal.

http://www.fenland.gov.uk/egenda/kab12.pl?cmte=PLA&meet=128&arc=71

Ideally we would expect a full Transport Assessment to be completed as supporting evidence for a BCP Area, this would provide the most comprehensive information from which the transport effects of the BCP area can be assessed. As a minimum level of assessment we would expect the following:

- An understanding of existing trip numbers
- An understanding of the proposed trip numbers arising from the development
- An understanding of where the trips arising from the development will be distributed
- An understanding of your proposals to reduce the effects of issues arising from the distribution of development traffic
- A BCP masterplan diagram clearly setting out the proposed transport network, this should consider Transport by all modes.

We would also draw your attention to the comments by CCC Archaeology Team dated 7th July 2016. There are specific references within their comments in respect of footways. We would expect these considerations to be taken into account along with ensuring that there is a network of footpaths suitable for making local journeys within the BCP area and link to the wider town of Chatteris.

We hope that these comments are helpful and we hope to receive your transport evidence base in respect of this BCP in due course.

Environment Agency - Chris Swain, Principal Planning Advisor – 20/07/2016

The site is relatively unconstrained from a water, waste, soil and air perspective so EA does not have much to input.

I've just noticed that the LLFA aren't on the original email so if they've not had a separate consultation, they will probably want to have a look at it from a surface water management perspective.

My main observation on surface water, given timescales (and without wishing to tread onto the LLFA's ground) is support for a strategic surface water feature, rather than lots of little ones that can more easily get 'orphaned' and typically require more maintenance overall.

If source control and infiltration SuDS are part of the site principles, it should be worth showing indicative swale routes through open space or along wider boulevards towards the attenuation

ponds so these can be safeguarded/planned for with enough space. Perhaps design code type illustrations of street layouts could help, if the BCP moves to that level of detail at a later stage.

Natural & Historic Environment Team, Peterborough City Council - James Fisher, Wildlife Officer – 21/07/2016

I don't have any additional comments to add to my previous response (attached – comments of 16/05/2016) with regard to this scheme. The latest plan appears broadly acceptable, as I'd highlighted that the most valuable habitats are the parkland/ grassland and associated mature Elm and Oak trees in the south-western area of the site, along with the hedgerows and ditches and tree belt boundary features. I would however recommend that these features are protected and more strongly buffered to create wider green corridors through the development. I hope that's of help at this stage.

Middle Level Commissioners - Graham Moore, Planning Engineer - 21/07/2016

Thank you for your e-mail dated 5th July and attached information.

This site is within both the rateable and highland catchments of the Nightlayers I.D.B., for whom the Commissioners provide a planning consultancy service, and has recently been the subject of a provision of information request.

Surface water disposal in this area is primarily to the Boards system (Point 20) via Birch Fen Drain, an Award Drain under the jurisdiction of your Council.

The surrounding urban area does have a history of poor drainage/flooding problems but none are known on the site itself.

The site is within the catchment of Nightlayers WRC, the treated effluent from which is disposed of into the Nightlayers I.D.B. systems.

In the absence of more detailed information it is not possible to advise further at this time but the Board look forward to further consultation as the proposal progress.

Fenland District Council - Trevor Watson, Head of Assets & Projects – 30/08/2016

I was just reviewing this and considering the CCC SW comments.

In particular 'In addition, Fenland District Council may have additional requirements for any works that are to take place near or on within the awarded watercourse'.

Does this need fleshing out or is this sufficient for now?

We would need to preserve maintenance access as a minimum, but may also require downstream improvements and/or future maintenance contributions if flow rates/volumes are increased.

I've also picked up from comments relating to the A14 that the routes of Awarded Drains can't just be simply amended if rerouting was required, although not indicated by the supporting plans.

Does any of this need including?

Will be limited in any way to what we include if we do add a sentence or two?

Transport Assessment Team, Cambridgeshire County Council (with Fenland District Council Transport) - David Allatt – 2/03/2017

Holding Objection: The Broad Concept Plan (BCP) is not supported by evidence that enables an adequate assessment of the transport implications of the BCP. Previous comments from Cambridge County Council (CCC) and Fenland District Council (FDC) Transportation.

This is a joint response from Cambridgeshire County Council (CCC) and Fenland District Council Transport (FDCT) in respect of transport matters. These comments follow email comments provided in July 2016, which have not been addressed in the revised BCP. In order to form a view on the impacts of the BCP from a transport perspective, a Transport Assessment is required. There remains no significant transport evidence presented in the BCP so CCC and FDCT cannot offer a view either way on the suitability of the proposals.

Pre-application comments were provided by Cambridgeshire County Council in 21 January 2015.

I again refer you to the link below from FDC website with the South Wisbech BCP in principal approval. This clearly sets out that there are transport implications with this BCP area. It also includes proposals to mitigate the effects of the transport implications. The South Wisbech BCP includes details of the transport work, and was complemented by a specific transport evidence document.
http://www.fenland.gov.uk/egenda/kab12.pl?cmte=PLA&meet=128&arc=71

A full Transport Assessment would allow for a comprehensive analysis of BCP transport impacts. As a minimum level of assessment we would expect the following:

- An understanding of existing trip numbers
- An understanding of the proposed trip numbers arising from the development
- An understanding of where the trips arising from the development will be distributed
- An understanding of your proposals to reduce the effects of issues arising from the distribution of development traffic
- A BCP masterplan diagram clearly setting out the proposed transport network, this should consider Transport by all modes.

We hope that these comments are helpful and we hope to receive your transport evidence base in respect of this BCP in due course.

Growth & Development Team, Cambridgeshire County Council - Stuart Clarke - 3/03/2017

I have received comments back from County Education, Libraries and Minerals and Waste as below. I understand that Floods and Water and Transport are providing comments back to you direct.

Education

No further substantive comments to make other than there will also be the need for Early Years contributions as part of the primary school provision considering the likely numbers coming forward on the basis of the new 30 hours free entitlement.

Libraries
No substantive comments other than the Council will require developer contributions from development based on a rate of £60.02 per head of increased population. Chatteris Library will be at or over capacity as a result of the development as there are likely to be up to 875 new residents from the development so mitigation measures would need to consider internal modifications to the building to increase the library space to provide an adequate service, as required under statute.

Minerals and Waste
No further comments to make from the County Planning, Minerals and Waste Team or Waste Disposal Authority.

I am not expecting any further comments, however, should I receive any, I will forward them on to you.

Natural & Historic Environment Team, Peterborough City Council - James Fisher, Wildlife Officer – 6/03/2017

Thanks for consulting me on these proposals. Provided the ecological approach/ commitments made in the broad concept plan, including the amount of open space and wildlife corridors are adhered to, I would likely have no objection to the scheme. My previous comments can continue to be referred to.

Historic Environment Team, Cambridgeshire County Council - Kasia Gdaniec, Senior Archaeologist - 7/03/2017

Thank you for sending me the latest BCP for East Chatteris. The concept is looking good.

Archaeology is adequately covered in terms of mitigation types but not fully the mechanisms for achieving it. A condition will cover the excavation and reporting needs, but there will need to be inclusion of an Archaeological Management Plan on the Heads of Terms of any s106 that is drawn up to ensure that the conservation of the earthworks takes place in perpetuity. Such a plan would cover the prohibition of rollers and any other 'ground improvements' that would eradicate the humps and bumps of the medieval cultivation remains. It would also state that development would not be permitted in the Archaeological Protection Area.

The BCP is unlikely to be the place to set out such provisions that are essential to attain the long term security of the earthworks, but I thought I would mention this need for a legal agreement in this response.

Middle Level Commissioners (Nightlayers IDB) - Graham Moore, Planning Engineer – 8/03/2017

Further to your Council's emails dated 15th and 21st February, the above documents have been considered.

Our comments are as follows:

A. General

The Middle Level Commissioners (MLC) are a statutory water level, flood risk management and navigation authority responsible for the maintenance of major watercourses within their catchment. In addition to their statutory role, the Commissioners provide a planning consultancy service to the Internal Drainage Boards (IDB) within and adjacent to their area. The IDBs are autonomous water level and flood risk management authorities that obtain support from the Commissioners' staff and supervise drainage at a more local level.

The Commissioners provide a planning consultancy service for the above mentioned Board. Both are Risk Management Authorities (RMAs), as identified by Defra, and also members of the Cambridgeshire Flood Risk Management Partnership (CFRMP) of which your Council is also a member.

B. Nightlayers IDB

(i) **General**

This site is within an area known as the Nightlayers IDB which forms part of the larger Middle Level Catchment.

The entire District is at some risk of flooding but that risk is substantially controlled. Through the operation and maintenance of the pumping stations and the channel system the Board seeks to maintain a general Standard of Protection (SoP) capable of providing flood protection to agricultural land and developed areas of 5% AEP (1 in 20 year storm) and 1% AEP (1 in 100 year storm) respectively.

The site's extent is partly within the Board's highland catchment hatched brown on the plan, below, and the Board's rateable area, edged green.

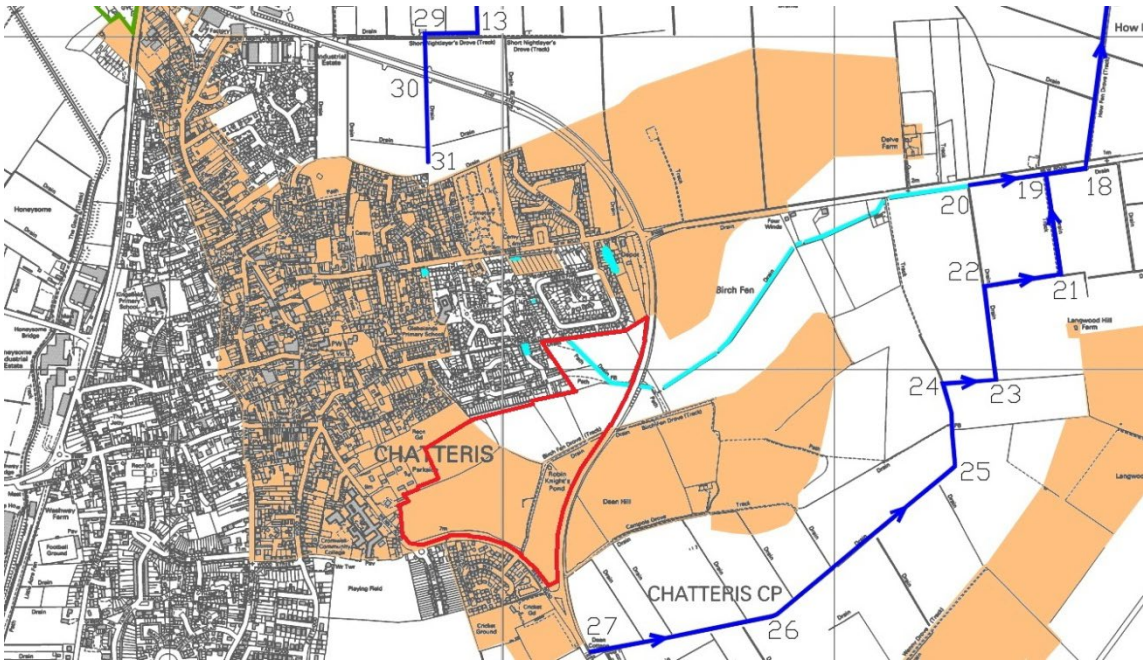
(ii) **Birch Fen drain**

There are no Board's Drains in the area. The main surface water outfall for the area is the Birch Fen Drain, an Award Drain, under the jurisdiction of your Council. The route of this watercourse is shown light blue on the plan below.

C. Previous Flooding

Whilst the Board has no record of any recent flood events within the area of interest it is aware of issues concerning surface water drainage/surface ponding, shown hatched blue on the extract from the Board's District Plan. These problems have been raised with your Council on several occasions and may be the result of infiltration devices being incorrectly sized or used in soil with poor permeability, the absence of suitable infrastructure, the lack of capacity within local infrastructure, the illegal filling of open watercourses, ground raising or other amendments to overland flow routes.

You should also enquire with other stakeholders including the County Council, in its capacity as the Lead Local Flood Authority (LLFA), concerning this matter. Please contact frplanning@cambridgeshire.gov.uk



Extract from the Board's District plan showing the proximty of the site to the Board's system.

D. Watercourses Protected Under the Land Drainage Act and Associated Byelaws

The piping and filling of any watercourses within the Board's rateable area requires its prior written consent. For such proposals outside the Board's rateable area, the prior written consent of the LLFA, is required.

In order to prevent an increase in flood risk, by reducing available hydraulic and water storage capacities, restricted access for maintenance etc and to protect the natural environment, the Board encourages the retention of open watercourses except as may be necessary to create a means of access across a channel.

It should be appreciated that any contribution required by other stakeholders for water level and flood risk management infrastructure works, in whatever form, will be in addition to those contributions received by the Board under the Land Drainage Act (LDA) 1991 and associated byelaws.

In respect of seeking consent, the 'developer' will need to meet our minimum validation requirements including the provision of an appropriate Environmental Assessment, Management and Maintenance plan and Flood Risk Assessment (FRA) together with any relevant supporting information including calculations/computer modelling to ensure that the proposal does not increase the risk of flooding by detrimentally affecting our systems. An Environmental Statement must be provided to ensure that there are no detrimental impacts on protected habitats and/or species. The FRA must demonstrate that there are no adverse impacts upon the Board's system and the proposal does not contribute to increased flood risk in the area during high rainfall events and/or otherwise affect the managed systems. Suitable mitigation may be required in both instances.

The provision of these documents relates to the requirements of the Board's byelaws as opposed to fulfilling any development control requirements. It should not be assumed that consent will be given.

Contravention of the Land Drainage Act is a criminal offence which could lead to enforcement action being taken against the perpetrator.

E. Means of Surface Water Disposal

Infiltration Devices
Experience with the use of infiltration devices in the area has shown that any infiltration rates are low and, therefore, on the whole they do not work unless there is a significant amount of space to install them. Unfortunately housing density does not normally allow sufficient space.

In addition, very few people know how to correctly undertake a permeability test, the associated calculations and design of the device.

Sustainable Drainage Systems (SuDS)
Careful consideration needs to be given to any facilities used, what is trying to be achieved and the nature of water level management in the area. In some situations the use of SuDS can increase the risk of flooding in some watercourses by reducing any self-cleansing affect resulting in increased siltation which may also adversely affect biodiversity in the receiving watercourse.

A holistic approach will require considerable master planning, together with the resolution of funding and maintenance issues. Prior funding from an external source, say via the proposed Community Infrastructure Levy, or adoption by an accountable authority may be required if this is to work correctly. See also item I – Maintenance contribution below.

Given that the area is water stressed, it would be appropriate, where possible, to "think outside the box" and allow for SuDS devices to form part of a hydrological train where the retained water could be used for water harvesting, irrigation purposes etc. See Item H - Water resources and efficiency below.

F. Biodiversity and Protected Habitats and Species

The Board has nature conservation duties under the Land Drainage Act 1991, the Wildlife and Countryside Act 1981 and is a competent authority under the Conservation (Natural Habitats etc) Regulations 1995, therefore, any works affecting its systems, requiring its consent, or any works that affect any on-site open watercourses will require an Environmental Statement and a Risk Impact Assessment.

The Board has adopted Biodiversity Action Plans (BAP) as one of its policies and is committed to its implementation. The BAPs will help the Board to maximise the biodiversity benefits of its activities and demonstrate its contribution to the Government's UK BAP targets.

Consultation during the planning process
Whilst it is appreciated that the Council and its officers have, like the Commissioners and associated Boards, limited resources and finances and are unable to consult with every relevant body, it is considered that the developer should make significant efforts to go beyond the requirement to consult with Natural England. There are many sites within the Fens which are not SSSI, Ramsar, SPA

or SACs but, nonetheless, are of local importance and development has been delayed because of the relevant parties' failure to consult with all the relevant bodies.

G. Treated Effluent Disposal/Dry Weather Flows

A Supreme Court decision in July 2014 confirmed that any connection to a public sewer under Section 106 of the Water Industry Act 1991 or agreement to construct a public sewer under Section 104 of that Act also requires the Board's consent where the Board's systems would be affected.

Whilst Anglian Water Services Ltd (AWSL) may advise that its infrastructure has adequate capacity to accept the additional flows, it does not necessarily mean that the receiving watercourse system has the capacity to accept the additional flows without increasing flood risk downstream.

Therefore, in addition to any permission from your Council, the EA and AWSL, the consent of the Board is also required for the acceptance of any increased flows to our system. Such consent will **not** be given unless appropriate steps are taken and have been met. See item D above.

Any discharge of treated effluent, as "new water" and whether attenuated or not, would be an extra burden on our system and we would require our costs of dealing with the flows are met.

H. Water Resources and Efficiency

Within local strategic planning documents water resource issues predominantly refer solely to potable water supply but other water resource issues which exist within the study area, for example, agricultural abstraction to irrigate crops, maintain navigation levels, amenity, prevent deterioration of water quality and waterborne biodiversity should also be considered, particularly if drought conditions, like those previously experienced, become more regular, if the impact of climate change becomes a reality. As discussed above the whole hydrological train should be considered.

Rainwater Harvesting/Recycling Facilities
The Commissioners and associated Boards promote the use of rainwater collection and grey water recycling but consider that such systems should be in addition to but not replace or form any part of a surface water disposal system.

Whilst it is accepted that during normal rainfall events the water recycling facility is likely to prove adequate, during the winter months there may be insufficient volume to store a design event. There are also concerns about the effects on the local systems if the facility is inoperative or during periods when the property is empty. In addition it is also understood that the majority of tanks require a means of disposal when the units are being cleaned.

I. Maintenance Contribution

It is considered that the issues of whole life funding, management and maintenance arrangements for the upkeep of the facilities, particularly those associated with flood risk and water level management including SuDS, in perpetuity must be supplied early within the decision making process. This should include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Failure to do so may lead to an unacceptable burden on the ratepayer. Economic constraints must not be accepted as a justification for non-inclusion of such arrangements.

J. Post-application Discussion

The developer has previously worked with the Commissioners and associated Boards on similar developments and we would encourage the applicant to undertake similar consultations as this development progresses, as this enables any issues to be dealt with prior to and not during the decision making process.

Further information can be found at http://www.middlelevel.gov.uk/docs/PlanningDocuments/Pre-Post-ApplicationConsultation.pdf

We hope that this response is of assistance but, in the absence of more detailed information, it is not possible to advise further at this time; the Board looks forward to further consultation as the scheme progresses.

The information in this response is supplied on the basis that it is used solely in the production of this project and must **not** be used for any other purpose.

Chatteris Town Council - Joanna Melton, Town Clerk - 16/03/2017

Please find attached comments from two Chatteris town councillors regarding the Wenny Development BCP. All councillors were given the opportunity to comment and two chose to do so:

"I think this seems to be a well thought out plan and appears to take into consideration any comments or concerns raised by various parties at last year's consultation. I agree with Bill with respect to the roundabout - this ought to be given serious consideration given the potential upturn in traffic but it might well also have a secondary effect in calming down speeding traffic from both directions and making it a safer entry/exit point for the town."

"In my opinion the junction at the A142 and Wenny Road will need the road layout and roundabout as proposed, to be given very serious consideration to be included in the development, as this will prove to be heavily used.

In my opinion the general layout and consideration of the environment, tree protection, use of drainage areas for recreation , protection of WW2 and ancient ground layouts, cycle and walk ways and open areas have been very well considered and taken on board by the developers."