

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 6 NOVEMBER 2019

1.00 PM

**COUNCIL CHAMBER, FENLAND HALL,
COUNTY ROAD, MARCH, PE15 8NQ**

Committee Officer: Izzi Hurst
Tel: 01354 622285
e-mail: memberservices@fenland.gov.uk

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 5 - 12)

To confirm and sign the minutes from the previous meeting of 9 October 2019.
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 4 To receive Members declarations of any interests under the Local Code of Conduct or any interest under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 5 F/YR15/0699/O - Erection of 14 dwellings (max) (Outline application with all matters reserved) involving demolition of existing dwelling and industrial outbuildings - Dennicks Yard, Back Road, Gorefield, Cambridgeshire (Pages 13 - 38)

To determine the application.
- 6 F/YR18/0345/FDL - Erection of up to 41 flats and 4 dwellings (outline application with all matters reserved) involving demolition of existing dwelling - Brewin Oaks, City Road, March, Cambridgeshire (Pages 39 - 60)

To determine the application.

- 7 F/YR18/1108/FDL - Erection of a part 2-storey, part 3 storey and part 4-storey building comprising of: 1 x retail unit (A1) and up to 26 x flats involving demolition of existing building (outline application with matters committed in respect of layout and scale) - 15 Station Road, March, Cambridgeshire, PE15 8LB (Pages 61 - 76)

To determine the application.

- 8 F/YR19/0726/O - Erect 1no dwelling with attached garage (outline application with matters committed in respect of access and layout) - Land North Of 20, St Francis Drive, Chatteris, Cambridgeshire (Pages 77 - 86)

To determine the application.

- 9 F/YR19/0760/O - Erect up to 3 x dwellings (outline application with matters committed in respect of access) - Land West Of 130, London Road, Chatteris, Cambridgeshire (Pages 87 - 98)

To determine the application.

- 10 F/YR19/0799/VOC - Removal of condition 6 of planning permission F/YR15/0004/F (Erection of 3 x 2-storey 4-bed dwellings involving the formation of new accesses) relating to the provision of a footway - Land South Of The Conifers 67, Fridaybridge Road, Elm (Pages 99 - 108)

To determine the application.

- 11 F/YR19/0809/F - Erect 1 dwelling (2-storey 5-bed with attached 4-bay garage and swimming pool to rear), 2.0m high (max height) wall with railings and gates to front and the temporary siting of 2 x static caravans involving the demolition of existing dwelling and garage - 6 Bridge Lane, Wimblington, March, Cambridgeshire (Pages 109 - 120)

To determine the application.

- 12 Planning Appeals. (Pages 121 - 122)

To consider the Appeals Report.

CONFIDENTIAL - ITEMS COMPRISING EXEMPT INFORMATION

To exclude the public (including the press) from a meeting of a committee it is necessary for the following proposition to be moved and adopted: "that the public be excluded from the meeting for Items which involve the likely disclosure of exempt information as defined in the paragraph 7 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) as indicated.

- 13 ENF/104/15 - Land West of The Coach House, Needham Bank, Friday Bridge (Pages 123 - 126)

The purpose of this report is to advise Members of the current situation regarding the above and to authorise legal proceeding to secure compliance with the Notice.

14 ENF/166/18 - 100 Wisbech Road, Coates (Pages 127 - 130)

The purpose of this report is to advise Members of the current situation regarding the above site and to authorise legal proceeding to secure compliance with the Notice.

15 Items which the Chairman has under item 3 deemed urgent

Members: Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor A Lynn, Councillor C Marks, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy and Councillor W Sutton,

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PLANNING COMMITTEE



WEDNESDAY, 9 OCTOBER 2019 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor A Lynn, Councillor C Marks, Councillor N Meekins, Councillor P Murphy and Councillor W Sutton, Councillor Mrs J French (Substitute) and Councillor R Skoulding (Substitute)

APOLOGIES: Councillor A Bristow and Councillor S Clark,

OFFICERS IN ATTENDANCE: Nick Harding (Head of Shared Planning), Sheila Black (Principal Planning Officer), Izzi Hurst (Member Services & Governance Officer), David Rowen (Development Manager) and Stephen Turnbull (Legal Officer)

OBSERVING: Councillor D Laws and Councillor A Miscandlon

P33/19 PREVIOUS MINUTES

The minutes of the meeting of 11 September 2019 were confirmed and signed.

P34/19 F/YR17/0349/VOC VARIATION OF CONDITIONS 2 AND 3 OF APPEAL REFERENCE APP/D0515/C/15/3008989 RELATING TO PLANNING PERMISSION F/YR14/0854/F TO INCREASE THE NUMBER OF STATIC CARAVANS FROM 5 TO 8 AND TOURING CARAVANS FROM 1 TO 5 (TO BE USED BY THE OCCUPIERS OF THE STATIC CARAVANS ONLY), AND TO ALLOW EACH RESIDENTIAL PITCH TO HAVE ONE ASSOCIATED COMMERCIAL VEHICLE NOT EXCEEDING 3.5 TONNES IN WEIGHT; THE SPINNEY, HORSEMOOR ROAD, WIMBLINGTON, MARCH

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04)) during its deliberations.

David Rowen presented the report to members.

Members asked questions, made comments and received responses as follows;

1. Councillor Marks asked for confirmation that the proposal is to allow one associated commercial vehicle per residential pitch. David Rowen confirmed this as correct.
2. Councillor Skoulding asked for confirmation that the front boundary hedge is to be maintained to allow visibility for vehicles entering and leaving the site. David Rowen confirmed that condition 6 of the recommendation ensures maintenance of this hedge for this purpose (page 26 of the agenda pack).
3. Councillor Murphy highlighted that when members had visited the site, it had been well maintained and tidy. He hoped that if members approve the application today, that this continues.
4. Councillor Meekins stated that when members had visited the site, there had been vehicles onsite exceeding 3.5 tonnes in weight. David Rowen explained that this restriction had been imposed by the Planning Inspector and if vehicles are onsite that exceed this, appropriate enforcement action may be taken.
5. Councillor Sutton asked for clarification on the weight of proposed associated commercial

vehicles. He asked if this weight limit included the load on the vehicle or just the weight of the vehicle itself. David Rowen confirmed that the Planning Inspector had not specified this however if there were reports of vehicles exceeding this weight onsite, the matter would be investigated.

6. Councillor Sutton said further clarification is required in relation to the maximum vehicle weight to avoid potential issues in the future. Nick Harding suggested that if members approved the application, delegated authority could be given to officers to undertake the necessary investigation into this definition via the DVLA.
7. Councillor Marks asked if a condition could be added stipulating that an operating licence is required for those vehicles exceeding 3.5 tonnes in weight. Nick Harding explained that this could not be included in the planning permission as this is governed by separate legislation that cannot be duplicated as part of the planning process.
8. Nick Harding confirmed that one definition is; the maximum authorised mass. Therefore the 3.5 tonne limit includes the vehicle itself plus whatever is on board the vehicle.
9. Councillor Mrs French highlighted that if a motorhome is onsite this would exceed this weight limit. Councillor Connor confirmed that this would not be classed as a commercial vehicle.
10. Members asked for further clarification on the definition of the commercial vehicle weight. Nick Harding confirmed the following definition; commercial vehicles up to 3.5 tonnes are referred to as light commercial vehicles and covered under the category N1. Category N1 is vehicles designed and constructed for carriage of goods that have a maximum mass not exceeding 3.5 tonnes.
11. Councillor Benney confirmed that he was happy with this clarification.

Proposed by Councillor Sutton, seconded by Councillor Mrs French and decided that the application be GRANTED; as per officer's recommendation.

(Councillor Lynn joined the meeting at 1:13pm and took no part in the vote or discussion for this agenda item).

P35/19 F/YR19/0152/O - ERECTION OF UP TO 50NO DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED); LAND SOUTH OF, 8 - 59 FAIRBAIRN WAY, CHATTERIS, CAMBRIDGESHIRE

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04)) during its deliberations.

David Rowen presented the report to members. He highlighted to members that the conditions numbered 10 and 14 in the report, are duplicated and proposed that condition 10 is removed if planning permission is granted.

Members asked questions, made comments and received responses as follows;

1. Councillor Benney stated that as a resident of Chatteris, he is aware of parking issues on Fairbairn Way due to the narrow width of the road. He asked that consideration is given to this as part of this proposal. David Rowen explained that this is an outline application however an indicative site layout proposes the road width to be 5.5m, which will be an adoptable standard. He confirmed that each dwelling will also have parking provision.
2. Councillor Sutton asked for clarification on the formula used to calculate the increase in education contributions as part of the Section 106 agreement (S106). David Rowen explained that discussions are ongoing in relation to the exact level of education contribution.
3. Councillor Sutton explained that he has considered the objections submitted and whilst there will be an impact on residents, the site already has planning permission for development and the increase in dwellings will not cause any further detrimental impact to

residents.

4. Councillor Connor agreed and stated that as housing is needed, he supported the application.

Proposed by Councillor Connor, seconded by Councillor Mrs French and decided that the application be GRANTED; as per officer's recommendation.

(Councillor Hay declared a Pecuniary Interest by virtue of the fact that her property is adjacent to this site. She left the Chamber for the duration of this agenda item)

(Councillor Benney declared an interest by virtue of the fact that he is a member of Chatteris Town Council but takes no part in planning matters)

(Councillor Murphy declared an interest by virtue of the fact that he is a member of Chatteris Town Council but takes no part in planning matters)

P36/19 F/YR19/0510/LB - DEMOLITION OF A LISTED BUILDING (EXISTING DERELICT STRUCTURES); 11 - 12 HIGH STREET, WISBECH, CAMBRIDGESHIRE

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04)) during its deliberations.

Sheila Black presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Matthew Brint (Project Manager).

Matthew Brint thanked members for the opportunity to speak at today's Planning Committee. He explained that he is acting as Project Manager and both he and his client are very pleased to be involved in this project. He explained that the proposal represents a significant step in the rejuvenation of the High Street in Wisbech. He stated that as developers, he is aware of the historic nature and the listed status of the building however the building is currently in a very poor state of repair. Both he and his client are committed to rebuilding the building in a sympathetic manner and wish to preserve the historical nature of both the original building and the High Street as well.

He explained that he has worked closely with both the Council's Planning team and Conservation Partners and asked members to support the application.

Members had no questions for Matthew Brint.

Members asked questions, made comments and received responses as follows;

1. Councillor Meekins explained that as a resident of Wisbech he has noticed demolition work has been underway on the site. He asked if the photographs provided as part of Sheila Black's presentation were taken before this demolition work. Sheila Black confirmed that demolition work has been undertaken on site as part of emergency work measures required due to the instability of the building. She confirmed that the photographs had been taken on 17 September 2019. Matthew Brint confirmed that the last set of emergency demolition works had been undertaken in August 2019.
2. Councillor Meekins stated that as a local resident, he supports the development of this building as it has required remedial work for a number of years. He said the proposed design is in keeping with the High Street and the development will provide sought after retail and residential units for Wisbech.
3. Councillor Sutton agreed and supported the application.

4. Councillor Lynn agreed as both retail units and residential accommodation are urgently needed in Wisbech.
5. Councillor Benney stated that from a health and safety perspective, the building needs to be demolished. He agreed that the proposal will assist in the regeneration of the High Street in Wisbech.

Proposed by Councillor Meekins, seconded by Councillor Lynn and decided that the application be GRANTED; as per officer's recommendation.

(Councillor Hay and Councillor Murphy declared an interest by virtue of the fact that they were members of Cabinet and had been involved in a decision in relation to this proposal. They took no part in the discussion or vote for this item)

(Councillor Meekins and Councillor Lynn declared an interest by virtue of the fact that they are members of Wisbech Town Council but take no part in planning matters)

P37/19 F/YR19/0509/F - ERECT 5-STOREY MIXED USE DEVELOPMENT (1 X RETAIL UNIT TO GROUND FLOOR AND 11 X 1-BED AND 4 X 2-BED FLATS TO REMAINING FLOORS) INVOLVING DEMOLITION OF EXISTING DERELICT STRUCTURES IN A CONSERVATION AREA; 11 - 12 HIGH STREET, WISBECH, CAMBRIDGESHIRE

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04)) during its deliberations.

Sheila Black presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Matthew Brint (Project Manager) and Lianne Toothill (Architect).

Matthew Brint explained that extensive work has been undertaken with the Council's Planning team to adjust the design of the building and their comments have been considered to make the scheme acceptable.

Lianne Toothill stated that it had been a pleasure to work on such a project that has real potential to create an improvement for the town centre in Wisbech. She explained that she had worked in collaboration with her clients the Planning team and the Council's conservation officer to produce the scheme members are considering today. Consideration had been given to the key views of the development as well as the impact of the building on the current landscape. The materials proposed are in proportion and keeping with the history of the building whilst the rear elevation proposes a more appropriate modern look. She stated that the development will inject new life in to the town and asked members to support the application.

Members asked Matthew Brint and Lianne Toothill the following questions;

1. Councillor Lynn thanked both Matthew Brint and Lianne Toothill for their work on this proposal.
2. Councillor Sutton highlighted that during her presentation, Sheila Black had stated that the retail façade may be altered. He asked for clarification on this. Sheila Black explained that the retail frontage may change if the shop is split into two separate retail units. Matthew Brint added that the proposed frontage has been designed in accordance with the Council's Policy on shop fronts and potential retailers will need to comply with this policy too.

Members asked questions, made comments and received responses as follows;

1. Councillor Mrs French said she supported the application and is keen to see the development start.
2. Councillor Sutton asked for clarification on the figures provided as part of the viability assessment (10.56 of the report). He queried this and asked for the formula used as the figures do not correlate. Sheila Black confirmed that the figures were provided by the Council's S106 Viability Officer.
3. Councillor Meekins praised the design and said it was sympathetic to the surrounding buildings. He added that whilst extra height is proposed to the existing roof line, the adjacent buildings are all of differing heights and therefore there will be no detrimental impact on the surrounding area.

Proposed by Councillor Mrs French, seconded by Councillor Skoulding and decided that the application be GRANTED; as per officer's recommendation.

(Councillor Hay and Councillor Murphy declared an interest by virtue of the fact that they were members of Cabinet and had been involved in a decision in relation to this proposal. They took no part in the discussion or vote for this item)

(Councillor Meekins and Councillor Lynn declared an interest by virtue of the fact that they are members of Wisbech Town Council but take no part in planning matters)

P38/19 F/YR19/0684/O - ERECT UP TO 3NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS); LAND EAST OF 4A, PRIMROSE HILL, DODDINGTON, CAMBRIDGESHIRE

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04)) during its deliberations.

David Rowen presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Gareth Edwards (Agent).

Gareth Edwards thanked members for the opportunity to speak at today's meeting. He explained that the applicant was unable to attend today's meeting. He stated that the applicant had been raised in the adjacent bungalow and the proposal for 3 dwellings would allow her to return to Doddington with her sisters.

He highlighted that Doddington is a growing village and the site is within a 'small extension' of the village in accordance with LP3 of the Local Plan. The development would be in keeping with the continuous build form on the opposite side of the road and the site benefits from a bus stop at its entrance. He stated that the land has only been pasture land for many years and is located within flood zone 1. The proposal has support from all statutory consultees and has received letters of support from neighbouring residents too. He argued that the site is not located in open countryside and it would follow the built form of the surrounding area. He asked members to support this application.

Members had no questions for Gareth Edwards.

Members asked questions, made comments and received responses as follows;

1. Councillor Sutton supported the application and disagreed that the location is considered outside of the village. He explained that as a local resident he considers the site as being

located within the village boundaries. He reiterated that the land has not been used for agriculture during his lifetime as he has known the site for many years. He stated that he was against officer's recommendation to refuse this application.

2. Councillor Murphy disagreed and stated that the site is located outside of the village. He highlighted that by approving the application, a precedent will be set for other sites located in open countryside. He supported officer's recommendations to refuse the application as it does not comply with policy.
3. Councillor Hay agreed with Councillor Murphy and highlighted the open countryside adjacent to the site.
4. Councillor Benney disagreed and highlighted that development has already taken place within close proximity to the site. He stated that in his opinion, the site is within the village boundaries and as the land is not used to grow produce, development would be a good use of this site.
5. Councillor Lynn highlighted that there is an existing bungalow adjacent to the site and development is taking place on the opposite side of the road too.
6. David Rowen reminded members of the definition of LP12 concerning developed footprint and explained that the site cannot be reasonably described as a built form of the settlement. He added that there is the issue of the character of the site and area and whilst members may believe there are no issues with the proposal being in the built form this does not mean that the development would be in keeping with the area. He drew member's attention to a recent appeal decision in Addison Road, Wimblington.
7. Councillor Sutton disagreed and highlighted a recent appeal decision in Kirkgate, Tydd St Giles. He said it was unfair to say the site was not located in Doddington village.
8. David Rowen confirmed that the appeal decision at Kirkgate, Tydd St Giles is included in a later agenda item. He reiterated that the issue is not with the site being in the built form of the settlement but the character.
9. Councillor Murphy explained that in his experience, infill development has never been classed as 3 dwellings. Councillor Sutton reiterated the recent appeal decision at Kirkgate, Tydd St Giles and the Planning Inspector's comments on this.
10. Councillor Skoulding asked if the site is located within a 30mph speed zone. Members confirmed this.
11. Councillor Benney explained that whilst he had the utmost respect for officer's recommendations and planning policy, there are occasions in which members have to consider the requirements of local residents. He stated that he supported this application as the site is part of the village of Doddington, is located in an area of settlement and the application has not received any objections.
12. David Rowen reminded members that the number of letters of support for or objections against a planning application is not in itself a reason to approve or refuse an application.
13. Councillor Sutton stated that elected members must listen to what residents say and supported the application. He said consideration must be given as part of the Council's work on the new Local Plan, as to where the boundary of Doddington lies.

Proposed by Councillor Sutton, seconded by Councillor Lynn and decided that the application be GRANTED; against officer's recommendation.

P39/19 F/YR19/0612/F - ERECT 2 DWELLINGS (1 X 3-STOREY 3-BED AND 1 X 2-STOREY 2-BED) INVOLVING PARTIAL DEMOLITION OF EXISTING DWELLING AND GARAGE; 31 BOWTHORPE ROAD, WISBECH, CAMBRIDGESHIRE, PE13 2DX

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04)) during its deliberations.

Sheila Black presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Gareth Edwards (Agent).

Gareth Edwards explained that he is speaking today on behalf of a colleague who is unable to attend today's meeting. The application is for an additional 2 dwellings to be built on a large residential plot which currently has 1 dwelling situated on it. He explained that the site is located in a residential surrounding within Flood Zone 1. The proposal is compliant with both the National Planning Policy Framework (NPPF) and the Local Plan. He stated that there have been no objections from the statutory consultees and the application has the support of both Wisbech Town Council and the Council's planning officers.

Gareth Edwards confirmed that work has been undertaken with planning officers to achieve this proposal and explained that due to the level of objections received, the application is before members today. The letters of objections received had raised concerns about the property being used as a House of Multiple Occupancy (HMO), lack of parking and lack of amenity space. He offered assurance that the properties will be separate residential dwellings and will not be used as HMOs. In relation to the lack of parking and amenity space, the dwellings will each benefit from off road parking and the amenity space allocated is compliant with policy. He added that currently the garage to the rear of the existing dwelling is not compliant with current parking standards and there is no further parking so the development will improve this situation.

Gareth Edwards highlighted that the development is located within a sustainable, residential area and asked members to support this application.

Members had no questions for Gareth Edwards.

Members asked questions, made comments and received responses as follows;

1. Councillor Lynn stated that he was against the proposal as he feels the site is too small to accommodate three dwellings. He highlighted that Bowthorpe Road suffers from lack of parking and feels this development will only add to this issue.
2. Councillor Hay agreed and stated that she felt the proposal was overdevelopment of the site. Whilst she supports the application for the dwelling to the rear of the existing property, she cannot support the proposal for the dwelling adjacent to the existing property due to the lack of space.
3. Councillor Sutton disagreed and argued that the proposal will in fact improve the parking issues on Bowthorpe Road as an additional 6 parking spaces will be provided. He reiterated that the proposal is compliant with policy and can see no reason to go against officer's recommendation.
4. Councillor Hay disagreed that the parking issue will be improved as a result of the development and added that an additional 2 dwellings will bring even more vehicles to an already crowded road.
5. Councillor Benney said whilst he initially believed the proposal was overdevelopment of the site, it is policy compliant and therefore he has no choice but to support the application.

Proposed by Councillor Sutton, seconded by Councillor Meekins and decided that the application be GRANTED; as per officer's recommendation.

(Councillor Meekins and Councillor Lynn declared an interest by virtue of the fact that they are members of Wisbech Town Council but take no part in planning matters)

P40/19 PLANNING APPEALS.

David Rowen presented the report to members with regards to appeal decisions in the last month.

2.57 pm

Chairman

F/YR15/0699/O

**Applicant: Mr M Chamberlain
Holbeach Properties Ltd**

**Agent : Mr H Chapman
Peter Humphrey Associates Ltd**

Dennicks Yard, Back Road, Gorefield, Cambridgeshire

**Erection of 14 dwellings (max) (Outline application with all matters reserved)
involving demolition of existing dwelling and industrial outbuildings**

Officer recommendation: Grant subject to expiry of re-consultations with no new grounds of objection, resolution of the LLFA drainage issue; decision is also subject to the prior completion of a Section 106 agreement

Reason for Committee: Number of representations received contrary to the Officer recommendation.

1 EXECUTIVE SUMMARY

- 1.1 This scheme seeks outline planning permission to deliver a maximum of 14 dwellings on a brownfield site within the settlement of Gorefield.
- 1.2 The scheme is found to be compliant with Policy LP3 of the Fenland Local Plan and represents no issues with regard to character or amenity, subject to detailed design.
- 1.3 As required by the NPPF significant weight may be afforded the use of this vacant brownfield for housing.
- 1.4 Suitable safeguarding conditions and appropriate planning obligations may be brought forward as part of any consent issued to ensure policy compliance with regard to flood risk, contamination, design, layout, highway safety, biodiversity/landscaping and infrastructure provision. Subject to the resolution of the outstanding LLFA objection relating to surface water drainage on site it is considered that the scheme achieves full compliance with the relevant policy framework.

2 SITE DESCRIPTION

- 2.1 The application site is located on the southern fringe of Gorefield, and covers an area of approximately 2.23ha. The site was formerly used for the storage and distribution of agricultural produce and fertilisers with ancillary offices and workshop. In planning terms, the use would most likely be classified as Storage and Distribution (B8) as opposed to an agricultural or General Industrial (B2) use.
- 2.2 There are five industrial type buildings constructed in profiled sheeting on the site with large expanses of hardstanding. Use on the site ceased some time ago, and the site and buildings have fallen into disrepair. An access road passes through the site linking it to both Back Road and Wolf Lane. Because of its former use and development, the site would be considered 'brownfield' land.

2.3 The site frontage around the access is defined by residential use, detached dwellings of various ages and styles. The eastern and western boundaries are marked by mature planting, whilst the southern boundary backs onto open agricultural land.

2.4 The greater part, the southern western section, of the application site is within Flood Zone 2.

3 PROPOSAL

3.1 The application is in outline form with all matters reserved. The application as originally submitted related to the provision of 15 dwellings, the indicative scheme has subsequently been amended to provide for 10 detached 'executive' type dwellings, and two pairs of semi-detached dwellings. The revised indicative layout indicates 13 dwellings set around an island accessed off Back Road, with the final dwelling fronting Front Road to the west of the access. The existing access from Wolf Lane is to be retained to serve a lone 'workshop' site in the south eastern corner of the site; this 'workshop' is shown on the illustrative scheme as being associated with one of the new dwellings.

3.2 The application form indicates the provision of 4 social rented properties and the revised indicative layout includes two pairs of semi-detached dwellings likely to represent affordable provision, although clearly this layout is not being determined.

3.3 The Agent highlights that the former company has relocated to a more suitable and sustainable location in Saddlebow King's Lynn along with its employees. It is now in an industrial area where it has less impact on the surrounding area. Therefore there is no loss of employment for the district directly resulting from this proposal as the site has already been vacated.

3.4 Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

4.1 The site has an extensive planning history which includes the following:

F/YR00/0953/ CERTLU	Certificate of Lawful Use (Existing): Use of land and buildings for the storage and distribution of agricultural produce and fertilizers with ancillary offices and workshop	Issue Certlu 07/03/2002
F/1188/89/O	Erection of one dwelling and outbuildings for use as workplace home	Refused 16/02/1990
F/0255/86/F	Alterations and extension to offices Back Road Gorefield	Granted 30/04/1986
F/0155/82/F	Extension to offices Back Road Gorefield	Granted 20/04/1982
F/0700/80/F	Extension to store to form commercial vehicle maintenance work-shop	Granted 17/09/1980
F/0102/80/F	Erection of a replacement silo and one new grain	Granted

	silos and construction of a roadway	19/03/1980
F/0273/79/F	Erection of a grain silo Back Road Gorefield	Granted 06/06/1979
F/0076/79/F	Erection of a grain silo Back Road Gorefield	Refused 22/03/1979
F/0052/79/F	Alterations and permanent retention of brick-skinned prefabricated bungalow	Granted 14/03/1979
F/0257/77/F	Erection of 2 grain silos (retrospective)	Granted 18/05/1977
F/0210/77/F	Extension to office building	Granted 18/05/1977
F/0066/77/F	Construction of intake building and erection of silo for intake and storage of grain	Granted 25/04/1977
F/0108/75/F	Erection of an open sided building to cover existing open storage area	Granted 05/02/1975

5 CONSULTATIONS

- 5.1 **Gorefield Parish Council:** Supports the application; but recommends conditions to control construction traffic, and storage of construction materials. Requests a S106 contribution towards village amenities (details regarding enhancement project at the Village park changing rooms), and that the developer should satisfactorily complete the development.
- 5.2 **Cambridgeshire Highways:** *The lack of pedestrian infrastructure along Back Road means that safe convenient pedestrian access to the site is precluded. For a development of this scale I would be expecting a dropped kerb footway to be constructed along Back Road to connect the application site with the existing path network with some improvements to the street lighting.*

2m x 2m pedestrian visibility splays should be detailed either side of all the dropped kerb crossovers. Vehicle to vehicle visibility should be detailed at 2.4m x 43m at the access intersection with Back Road. The access should be at right angles to the back road for the first 10m with 6m radius kerbs either side.

Prior to the commencement of the development full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

- a) *The layout of the site, including roads, footways, cycleways, buildings and surface water drainage.*
- b) *The siting of the building(s) and means of access thereto.*
- c) *Visibility splays*
- d) *Parking provision*
- e) *Turning Area*

- 5.3 **Environment Agency:** Grant subject to a condition requiring the implementation of mitigation measures identified in the FRA (Finished Floor Levels and Flood Warnings).
- 5.4 **CCC (Lead Local Flood Authority):** Originally objected to the grant of planning permission as proposal not in accordance with policy/pumping of surface water not in accordance with policy.

Following the submission of a surface water strategy statement the LLFA maintained their objection as *'the applicant has not demonstrated that sustainable drainage systems (SuDS) will be used on site to provide storage/conveyance of surface water generated on site, nor have they provided evidence of why they would be inappropriate'* and also highlights that *'Pumping of surface water is an unsustainable drainage method'*.

It was required that the applicant *'attempts to discharge as much surface water runoff via gravity as possible. This can be achieved through the use of larger areas of shallow attenuation or alternative SuDS approaches. If it can be demonstrated that a partial or completely pumped drainage system is the only viable option we would require that the residual risk of flooding due to the failure of the pumps be investigated.'*

In response to this the agent's drainage specialist has provided a technical note which addresses the issues raised by the LLFA with regard to the underground tanks and the necessity to incorporate a pump. In addition they highlight that the *'strategy has been devised taking into account the requirements of both CCC highways and Anglian Water to ensure the proposals can be taken forwards to detailed design and technical vetting to ensure adoption of the roads and drainage network within the development, whilst complying with the surface water hierarchy and providing a 50% betterment to the existing current situation therefore reducing the flood risk'*

The consultation response of the LLFA is awaited in this regard and will be reported to the Committee by way of written update.

- 5.5 **Anglian Water:** The sewage system has capacity; surface water disposal in this instance is the responsibility of the LLFA or the IDB.
- 5.6 **IDB:** Has no objection in principle but highlights the following: *'There appears to be some inconsistencies with regard to SWD. The planning statement states soakaways are to be used, whilst the FRA states that 'on site SWD will be discharged via a combined SUDs and positive drainage to the adjoining riparian drain and hence to the IDB main drain system to meet the requirements of the North Level IDB and Building Regulations approval' The receiving riparian drain should be surveyed to ascertain its capacity to take any increased run-off and the exact impervious area discharging to the watercourse needs clarification (roads only or roads and houses). Should discharge from the site exceed 1.4 l/s/ha then my board will require a development levy in accordance with the enclosed for dealing with this increased run off. As per previous correspondence, my board will also investigate the possibility of taking over future maintenance responsibility of the current riparian watercourse should this be deemed necessary.'*
- 5.7 **Cambridgeshire Constabulary:** No comments.
- 5.8 **Cambridgeshire Fire and Rescue:** Provision should be made for fire hydrants.

- 5.9 **FDC (Waste Management):** Adequate provision needs to be made for the storage and collection of waste.
- 5.10 **FDC Environmental Health Officer:** Due to the uncertain nature of previous uses the full planning condition is required regarding potentially contaminated land. Subject to the condition the EHO has no objection.
- 5.11 **FDC Tree Officer:** *The trees are not particularly good quality and it would be difficult to justify wholesale retention. In this case I would rather see a robust landscape plan with good quality replacements going in following construction. The offsite trees will need their RPAs protected so the development should ensure that built structures are located outside of these. With reference to drawing 4944-PL01 A (if the latest), the location of the proposed house (Plot 15) is problematic. Whilst it may be possible to install a cellular confinement system over the existing ground level with a porous surface it would likely be subject to root action.*
- 5.12 **PCC Wildlife:** *Pleased to note [the application] is accompanied by an Ecological Impact Assessment Report (Sept 2019). I have the following comments to make with regard to ecology:*

Bats: Evidence of four common pipistrelle bats was found in Barn 1 (building closest to road). I am satisfied with the findings of the report that this is likely to be a small day roost (rather than a more important maternity roost), however a European Protected Species licence will be required by the applicant before any site demolition works can proceed. The information provided in the report, including setting out how the "three tests" are met appears acceptable. I would therefore request that the development proceeds in accordance with the bat mitigation and enhancement measures set out in the report [these measures together with] full details of bat boxes may be secured via a suitably worded condition.

Nesting Birds: The proposal involves the demolition of barns which contained evidence of nesting birds, along with the removal of vegetation which may also support nesting birds [...] therefore recommend that a standard bird nesting Informative be attached should the scheme be approved. To mitigate for the loss of nesting habitat, I would request that ten integral bird nesting boxes are installed, as per section 8.2 of the ecology report. Full details including designs and locations should be secured by condition.

Hedgehogs: Suitable habitat is present within the application site to support hedgehogs which are a UK Biodiversity Action Plan priority species and listed as a Species of Principle Importance under s41 of the NERC Act 2006. [...] Recommend that impenetrable barriers are avoided by allowing adequate gaps to be retained under all new sections of fence lines, as per section 8.3 of the ecology report [these] may be secured via a suitably worded condition.

Landscaping: Details set out in the Illustrative Site Plan appear broadly acceptable, however I would recommend that all existing boundary vegetation and trees are retained wherever possible. With regard to any additional planting [...] recommend the use of a range of native tree and shrub species such as those listed in section 7.5 of the ecology report, full details of which may be secured via a suitably worded condition.

In summary raises no objection to the proposal subject to the use of appropriate conditions as set out above. However should no development take place within two years of the date of the ecology report (i.e. by Sept 2021) I would advise that an updated ecology survey is carried out, particularly in relation to bats.

[Subject to] recommendations being fully incorporated into the approved scheme the development will in my opinion result in no net loss in biodiversity.

5.13 Local Residents/Interested Parties: 7 letters of representation have been received from 7 different sources (including the community consultation replies forwarded to the Council), the objections are summarised as follows:

- Adverse impact on residential amenity.
- Loss of value.
- Noise and disturbance.
- Contamination.
- Road capacity and highway safety.
- Lack of pavements.
- Traffic calming.
- Lack of capacity at the village school.
- Access should be via Wolf Lane.
- Retention and maintenance of trees.
- Length of time allowed to developer in terms of process

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).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF) (February 2019)

Paragraph 2 - Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise-The NPPF is a material consideration in planning decisions;

Paragraph 11 - Presumption in favour of sustainable development but in accordance with the development plan.

Section 5 - Delivering a sufficient supply of homes.

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land (Para. 118(c) - give substantial weight to the value of using suitable brownfield land within settlements for homes [...]

Section 12 - Achieving well-designed places.

Paragraph 124 -127: Creation of high quality buildings.

Paragraph 155-165: Development in flood risk areas.

Annex 2 (definition of Affordable Housing)

7.2 National Planning Practice Guidance (NPPG)

7.3 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
LP12: Rural areas development policy;
LP13 Supporting and Managing the impact of a growing District (Appendix B – Open Space)
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;
LP19: Natural Environment

7.4 SPD: Delivering and Protecting High Quality Environments in Fenland (July 2014)

7.5 Cambridgeshire Flood and Water SPD (December 2016)

8 KEY ISSUES

- **Principle of Development**
- **Character, appearance and Policy LP12 considerations**
- **Village Thresholds**
- **Character of the Area**
- **Residential Amenity**
- **Highway Safety**
- **Flood Risk**
- **Affordable housing**
- **Provision of Infrastructure**
- **Biodiversity and Landscaping**
- **Other Considerations**

9 ASSESSMENT

Principle of Development

- 9.1 Gorefield is identified as a 'Small Village' under Policy LP3 of the Fenland Local Plan 2014 where development will be considered on its merits but will normally be of a very limited nature and limited in scale to residential infilling or a small business opportunity.
- 9.2 As Gorefield is a 'Small Village' the proposal will also need to meet the criteria contained within Policy LP12. The preamble to Local Plan Policy LP12 explains that unlike the previous Local Plan, there are no longer fixed 'development area boundaries' around each of the settlements. This is intended to provide a more flexible, criteria based approach to assessing new proposals in such settlements. To this end, Local Plan Policy LP12 supports new development in villages where amongst other things, it does not harm the wide open character of the countryside, and requires proposals to be in or adjacent to the existing developed footprint of the village, of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance. The definition of the existing developed footprint of a village excludes gardens, paddocks, and other undeveloped land within the curtilage of buildings on the edge

of the settlements where the land relates more to surrounding countryside than to the built up area of the settlement.

- 9.3 The site was formerly used for the purposes of a storage and distribution business for agricultural produce and fertilisers. The business and staff relocated to Kings Lynn some time ago. Five large industrial type buildings in a dilapidated state, together with extensive areas of hardstanding associated with the former use remain; these define the developed footprint of the southern edge of the village.
- 9.4 Considered in the context of the previous use, as described above, the proposed development could be comparably considered to be of a very limited nature. Where the land is not of high environmental value, the use of brownfield land particularly in terms of helping to deliver affordable housing would meet Policy LP3 objectives of creating a strong, sustainable, cohesive and inclusive communities. The proposal is therefore considered to accord with Policy LP3.

Character, appearance and Policy LP12 considerations

- 9.5 The application has been submitted in outline will all matters reserved and the proposed layout plan for 14 large executive/suburban type housing is only indicative, it should be noted that this will represent a net increase of 13 dwellings. Massing, height, design and layout would also be important considerations for the detailed design stage.
- 9.6 The introduction of 14 dwellings (with associated gardens and hard surfaces) onto this area of previously developed land would not introduce built development that would appear isolated, obtrusive and encroach into the unspoilt countryside. This change would be in keeping with the core shape and form of the settlement and would clearly be an improvement in terms of impact on the character of this area in comparison with the existing development on the site.
- 9.7 As Gorefield is a 'Small Village' the proposal would need to meet the criteria contained within Policy LP12. Policy LP12 allows new development providing it contributes to the sustainability of that settlement, and does not harm the wide open character of the countryside. With regards to Policy LP12 criteria the proposal is assessed as follows:
- (a) The large disused buildings and extensive areas of hardstanding associated with the former use remain on site and these define the developed footprint of the southern edge of the village. Policy LP12 excludes agricultural buildings and associated land from the developed footprint of the village. In this case the former use of the site for storage and distribution (Class B8) falls outside agricultural use and the site is therefore considered to be continuous with the built form of the settlement and does not represent an incursion into open countryside. The requirements of criteria (a) are therefore met.
 - (b) The nearest settlements – Leverington (2.65km), Wisbech (4.4km) and Wisbech St Mary (3.55km) are too far away for coalescence to occur. The requirements of criteria (b) are therefore met.
 - (c) The illustrative scheme shows residential development of the site not exceeding two storeys, appropriately buffered with boundary planting. Such boundary treatment will soften the boundaries of the site marking the transition of the built form with the countryside beyond; recognising that the site is on the edge of the settlement This is considered to be an improvement on the character and

appearance of this part of the countryside in comparison with the existing development. The requirements of criteria (c) are therefore met.

- (d) The proposed development remains within the boundary limits of the former use, the profile of the residential development will be lower than the existing buildings and the setting largely contiguous with existing residential dwellings, for these reasons the shape and form of the settlement is not considered to be harmed. The requirements of criteria (d) are therefore met.
- (e) The proposal does not involve linear or ribbon development and therefore the requirements of criteria (e) are met.
- (f) The existing boundary planting will be retained and augmented as necessary to meet the requirements of criteria (f).
- (g) The dilapidated and unused nature of the site may have attracted some wildlife, and issues concerning biodiversity are considered in detail below, however it should be noted that the submitted Ecological Assessment has been accepted by the Wildlife Officer and as such it can be concluded that the requirements of criteria (g) are met.
- (h) The area of open space adjacent to the junction of the access with Back Road will be retained in the form of a front garden to a dwelling. The development will not result in the loss of important open village spaces. The requirements of criteria (h) are met.
- (i) The loss of agricultural land is not involved. The requirements of criteria (i) are met.
- (j) Danger from identified risks is not involved. The requirements of criteria (j) are met.
- (k) The site is adequately serviced. The requirements of criteria (k) are met.

9.8 Policy LP16 seeks to ensure that new development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the area (part (d)).

9.9 The proposal is considered to be compliant with the criteria set out under Policy LP16. Of central importance is the effect on local distinctiveness and the character of the area of the removal of a non-confirming use and redeveloping a brown field site with residential development. In this respect the redevelopment of the site, as discussed above, is considered to constitute an improvement to the settlement patterns and landscape character of the area.

9.10 The layout of the site itself is considered to be acceptable in terms of the spacing of the dwellings and the amount of amenity space and parking and turning areas available for the proposed dwellings. In this regard the proposal complies with part (h) of Policy LP16. Details relating to landscaping, waste collection and contamination will be dealt with at reserved matters or through conditions.

- 9.11 It is notable that many properties on Back Road are bungalows or chalet bungalows with accommodation in the roofspace. A recent development on the corner of Wolf Lane and Back Road has utilised design characteristics sympathetic to the scale and character of existing properties although clearly of two storey scale including materials and cat-slide dormer windows that are considered to enhance the village street scene. In order to comply with requirements of Policy LP16 it is considered that any submission of any detailed design should consider a similar palette of design features.
- 9.12 It is therefore concluded that the proposed development would not harm the character and appearance of the surrounding area and that it would consequently not conflict with the aims of Policies LP3, LP12 and LP16 of the Local Plan. In addition to the requirements of LP3 and LP12, LP16 seeks, amongst other matters, to ensure that development makes a positive contribution to distinctiveness and does not adversely impact on the settlement pattern or landscape character of the surrounding area.

Village Thresholds

- 9.13 Policy LP12 Part A also provides that if proposals within or on the edge of a village, in combination with other development built since April 2011 and committed to be built, increase the number of dwellings in a small village by 10% then the proposal should have demonstrable evidence of clear local community support for the scheme and if, despite a thorough pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the relevant Parish Council.
- 9.14 The threshold for Gorefield would be breached by the current development given that the current figures, as of 5th September 2019, record a threshold of 33 new dwellings and the number of dwellings built or committed being at 25, as such any application would require demonstrable community support in accordance with the Policy.
- 9.15 This application has been the subject of pre-application community consultation in accordance with Policy LP12. The community consultation exercise attracted a total of 13 responses, 8 in support, 3 objections and 2 letters which were neutral or undecided. In conclusion 72% of the response was positive and the scheme had the support of the Parish Council.
- 9.16 Notwithstanding this the LP12 'community support requirement has been tested at appeal and the Planning Inspector concluded that it is unwise to refuse applications on this element of LP12 alone. Nevertheless in this instance it appears clear that there was not a significant objection from the community generated by the consultation exercise.

Residential amenity

- 9.17 The proposal will introduce up to 14 dwellings. The detailed layout will be the subject of further applications for reserved matters. However it is noted that the orientation of dwellings and in particular the treatment of boundaries with existing neighbouring properties, including those that abut the proposed access road, need careful consideration to safeguard the amenities of neighbours.

Highway Safety

- 9.18 The access and highway safety considerations have been assessed by the Local Highway Authority; no objections are raised to the proposed access subject to conditions being applied. As such, there are no concerns in relation to highway safety and the proposal complies with the provisions of LP15 in this regard although footways may be required along Back Road on the site frontage.
- 9.19 A request was made to replace/improve a footbridge which provides pedestrian access towards the village primary school. However this includes the culverting of the drain which is outside the control of the applicant. Furthermore the bridge/footway facility is already in place to facilitate pedestrian access, therefore the proposal is not necessary and such works fail one of the tests outlined in Paras 55-56 of the National Planning Policy Framework in that the upgrade/replacement is not 'necessary' to make the development acceptable. As such this request may not be taken forward as part of this proposal.

Flood Risk

9.20 A large part of the south eastern part of the site is located within Flood Zone 2 and a planning condition preventing built development within the small area of flood zone 3 is attached. A Flood Risk Assessment (FRA) and Sequential Test has been submitted. The FRA simply acknowledges the location of the site in Flood Zone 2, and states that the Sequential Test will need to be applied by the local planning authority. As there will be no development in Flood zone 3 there is no requirement to pass the exceptions test in accordance with the adopted SPD.

9.21 The Environment Agency (EA) has stressed that it is for the local planning authority to apply the Sequential Test; subject to this they has no objections but recommend that the mitigation measures detailed in the revised FRA are implemented.

9.22 In assessing the Sequential Test, the Flood and Water SPD advises the following:

"the area of search is usually over the entire LPA area and may only be reduced in discussion with the LPA because of functional requirements and objectives of the proposed development and because there is an identified need for that type of development. The relevant Local Plan should be the starting point".

9.23 However due to Fenland District Council's informal guidance on sequential tests for housing (adopted by Council in May 2018) the proposal is a considered in accordance with the principles of LP3 of the Fenland Local Plan. It will see the development of a brownfield and non-conforming use in the Village of Gorefield which will provide affordable housing in accordance with policy requirements, and in overall sustainability terms will accord with NPPF and Fenland Local Plans wider aspirations. Therefore, it is accepted that the area of search is within the village of Gorefield.

9.24 A Flood Risk Assessment and Sequential test has been submitted. The FRA concludes that the site should be identified as being within Flood Zone 1, the actual risk of flooding is low and that proposed floor levels are to be set 300mm above lower existing land levels at 2.10 aOD with sleeping accommodation and safe refuge provided at first floor level of the dwellings.

9.25 A Sequential Test has also been carried out given the nature of the development, and its location partly within Flood Zone 2. The geographical area

of search was limited to the settlement. The Sequential Test concluded that no sites have been identified that lie wholly within Flood Zone 1 which would be considered sequentially preferable to the application site which lies partly within Flood Zone 2; that the accompanying site specific FRA demonstrates that the development will be safe for its lifetime taking into account the vulnerability of its users without increasing flood risk elsewhere and reducing overall flood risk. Given that development of this type (i.e a non-conforming brownfield site of this scale) is difficult to identify in Gorefield, and as all sites are severely constrained by the presence of Flood Zone 2, and as the proposal seeks to demonstrate a clear objective to sustain particular settlements, the contention that there are no sequentially preferable sites available is therefore accepted. In this instance the sequential test is therefore considered to be passed; furthermore as the site is within flood zones 1 & 2 there is no requirement for the development to satisfy the exception test.

9.26 A surface-water drainage strategy for the site (as required by the Cambridge Flood and Water SPD) was not forthcoming as part of the original application details; however this has been submitted and the LLFA duly consulted. The initial comments raised concern as they did not consider that the development proposals incorporated sustainable drainage systems, given that they do not consider the underground tanks proposed were SuDS.

9.27 The LLFA further contend that the variety of SuDs techniques are such that virtually any development should be above to include a scheme based around SuDS.

9.28 It is also considered that the pumping of surface water is an unsustainable drainage method as pumps present a significant residual risk if they are not maintained or fail during a storm event. The LLFA as part of their detailed consultation response have identified their preference for gravity discharge to the SWD system, and that they require the applicant attempts to discharge as much surface water runoff via gravity as possible. This advice is caveated by the information that the applicant should provide if it can be demonstrated that only a partial of completely pumped drainage system is the only viable option.

9.29 In response to this the agents have provided a detailed technical note and the LLFA has been formally re-consulted. It is intended that their consultation response will be reported to the committee by written update. Subject to a satisfactory SWD strategy being agreed compliance with Policy LP14 will be achieved.

Affordable Housing

9.30 The application proposes 4 affordable dwellings which is considered to accord with policy requirements (Policy LP5). The provision of 4 affordable dwellings for the village is considered to provide significant weight in the assessment of the Sequential Test as regards demonstrating the clear intention to sustain the particular settlement. Therefore the application will include Section 106 requirement for the provision of 4 affordable dwellings. Alternatively an off-site provision for 25% could be accepted or if proven that these are not deliverable NPPF compliant other forms of Affordable housing (starter units or market discount housing at 80% market value to remain as such) could be secured.

Provision of Infrastructure

9.31 The original request made by the County Council for education contribution has been withdrawn. No request for NHS provision has been made.

9.32 Policy LP13 addresses infrastructure Provision and Appendix B provides open space standards and the calculations for this site are as follows:

Site Area		2.38ha
	%	Contribution
Neighbourhood/town park	4	£9,520.00
Children's play	4	£9,520.00
Natural Greenspace	5	£11,900.00
Allotments	1	£2,380.00
Outdoor Sports	8	£19,040.00
Total		£52,360

9.33 However, it is noted that Children's play and natural greenspace could be provided within the site, should this not be considered appropriate the proposal should make off-site provision. Evidence from the local community has identified a project on the village recreation ground with an extension of the village hall/changing facilities have been granted planning permission recently (F/YR18/1017/F), furthermore it is noted that Gorefield Allotments are on land owned by FDC which is leased to the Parish and then sub-let and that the Parish Council is responsible for the play equipment on the Wolf Lane playing field.

9.34 There are clearly opportunities to enhance sports/recreation provision locally and the allotments, outdoor sports and neighbourhood park elements listed above could feasibly be directed to such projects. With regard to children's play and natural greenspace the applicant may choose to provide these on-site. It is suggested that should the Committee favourably recommend the scheme authority is delegated to the Head of Service to negotiate a suitable package of Infrastructure benefits which should align with the table above.

9.35 As indicated in the 'Highway Section' of this report the Highway Authority requested the culverting of a drain within the village alongside Back Road and a footpath which accesses High Road and the Gorefield Primary School. This is not considered to be necessary and therefore fails the CIL regulations and as such is excluded.

Biodiversity and Landscaping

9.36 An Ecological Appraisal of the site was not forthcoming as part of the original application details, contrary to the requirements of the NPPF and Policy LP18 of the FLP). The outstanding EA was recently submitted and the Wildlife Officer (WO) duly consulted.

9.37 Based on the response from the WO, summarised in the consultation section above, it is concluded that subject to the imposition of the recommended conditions the scheme has the potential to achieve compliance with Policy LP18 of the FLP as not resulting in any net loss in biodiversity. With regard to landscaping the FDC Tree Officer does not consider any trees on site are worthy of protection and seeks a robust landscaping scheme as part of any reserved matters application.

Other Considerations

9.38 Concerns raised by residents relating to adverse impact on residential amenity, and noise and disturbance are not considered as valid except for the limited period of time during construction. Loss of value is not a planning consideration. Contamination will be dealt with through a planning condition. The Highway Authority considers that it would be unreasonable to insist upon the site being accessed from Wolf Lane, as would the provision of footways when none exist on Back Road. The access road serving the development is not of sufficient length to justify traffic calming measures. Trees and planting will be addressed at reserved matters stage.

10 CONCLUSIONS

10.1 It is considered that the scheme has the potential to fully accord with both Local and National planning policy as it will see the re-use of a vacant brownfield site within an existing settlement.

10.2 Suitable safeguarding conditions and appropriate planning obligations may be brought forward as part of any consent issued to ensure policy compliance with regard to flood risk, contamination, design, layout, highway safety, biodiversity/landscaping and infrastructure provision.

10.3 Subject to the resolution of the outstanding LLFA objection relating to surface water drainage on site it is considered that the scheme achieves full compliance with the relevant policy framework.

11 RECOMMENDATION - Grant subject to:

- (i) Expiry of re-consultations with resolution of outstanding LLFA objection and no new grounds of objection
- (ii) Prior completion of a Section 106 agreement with regard to:
 - 4 units for affordable housing on site or off site contribution, or if not deliverable NPPF compliant Starter homes or discount market both at 80% market value in perpetuity;
 - Provision of Public Open Space contribution (maximum of £52,360) or appropriate on-site;
 - Provision of off-site highway improvement works (provision of 1.8metre wide footway on south side of Back Road as detailed on indicative plan)
- (iii) Should the obligation referred to not be completed and the applicant is unwilling to agree to an extended period of determination after 4 months, or on the grounds that the applicant is unwilling to complete the obligation necessary the application be refused.
- (iv) Delegated authority be given to the Head of Planning to finalise appropriate planning conditions, although an indicative schedule is included below

1	The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.
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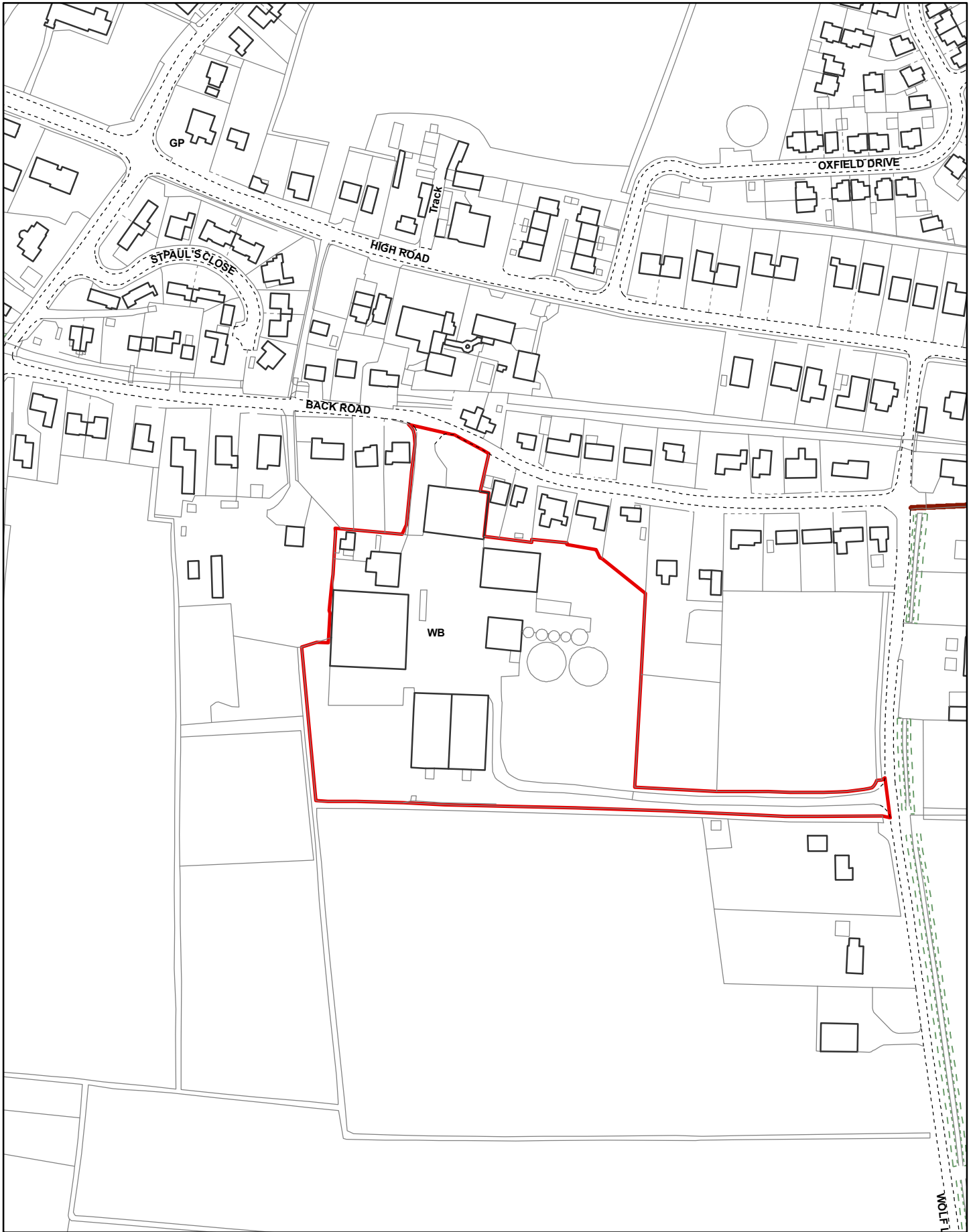
	Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004
2	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the layout of the site ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the means of access thereto; v. the landscaping <p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
3	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
4	<p>The residential elements of the development shall not exceed 14 dwellings (Use Class C3).</p> <p>Reason - For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5	<p>The development permitted by this planning permission, and the details of which are required by planning condition No 2, shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures:</p> <ul style="list-style-type: none"> - Finished floor levels should be elevated to 300mm above the current ground level. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, agreed, in writing, by the Local Planning Authority.</p> <p>Reason - To reduce the risk of flooding to the proposed development and future occupants and in accordance with Policy LP14 of the Fenland Local Plan(2014).</p>
6	<p>The detailed layout required by condition No 2 shall include the provision of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved by the Local Planning Authority. This should include provision for the storage of three standard sized wheeled bins for each new property with a collection point no further than 25 metres from the public highway. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form thereafter.</p> <p>Reason - To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability in accordance with the RECAP Waste Management Design Guide and the aims of Policy LP16 of the Fenland Local Plan.</p>

7	<p>Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes.</p> <p>Reason - To ensure that retained trees are adequately protected in accordance with Policy LP19 of the Fenland Local Plan (2014)</p>
8	<p>The details submitted in accordance with Condition 02 of this permission shall include:</p> <p>(a) a plan showing (i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 m above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree and (ii) the location of hedges to be retained and details of species in each hedge.</p> <p>(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;</p> <p>(c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;</p> <p>(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;</p> <p>(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development;</p> <p>(f) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.</p> <p>In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the plans referred to in paragraph (a) above.</p> <p>Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
9	<p>The details submitted in accordance with Condition 02 of this permission shall include: suitable area shall be provided within the site to enable vehicles to:</p> <ol style="list-style-type: none"> 1. enter and leave in forward gear 2. park clear of the public highway <p>The extent of this area shall be shown fully dimensioned on the layout plans to be submitted as part of the Reserved Matters application and such space shall be retained thereafter for no other use in perpetuity.</p>

	Reason - In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).
10	<p>The details submitted in accordance with Condition 02 of this permission shall include:</p> <ul style="list-style-type: none"> • 2m x 2m pedestrian visibility splays should be detailed either side of all the dropped kerb crossovers. • Vehicle to vehicle visibility should be detailed at 2.4m x 43m at the access intersection with Back Road. • The access should be at right angles to the back road for the first 10m with 6m radius kerbs either side. <p>The above requirements shall be shown fully dimensioned on the layout plans to be submitted as part of the Reserved Matters application and thereafter maintained in perpetuity.</p> <p>Reason - In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
11	<p>No occupation of any dwelling hereby permitted shall take place until the demolition of the existing dwelling immediately to the east of No 22 Back Road has been completed.</p> <p>Reason - In the interests of the protection of amenity of future occupiers of nearby dwellings in accordance with Policy LP16 of the Fenland Local Plan.</p>
12	<p>No part of the development shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed estate roads and private drives within the development have been submitted to and approved by the local planning authority. The estate roads and private drives shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.</p> <p>Reason: To ensure a satisfactory means of access in accordance with policies LP15 and LP16 of the Fenland Local Plan.</p>
13	<p>No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.</p> <p>(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.</p> <p>(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.</p> <p>(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors</p>

	<p>and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.</p> <p>No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).</p> <p>(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p> <p>(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.</p> <p>(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason - To control pollution of land or water in the interests of the environment and public safety.</p>
14	<p>The development shall be undertaken fully in accordance with the recommendations contained within The Wild Frontier Ecology Ecological Impact Assessment (EIA) dated September 2019 and prior to the commencement of development on site the following biodiversity mitigation and enhancements shall be detailed on the submitted drawings along with a timescale for delivery:</p> <p>(i) The bat mitigation and enhancement measures outlined within the EIA shall be adhered to; i.e.</p> <p>(a) Having a licensed bat worker provide an induction talk to contractors prior to starting works;</p> <p>(b) Having a licensed bat worker present for higher risk activities (removal of cladding/flashing, barn doors and demolition of certain brickwork and other features) on the relevant parts (namely the south side) of Barn 1 to safely translocate any bats encountered;</p> <p>(c) "Soft felling" of mature willow tree at front of site with bat roost potential;</p> <p>(ii) Four integral bat boxes shall be provided as per section 8.1 of the report, details of these together with their intended locations shall be provided prior to any development above slab level and they shall be installed prior to the occupation of their related dwelling and maintained in perpetuity thereafter.</p> <p>(iii) Ten integral bird nesting boxes shall be provided as per section 8.2 of the report, details of these together with their intended locations shall be provided prior to any development above slab level and they shall be</p>

	<p>installed prior to the occupation of their related dwelling and maintained in perpetuity thereafter.</p> <p>(iv) Hedgehog gaps shall be retained under all new sections of fence lines, as per section 8.3 of the report these should be detailed on the drawings submitted in respect of condition 2, provided concurrently with their related dwellings and maintained in perpetuity thereafter.</p> <p>Reason - To ensure that protected species are suitably safeguarded and to enhance biodiversity on the site in accordance with Policy LP19 of the Fenland Local Plan (2014)</p>
15	<p>Should development not commence on site within two years of the date of the ecology report (i.e. by Sept 2021) an updated ecology survey shall be submitted to and approved in writing by the Local Planning Authority. Should the findings of this report require revisions to the previously agreed biodiversity mitigation and enhancement proposals an updated scheme, together with amended timescales as required, should be submitted to and approved in writing by the LPA and all works shall then be carried out fully in accordance with the agreed scheme and thereafter maintained in perpetuity.</p> <p>Reason - To ensure that protected species are suitably safeguarded and to enhance biodiversity on the site in accordance with Policy LP19 of the Fenland Local Plan (2014)</p>
16	<p>Prior to any construction above slab level of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling.</p> <p>Reason - In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
17	All drainage conditions as recommended by the LLFA
18	The development hereby permitted shall be carried out in accordance with the following approved plans and documents



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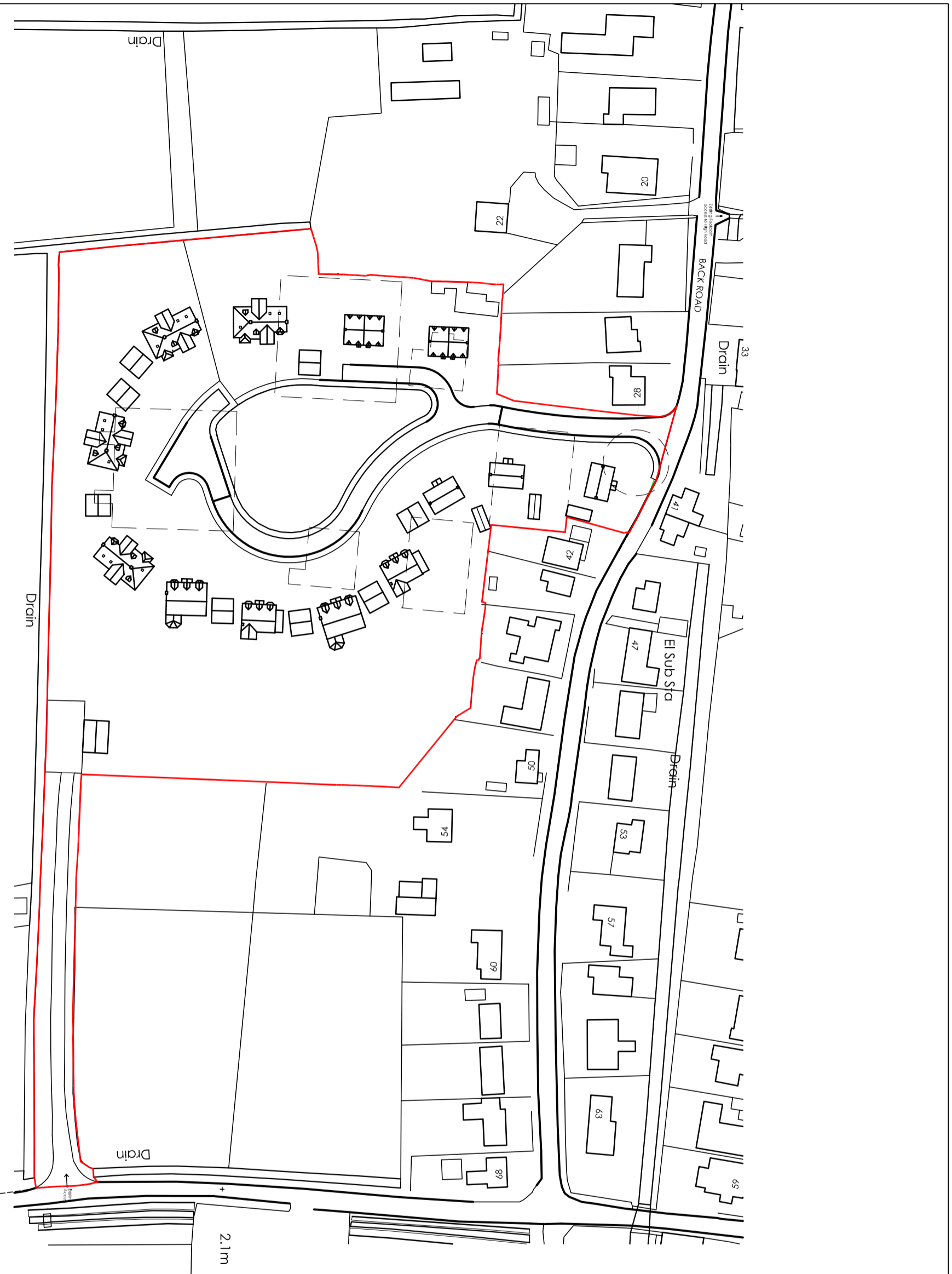
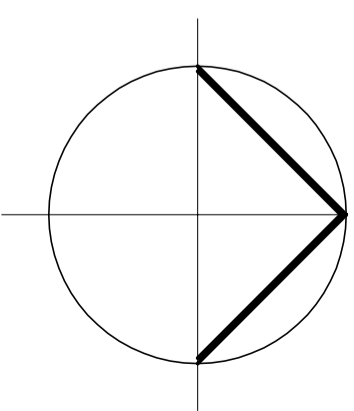
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F/YR15/0699/O

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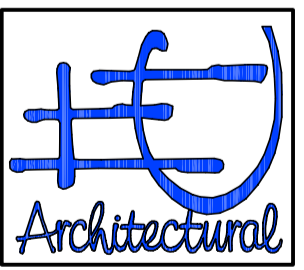


Peter Humphrey Associates
 ARCHITECTURAL DESIGN AND BUILDING

PROJECT
 PROPOSED RESIDENTIAL DEVELOPMENT
 DENNICKS YARD
 BACK ROAD
 GOREFIELD

CLIENT
 DENNICK/CHAMBERLAIN FAMILY
 DRAWING TITLE
 LOCATION PLAN
 DATE JUNE 15 SCALE AS SHOWN JOB No. 4944 - L01A

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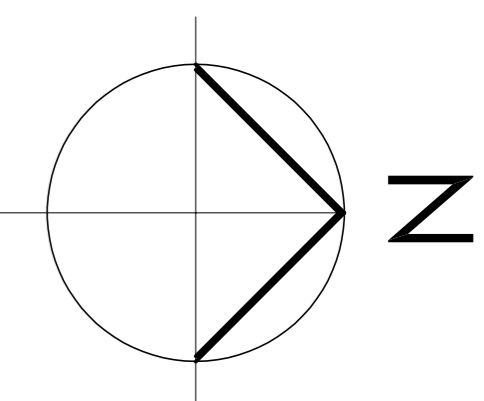


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30 OLD MARKET WISBECH CAMBS PE13 1NB
 Fenland District Council
Building
 Design Awards
 Building Excellence in Fenland
 Category Winner 2008

LOCATION PLAN 1:1250



KEY:

- = Proposed trees
- = Existing trees
- = Land own by Highways - See definitive maps



SITE PLAN 1:500

Deter Humphrey Associates
 ARCHITECTURAL DESIGN AND BUILDING

PROJECT
 PROPOSED RESIDENTIAL DEVELOPMENT
 DENNICKS YARD
 BACK ROAD
 GOREFIELD

TITLE
 DENNICK/CHAMBERLAIN FAMILY
 ILLUSTRATIVE SITE PLAN

DATE: Sept 18 SCALE: AS SHOWN JOB NO: 4944 - PL01CD

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 Building
 Category: Visual 2008

PLANNING COMMITTEE DATE: 6th November 2019

APPLICATION NO: F/YR15/0699/O

SITE LOCATION: Dennicks Yard, Back Road, Gorefield

UPDATE

Given that the application has been dormant for some time, awaiting bio-diversity studies and the resolution of the drainage matters, a full re-consultation has been undertaken in respect of the application which has generated the following consultation responses:

LLFA: Note additional information but consider that in accordance with *'information provided by Susdrain continues to say 'Geocellular storage used on its own is unlikely to be regarded as a SuDS scheme, as it should incorporate source control'. As the present submission has not incorporated any source control (despite there appearing to be significant areas of open space and large gardens within the development our objection point remains.'* It is further noted that the LLFA *'require demonstration that a pumped solution is the only viable option. Based on the letter from BHA Consulting [they] accept that pumping may be required and [they] accept that the pumping station will be subject to technical vetting by Anglian Water (if they adopt the system). [The LLFA] will however require that any modelling is also sent to [them] but feel this could be undertaken as part of detailed design (i.e. discharge of condition stage). Based on the above, [the LLFA] are able to remove the second part of our objection; however point 1 remains'*.

Environment Agency: Have reviewed the amendments provided and have no further comment to make.

North Level IDB: Have no comment to make with regard to this application

Anglian Water Services: Have confirmed that the sewage system has capacity, although development is within the vicinity of a vacuum sewage system - noting that direct connection to the public foul sewer is likely to have a detrimental effect on the existing network and further assessment will be required to define a feasible foul water drainage strategy for the site; AWS request condition in this regard. Also note that surface water disposal should adhere to a SUDs approach with connection to sewer being the last option; the LPA should seek advice from LLFA or the IDB in this regard. (Additional condition detailed as part of this update as per AWS request)

CCC Highways: Confirm original comments still stand

FDC Environmental Protection: Reiterates that the applicant has yet to provide information that demonstrates the absence of pollution linkages showing the site is suitable for its intended use, the full suite of contaminated land conditions remain relevant and should be included in any approval granted. (Condition 13 of report addresses this aspect).

Designing Out Crime Officer: No further comments to make in regards to community safety and vulnerability to crime.

Cambridgeshire Fire and Rescue: Adequate provision should be made for fire hydrants and these should be secured by S106 or planning condition, as per earlier comments. Condition 16 of report addresses this aspect).

FDC Refuse: In broad principal have no objection to this development, makes observations regarding waste collection and requirements on site. (Condition 6 of report addresses this aspect).

Local residents/Interested Parties: A further two emails have been received from previous contributors reiterating their earlier one of these contributors has slightly amended their earlier position in that whilst they have no objection to the development of 14-houses they are concerned regarding damage, disruption, pollution and asbestos and how their property would be kept secure (and the structure safeguarded) during the construction activity. They have also queried how the demolition will be undertaken without accessing their property; do not consider that this has been considered.

The second communication maintains their earlier position reiterating concern regarding the pressure on roads of additional traffic whilst also raising the issue of drainage and water pressure.

General Updates/Clarification:

- Para 9.20, Restricting development in flood zone 3 areas has been deleted and the condition not appended; such matters will be addressed at reserved matters stage.
- During the Member site inspection it was queried whether the Willow tree to the site frontage could/should be retained. Members are advised that the submitted tree report which accompanies this submission identifies that this tree is in *'poor condition. It is relatively old, and has large areas of decay near its base. As it overhangs a public road it cannot be retained in its current form for any length of time, and in a reduced form it would continue to decay at crucial points'*.

Mindful of the above it would not be reasonable to require the retention of this tree, and similarly it would not be appropriate to protect the tree as its condition and form would not warrant this.

- The drainage matters appear capable of resolution and as such the LLFA have been approached to ascertain whether the requirement for source control could be secured as part of a detailed drainage strategy condition which is explicit in this regard; their response is imminently expected and will be reported to the committee verbally.

Recommendation: Grant subject to (ii), (iii) and (iv) plus additional conditions as follows:

(a) Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

AGENDA ITEM NO. 5

Reason - To prevent environmental and amenity problems arising from flooding and secure compliance with Policy LP14 of the Fenland Local Plan (2014).

(b) The primary access to serve the development shall be from Back Road, Gorefield.

Reason - To define the scope of the consent and for the avoidance of doubt

(c) Drainage conditions as required by LLFA

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F/YR18/0345/FDL

**Applicant: Executors Of Mrs P Brewin Agent : Mr Ted Brand
C/o A Choudhury Brand Associates**

Brewin Oaks, City Road, March, Cambridgeshire

Erection of up to 41 flats and 4 dwellings (outline application with all matters reserved) involving demolition of existing dwelling

Officer recommendation: Grant outline planning permission decision, subject to the prior completion of a Section 106 agreement

Reason for Committee: Number of objections received contrary to the officer recommendation; objection from March Town Council and Fenland District Council ownership of the access road leading to the site.

1 EXECUTIVE SUMMARY

- 1.1 The proposal is for the redevelopment of an existing residential dwelling and its associated garden located in close proximity to the centre of the Market Town of March.
- 1.2 The proposal is made in outline with all matters reserved for later approval, and indicates development of up to 41 flats and 4 new dwellings.
- 1.3 Concerns have been raised on a wide range of matters, although matters relating to the appearance of the development, its layout and specific impacts on the residential amenities of neighbouring dwellings and access must be considered as part of the detailed proposals under a later reserved matters application rather than the current outline proposal.
- 1.4 The traffic implications of the proposal have been highlighted as a concern by both members of the public and the FDC Transport team; however the Local Highways Authority has indicated that the traffic implications of the proposal would not be sufficient to justify a refusal on highways grounds.
- 1.5 The proposal is in accordance with the relevant key policies of the development plan, and there is insufficient justification for refusal of outline planning permission.

2 SITE DESCRIPTION

- 2.1 The application site currently consists of a detached two-storey dwelling set in its own grounds. It is accessed directly from Brewin Chase to the east boundary of the site, which also provides vehicular and pedestrian access to the leisure centre, library and West End park to the north east and north of the site. The City Road car park lies to the east of Brewin Chase, with single and two-storey residential dwellings on Ravenhill Drive bordering the site to the west. These

dwellings are located along a section of the site where the existing landscaped boundary is at a significantly lower height than to the north or south, and these properties benefit from views across the land. Immediately to the south of the site is a commercial premises, comprising a funeral directors.

- 2.2 The application site lies within Flood Zone 1, the lowest flood risk zone.
- 2.3 Brewin Chase is an unadopted public road, owned and maintained by Fenland District Council.

3 PROPOSAL

- 3.1 The proposal is an outline application for the erection of up to 41 flats and 4 dwellings, with all matters reserved for later approval. Indicative plans have been submitted showing a potential layout of the site and elevations of the buildings to provide an indication as to what the agent considers could be accommodated on the land. Vehicular access to the site would be along Brewin Chase, and the illustrative site plan shows three access points to separate areas of car parking for the site, with new pedestrian footpaths to the western side of Brewin Chase.
- 3.2 The proposal has been revised throughout its consideration to reduce the total number of units down from the originally proposed 53 units, and to reduce the overall height of the indicative buildings on the site to limit the development to 3-storey.
- 3.3 Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=P6CIN6HE01U00>

4 SITE PLANNING HISTORY

F/91/0814/F	Erection of a 3/4-bed detached house with integral garages	Granted 30/03/1992
F/0201/85/F	Erection of a house and integral treble garage Off City Road March	Approved 18/11/1985
F/0185/84/F	Alterations and extension to undertakers workshop and provision of a Chapel of Rest (Mortuary) City Road March	Approved 12/04/1984
F/0104/82/O	Erection of a house and garage Off City Road March	Approved 13/05/1982

5 CONSULTATIONS

- 5.1 **Cambridgeshire County Council Growth and Development Team**
Request contributions to in relation to early years and primary education provision, and to libraries service (set out in section 10 below).
- 5.2 **March Town Council**
Recommend refusal due to overdevelopment.
- 5.3 **Cambridgeshire County Council Highways Authority**
If Brewin Chase is to remain in private ownership, then no objection. Analysis of similar developments would indicate that the trip generation at peak hours as a result of the development would have a small impact that would not justify a

recommendation of refusal on the grounds of highways safety or traffic generation.

5.4 FDC Transport

Objection. Further information is required to assess the transport impacts of the proposal. The Burrowmoor Road/High Street/B1101 junction is forecast to be operating at or over capacity over the period to 2026. The application does not assess or indicate mitigation for traffic impacts associated with the proposals, and policy LP15 states that development that has transport implications will not be granted planning permission unless deliverable mitigation measures

5.5 Cambridgeshire County Council Lead Local Flood Authority

Following receipt of amended plans, the LLFA raises no objection in principle; request the imposition of conditions regarding the agreement of a surface water drainage scheme for the site and the long term maintenance arrangements.

5.6 FDC Housing Strategy

25% affordable housing will be required from the site, on the basis of 11 units. 8 of which should be affordable rented and 3 of intermediate tenure.

5.7 FDC Assets and Projects

Continued concern regarding the ability of the road to accommodate further traffic, and would expect any owner to enter into discussions with FDC in their capacity as landowner regarding works and maintenance of the road known as Brewin Chase.

Previous comments:

- Brewin Chase is not formally adopted highway and has not been constructed to accommodate significant volumes of vehicular traffic.
- Brewin Chase is not subject to parking restrictions.
- Existing hedges/trees should be retained to the north boundary to provide screening to the north

5.8 Environmental Health

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development. The proposal is unlikely to have a detrimental effect on local air quality or the noise climate. However given the demolition of the existing building the following condition should be imposed.

Unsuspected Contamination.

Although not currently a requirement of the local plan it would be forward thinking to include provision for electric vehicle charging points in the parking areas, to encourage the uptake and use of electric vehicles, and mitigate the effects of extra vehicles in the town centre.

5.9 Cambridgeshire County Council Historic Environment Team (Archaeology)

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition.

5.10 Cambridgeshire Constabulary

No objections. No longer advise use of PIR activated security lighting. Would wish to be consulted on detail of the parking areas to ensure vulnerability to vehicle crime will be addressed.

5.11 Environment Agency

We have reviewed the information provided and have no comment to make on this application.

The site is located in an area served by the public foul sewer. Foul drainage from the site must be connected to the public foul sewer with the prior consent of the service provider.

5.12 Anglian Water

The sewerage system has available capacity for the flows from the site.

5.13 The March Society

Welcome the request for archaeological survey. Any development will need to include some affordable housing. The site will generate more traffic in what is already a congested area.

Questions why there is no mention of materials or building appearance in the Design and Access Statement, which is considered incoherent, subjective and lacks any definite proposals regarding the proposed buildings.

5.14 NHS England

Request a contribution of £19,251 from the development towards increasing additional clinical personnel for the benefit of the patients at Mercheford House to mitigate impacts arising from the development.

5.15 Local Residents/Interested Parties

79 responses have been received stating objections in relation to the proposal, 14 of which relate to the original proposal and the remainder received following the reduction in the number of proposed units on the site.

Comments in relation to the original scheme

The objections raised cite the following matters in relation to the proposal.

- Traffic implications of the proposal in an already congested area.
- Detrimental effect on light in the neighbouring properties.
- Detrimental effect on parking in the area.
- Overdevelopment of the site.
- Out of character with the surroundings.
- Loss of green space to built development.
- Impact on access for emergency services.
- Insufficient infrastructure provision.
- Height of the dwellings would be overpowering and not in keeping with the area.
- Overlooking of adjacent dwellings.
- Parking adjacent to neighbouring properties will harm residential amenity levels.
- Indicative layout raises concerns regarding pedestrian safety due to conflict with vehicular access points and footpath route to the leisure centre and library.
- The opening up of the site will negatively impact on the security of the adjacent dwellings.

- Removal of trees from the site will result in a loss of habitat for nesting birds.
- The site may be situated in a flood plain. Drainage and risk of flooding.
- The existing dwelling is one of the most impressive dwellings in the town.
- The proposed landscaping will cause overshadowing to the adjacent dwellings.
- Bin storage would create issues in relation to collections and storage of the bins themselves.
- Site is contaminated having been used as a burial ground in the late 19th/early 20th centuries.
- Residential development is not what the previous owner wished for the site.
- Proposal will dramatically change the landscape and views in the area.
- Concerned about the implications of the construction period with regard to noise, dust etc.
- Devaluation of adjacent dwellings.

Comments following the reduction in the number of proposed dwellings/overall height of the development

- Traffic implications of the proposal in an already congested area (including noise and fumes).
- Detrimental effect on parking in the area.
- Overdevelopment of the site.
- Out of character with the surroundings.
- Insufficient infrastructure provision.
- Impact on the residents of the dwellings from the fayres and festival in the park.
- Detrimental impact on the adjacent park.
- The site may be situated in a flood plain. Drainage and risk of flooding.
- Development should be focused on other, more available land first.
- Loss of green space to built development.
- Removal of trees from the site will result in a loss of habitat for nesting birds.
- Indicative layout raises concerns regarding pedestrian safety due to conflict with vehicular access points and footpath route to the leisure centre and library.
- The proposed landscaping will cause overshadowing to the adjacent dwellings.
- Overlooking of adjacent dwellings.
- Discrepancies between the tree survey retention plan and the indicative layout plan for the site.
- Limited landscaping within the proposals and will result in net biodiversity loss.
- The site is outside the local plan's area for development.
- Who will pay for the upkeep of the proposed roads?
- Removal of the trees from the site will result in a loss of privacy within the park and for other residents.
- Residential development is not what the previous owner wished for the site.
- Proposal will dramatically change the landscape and views in the area.
- Concerned about the implications of the construction period with regard to noise, dust etc.
- Devaluation of adjacent dwellings.

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).
- 6.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 117: Promote effective use of land

Para 127: Well-designed development

Para 130: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

7.2 National Planning Practice Guidance (NPPG)

Determining a planning application

7.3 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

LP9 – March

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

7.4 March Neighbourhood Plan 2017

H2 – Windfall Development

H3 – Local Housing Need

8 KEY ISSUES

- **Principle of development**
- **Access/highway safety/traffic impacts**
- **Visual amenity and impact on the character of the area**
- **Residential amenity impact**
- **Developer contributions**
- **Drainage and flood risk**
- **Other issues**

9 BACKGROUND

- 9.1 There is no on-site history of particular relevance to the current application beyond the original consent for the construction of the current dwelling.
- 9.2 No pre-application advice was sought or given in respect of the scheme.

10 ASSESSMENT

Principle of development

- 10.1 The application site is located to the south of the centre of March, which is identified in policy LP3 of the Fenland Local Plan (2014) as a Primary Market Town, one of four identified locations where the majority of the district's new housing should take place.
- 10.2 The existing use of the site is as residential land. Although this use is associated with a single dwelling, it is clear that the entire site falls within the residential curtilage of that property. On that basis, the principle of the residential use of the application site is established, and its use for further residential development is in accordance with the key locational policy of the development plan.

Access/highway safety/traffic impacts

- 10.3 Access into the site will be via City Road which currently serves City Road Car Park, the leisure centre, library and West End Park and is an unadopted road partly owned by Fenland District Council.
- 10.4 Concern has been raised through comments received on the application both from members of the public and from the FDC Transport team regarding the traffic generated by the proposal and its potential impact on the junctions in the vicinity, in particular the mini roundabout connecting Burrowmoor Road, High Street and the B1101.
- 10.5 Cambridgeshire County Council Highways Authority have undertaken an assessment of the likely trip generation from the site based on the proposed number of units within the site, which indicates that the proposed development would be likely to generate in the region of 10 two-way vehicle trips in the morning peak hour, and 17 such trips in the afternoon peak hour. Given the scale of traffic passing through this junction the highways authority advice is that the impact of such levels of traffic increase are not significant enough to justify refusal of the scheme.
- 10.6 Brewin Chase itself is an FDC owned public access road leading to the leisure centre and library, with no access directly into the City Road car park. It is currently approximately 5.5 metres wide, allowing two-way vehicle flow provided vehicles are not parked at the side of the road. There are however currently no parking restrictions along the road.
- 10.7 The proposal indicates the provision of a footway on the western side of Brewin Chase and associate road alterations to provide new accesses into the site. These changes will require the consent of FDC as the landowner of Brewin Chase.

Visual amenity and impact on the character of the area

- 10.8 The site is currently open maintained garden area with a detached dwelling with high landscaping along the edge of Brewin Chase resulting in an enclosed site with only limited views through. The development will significantly change the character of the area by the removal of the landscaping, introduction of dense built form and a significant amount of hard landscaping.
- 10.9 It is considered that due to the density of the development proposed that the character of the area will be significantly changed. Consideration has been

given to the location of this site which sits close to the town centre, and in proximity to the leisure centre/library and electrical infrastructure. Given this context it is not considered that development of the scale and character of that indicated would appear significantly out of place or unacceptable.

- 10.10 Similarly there will be a significant change to the visual amenity of this area when the site is developed both from the town centre and also the views from West End Park. However with careful design solutions, it is considered that whilst the views will change, they should not result in a significant adverse impact on the character of the area. These details will form part of a Reserved Matters application for further consideration at design stage.
- 10.11 The indicative proposals show the removal of the majority of the existing evergreen hedging surrounding the site, with new landscaping proposals to be submitted alongside a subsequent application for reserved matters. The indicative elevations submitted alongside the application are intended to show the type of development that could be incorporated into the area, but are not prescriptive and do not impose a particular style on the detailed plans that may come forward as part of a reserved matters submission.
- 10.12 Notwithstanding that, the indicative plans show a range of development types to integrate proposals into the area, showing a single two-storey detached dwelling at the very southern end of the site, transitioning through a group of three-storey town houses to the main development blocks within the site accommodating the majority of the proposed flats. These are shown on the indicative plans as being limited to three-storeys, with one block facing east from the central part of the site and the second facing north over the park to the west of the leisure centre.
- 10.13 These indicative plans demonstrate how the proposal could sensitively introduce a new scale of development to the area through a gradual increase from the modest buildings at the south of the site to the taller more imposing structures at the north of the site where development would be experienced in context with the larger scale structures associated with the leisure and community facilities.
- 10.14 The design approach to any development of the site is an important factor in achieving an appropriate scheme that is sensitive to its setting and surroundings.

Residential amenity impact

- 10.15 Policy LP16 of the Fenland Local Plan sets out the policy requirements of development with regard to the provision of high quality environments, which includes consideration of neighbouring residential amenity. In that regard the policy states that development will only be permitted if it can be demonstrated that the proposal “does not adversely impact on the amenity of neighbouring users” citing matter such as noise, light pollution, loss of privacy and loss of light as amenities to be protected.
- 10.16 The proposal is made in outline, with all matters reserved for later approval and therefore whilst indicative plans have been submitted as part of the application, these are not proposed for approval at this stage, instead being intended to indicate how the development could be accommodated on the site.
- 10.17 In addition to matters of privacy, concern has been raised and consideration must be given to the potential for the proposal to adversely affect residential

amenity in other ways, including loss of light, and the impact of noise on neighbouring residents. These issues will be fully assessed when a Reserved Matters application is submitted, however the details submitted generally illustrate that acceptable relationships may be achieved.

Developer contributions

- 10.18 Following the receipt of requests for infrastructure and affordable housing contributions as set out in the table below, the agent has indicated their agreement in principle to contributions to the identified matters, subject to preparation of a detailed legal agreement.

Affordable Housing

The policy requirement under policy LP5 is for the provision on sites such as this of 25% affordable, with FDC Housing Strategy team confirming that they would be looking for provision of 11 units on the site, 8 of which would be affordable rented. Policy LP5 confirms that where the 25% requirement does not result in an exact number of dwellings, the requirement will be rounded to the nearest whole dwelling. The 25% figure would result in a requirement of 11.25 dwellings and therefore this figure is rounded down to the nearest whole dwelling, resulting in the requirement for 11 units to be designated as affordable. The current expected tenure split for affordable housing provision within Fenland is 70% affordable rented and 30% intermediate tenure, giving a requirement for 8 affordable rented units and 3 intermediate tenure properties.

Public Open Space

The application site extends to approximately 0.75 Hectares. The Supplementary Planning Document on Developer Contributions (adopted February 2015) sets out that for sites of such size, contributions will be required towards Neighbourhood/Town Parks, Children's Play, Natural Greenspace, Allotments and Outdoor Sports, and that such contributions are expected to be made through off-site provision.

Provision of these elements is to be made on the basis of the following breakdown:

Neighbourhood/Town Parks	4% of development area (0.03Ha)
Children's Play	4% of development area (0.03Ha)
Natural Greenspace	5% of development area (0.0375Ha)
Allotments	1% of development area (0.0075Ha)
Outdoor Sports	8% of development area (0.06Ha)

Education & Lifelong Learning

The assessment of need provided in relation to the proposal from Cambridgeshire County Council Education Authority indicates that there is capacity within the system to accommodate the proposal at Secondary stage, but provision will need to be made for Early Years provision, Primary provision and to the Libraries and Lifelong Learning service.

Forecasts are made detailing the expected burden on education provision based on the number of dwellings proposed, and a contribution calculated based on the proportionate cost of projects identified to accommodate increased requirements for provision.

NHS England

The NHS has provided a response to the development proposal in relation to the forecast impact on healthcare services as a result of the proposal, and a

one-off contribution requested towards recruitment costs for additional clinical personnel at the nearby Mercheford House practice. The nature of the proposed contribution, being towards the recruitment of additional clinical personnel in relation to the proposal is not an infrastructure impact of the proposed development and therefore does not meet the test to be included as a planning obligation.

The overall section 106 contributions are outlined below:

Affordable housing	11 units <ul style="list-style-type: none"> • 8 affordable rented • 3 intermediate tenure
Public Open Space	In accordance with Developer Contribution SPD (2015)
Education	£112,500 Early Years Provision £306,000 Primary Provision
Libraries	£4,633 Libraries Provision

Drainage and flood risk

- 10.19 The site is located within flood zone 1, which is defined as the lowest zone of flood risk and whilst residential dwellings are considered as ‘more vulnerable’ development (as set out in the Cambridgeshire Flood and Water SPD) development in Flood Zone 1 is appropriate. National and local planning policy is to steer development towards sites within flood zone 1 where possible.
- 10.20 The proposed scheme has been assessed by the Lead Local Flood Authority, the Environment Agency and Anglian Water as well as consultation being sent to the Middle Level Commissioners (who have made no comments on the scheme).
- 10.21 The Environment Agency confirmed they have no objection to the proposal, and Anglian Water indicated that there is capacity within the sewerage system to take the flows from the site.
- 10.22 The Lead Local Flood Authority have assessed the range of information provided in relation to the drainage of the site and have confirmed they have no objection in principle, subject to a condition requiring the detailed design of a surface water drainage scheme and its maintenance arrangements to be agreed.
- 10.23 The public comments received in relation to the proposal are noted; however in light of the above comments and information, it is not considered that the refusal of the application on the grounds of drainage or flood risk is justified.

Other issues

- 10.24 Local residents have raised a number of issues as set out at Section 5.15 of this report. The potential for impacts on residential amenity of existing neighbouring properties can only be determined once a detailed proposal has been received via a Reserved Matters application. At such a time of submission the concerns expressed relating to, for example, traffic, pedestrian safety, overshadowing, overlooking, noise and disturbance, landscaping etc. will be fully assessed. Without a detailed scheme these issues cannot be considered as part of this outline proposal.

- 10.25 Note is made of the comments received from FDC Assets & Projects regarding the proposal and in particular the use of Brewin Chase as the access road into the site. Fenland District Council has two separate areas of responsibility in this regard, the first as the Local Planning Authority in determining the planning application, and the second as landowner. The granting of access rights and any conditions thereof is a civil matter between the developer and the landowner, and is not a material factor in the determination of a planning application. As such, any works required to be undertaken to upgrade the road known as Brewin Chase as a result of the development in relation to the granting of the right to access the site over FDC owned land is not material to the consideration of the current application.

11 CONCLUSIONS

- 11.1 The application site is currently in residential use and the proposal is to intensify that use by means of outline planning permission for residential development of up to 45 units. All matters are to be reserved for later approval.
- 11.2 Indicative plans have been submitted alongside the application to indicate how the site could be developed, however given the above it is likely that any scheme for reserved matters approval will come forward using a developer's preferred layout rather than the current indicative plans. This is also true for the appearance of the buildings on the site, which would also be subject to reserved matters approval. Matters such as specific impacts on residential amenity and privacy of neighbouring properties and the scheme's impact on the character of the area would need to be considered as part of such reserved matters.
- 11.3 Concern has been raised regarding the levels of traffic generated by the proposals, however these concerns are not supported by the Local Highway Authority, who have indicated that they do not consider the proposal to result in an unacceptable increase in traffic sufficient to justify refusal of the scheme.
- 11.4 The site is located in a zone of lowest flood risk and all the relevant consultees in that regard have indicated that they have no objection to the principle of the development of the site, subject to detailed design matters.
- 11.5 The proposal will result in increased pressure on infrastructure in the area, and the applicant has indicated that they are willing to enter into a legal agreement to secure provision of affordable housing on the site, and contributions to public open space, education and the NHS services in the area.

12 RECOMMENDATION

Grant subject to:

- (i) Prior completion of a Section 106 agreement as set out in the report above
- (ii) Should the obligation referred to not be completed and the applicant is unwilling to agree to an extended period of determination after 4 months, or on the grounds that the applicant is unwilling to complete the obligation necessary the application be refused.
- (iii) Delegated authority be given to the Head of Planning to finalise appropriate planning conditions, although an indicative schedule is included below

1.	<p>Approval of the details of:</p> <ul style="list-style-type: none"> (i) the layout of the site (ii) the scale of the building(s); (iii) the external appearance of the building(s); (iv) the means of access thereto; (v) the landscaping <p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason: To enable the Local Planning to control the details of the development hereby permitted and to ensure the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.</p>
2.	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
3.	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4.	<p>The residential elements of the development shall not exceed 45 residential units (Use Class C3).</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5.	<p>Development shall not commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment & Drainage Strategy prepared by MTC Engineering Ltd (ref: 2187-FRA & DS) dated July 2018 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.</p> <p>Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.</p>

6.	<p>As part of the Reserved Matters application, full construction details of the new footpath along the western side of Brewin Chase and any other highway improvements to Brewin Chase shall be submitted and approved in writing by the Local Planning Authority. The development shall subsequently be implemented in full accordance with the approved details and thereafter maintained.</p> <p>Reason: To ensure the highway safety of vehicles and pedestrians in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
7.	<p>As part of the Reserved Matters application, full details of the future management and maintenance of the roads, footpath and parking areas shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.</p> <p>Reason: To ensure satisfactory development of the site and to ensure roads, footpaths and parking areas are managed and maintained thereafter to a suitable and safe standard, in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
8.	<p>Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.</p> <p>Reason: To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.</p>

9.	<p>No demolition/development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.</p> <p>Reason: To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan.</p> <p>To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation.</p>
10.	<p>No construction/demolition/excavation works or removal of hedgerows/vegetation/site clearance works shall be carried out between 1 March and 31 August inclusive in any year. If this is not possible, a nesting bird survey must be undertaken by an experienced ecologist 24-48 hours prior to clearance and the report submitted to the Local Planning Authority within 7 days.</p> <p>Reason: To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to protect features of nature conservation importance in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
11.	<p>Prior to undertaking any surgery on, or the felling of, any trees, a bat survey shall be carried out by a suitably qualified ecologist and the results submitted to the Local Planning Authority. If the presence of bats is established a mitigation scheme detailing how the works will be undertaken to minimise disturbance to bats shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in full accordance with the approved scheme.</p> <p>Reason: To minimise disturbance to bats and ensure compliance with national and international legislation which protects them. In the UK all bat species and their places of rest or shelter are fully protected from damage and disturbance under the Wildlife and Countryside Act 1981 and annex IV of the EC Habitats Directive effected in the UK by the Conservation (Natural EC Habitats & c) Regulations 1994.</p>

12.	<p>Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.</p> <p>Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
13.	<p>Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part A, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>

14.

The details submitted in accordance with Condition 01 of this permission shall include:

(a) a plan showing (i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 m above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree and (ii) the location of hedges to be retained and details of species in each hedge.

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree],

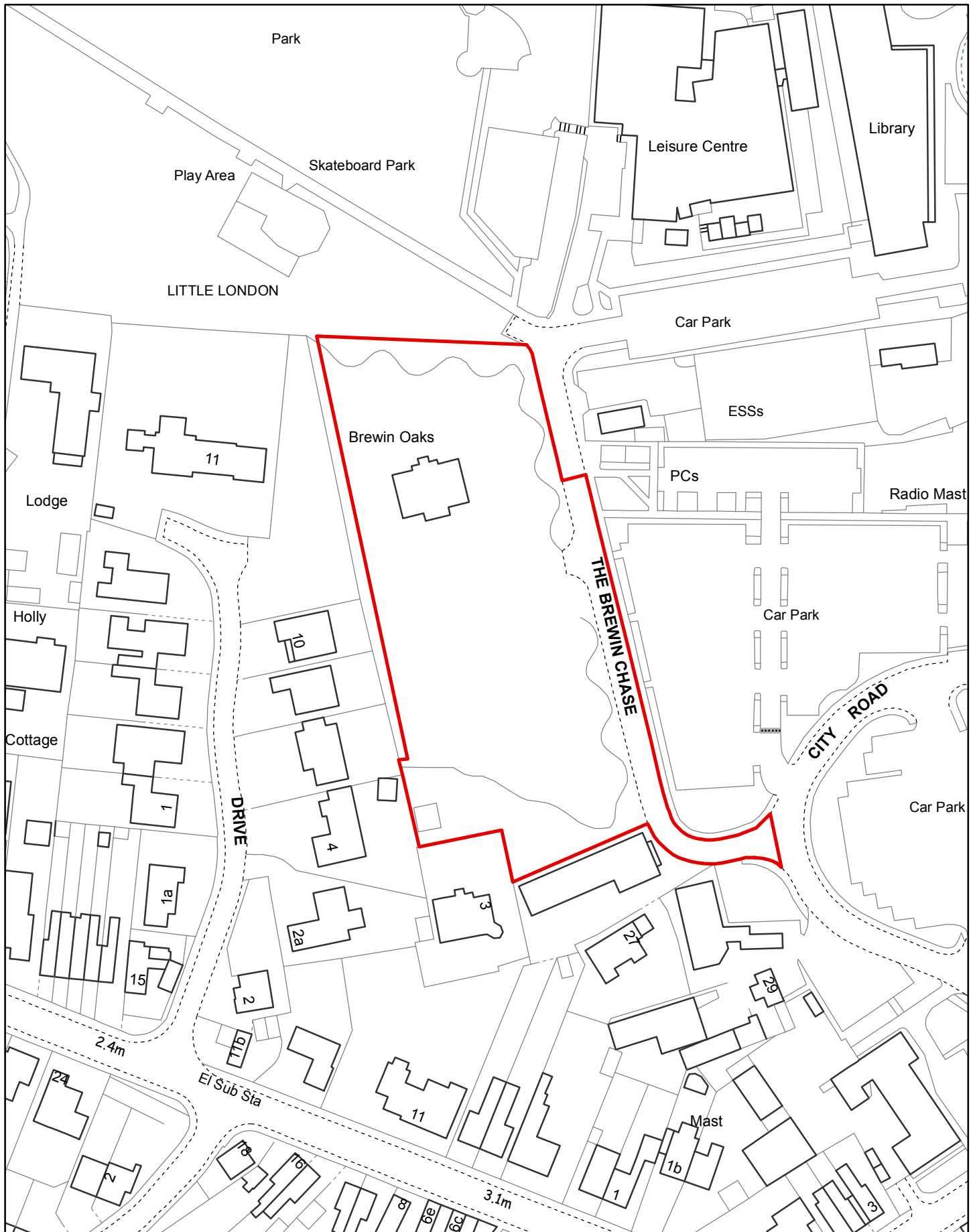
(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development;

(f) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.

In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the plans referred to in paragraph (a) above.

Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site in accordance with Policy LP16 of the Fenland Local Plan 2014.

15.	<p>The details submitted in accordance with Condition 01 of this permission shall include details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels, and cross sections, of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).</p> <p>Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings to protect and safeguard the amenities of the adjoining occupiers in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
16.	<p>The details submitted in accordance with Condition 01 of this permission shall include details of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved by the Local Planning Authority. This should include provision for the storage of three standard sized wheeled bins for each new property and details of a refuse collection point adjacent to the public highway.-Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. The refuse storage and collection facilities and vehicular access shall be provided prior to the first occupation of the units to which they relate and shall be retained thereafter.</p> <p>Reason: To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability as required by Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
17.	<p>The details submitted in accordance with Condition 01 of this permission shall include a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. These shall include, but not be limited to, other aspects such as access points for deliveries and site vehicles, and proposed phasing/timescales of development etc.</p> <p>Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.</p>



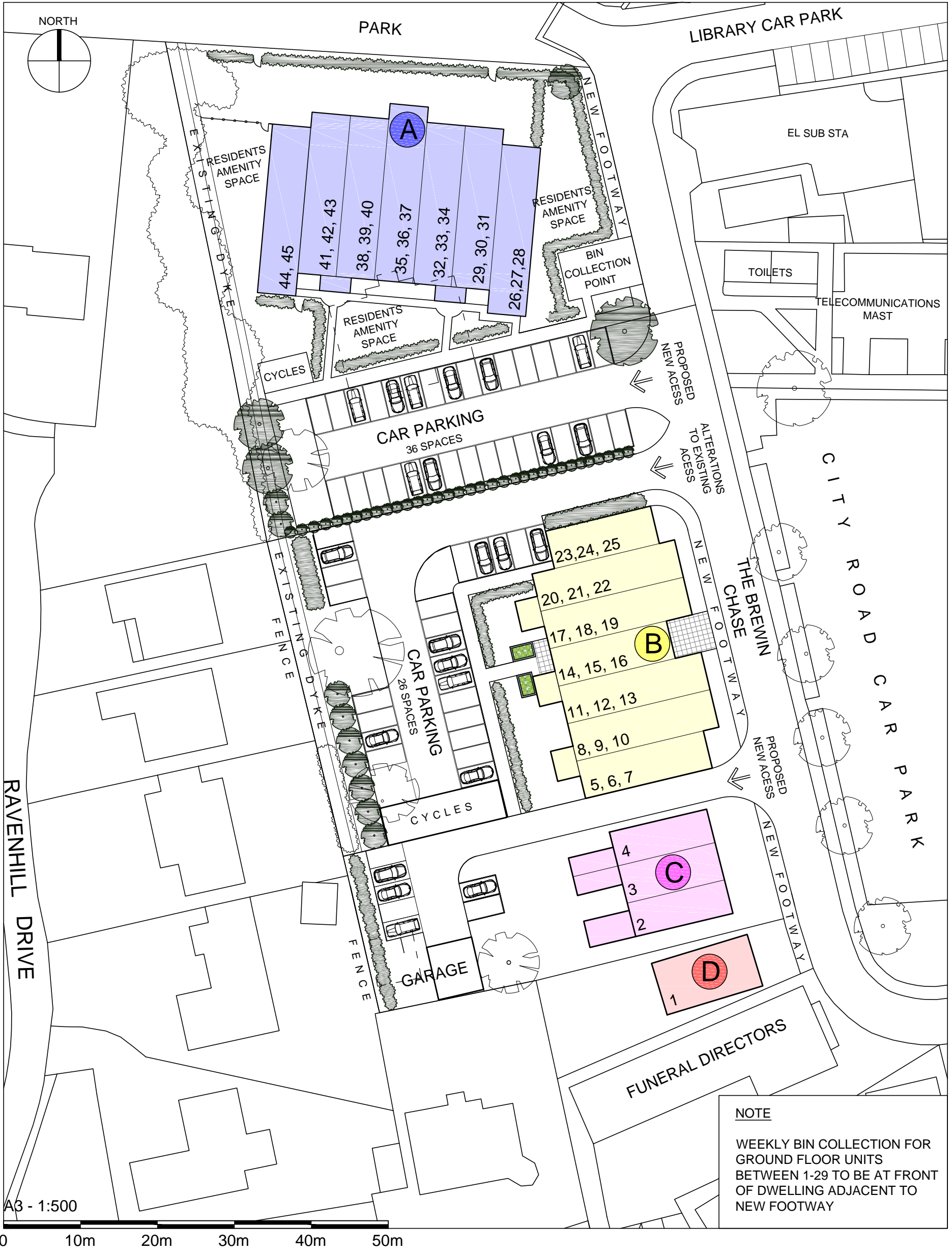
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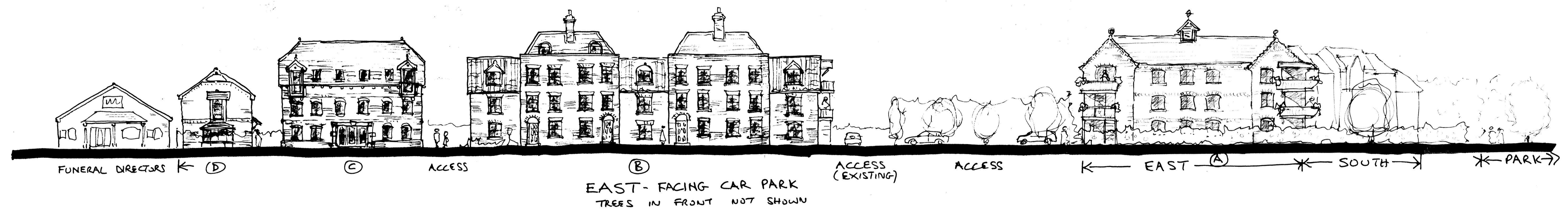
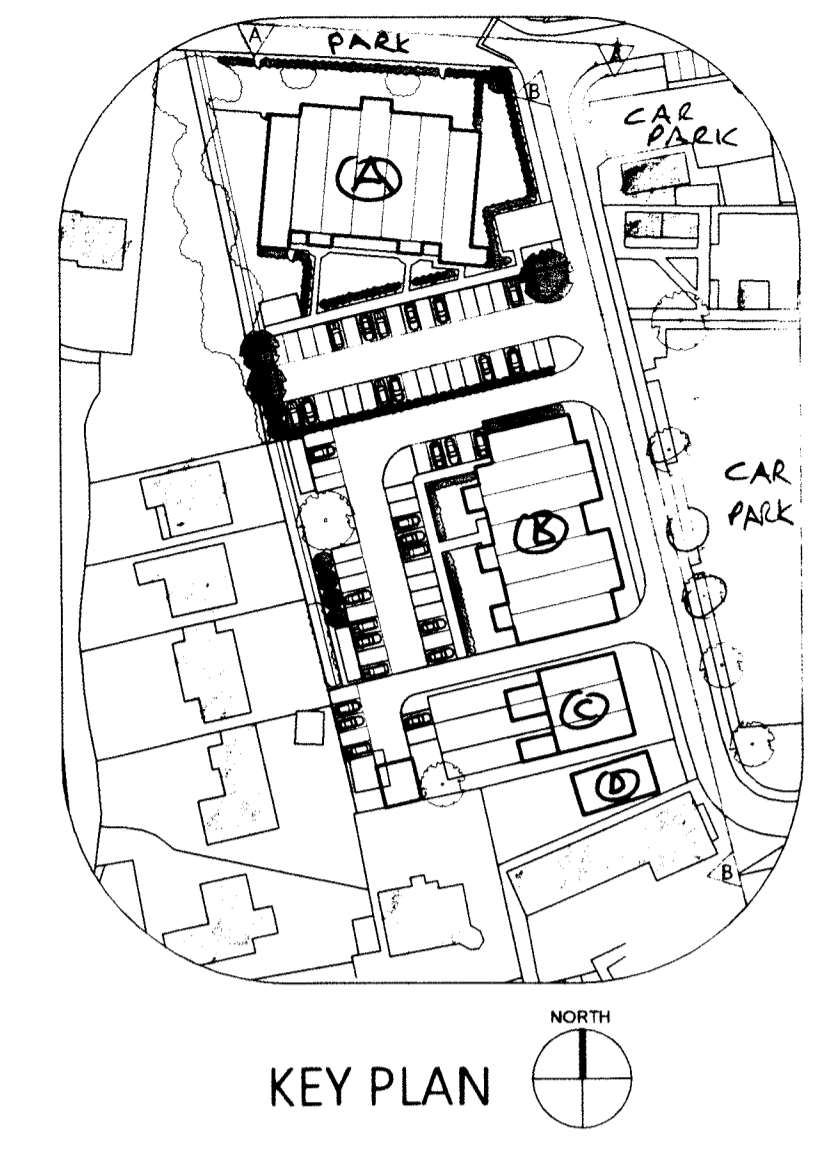
KEY	
	(A) 3 STOREY RESIDENTIAL BUILDING WITH 2-BED FLATS PLUS LARGER FLATS AND ROOF GARDEN ON TOP FLOOR
	(B) 3 STOREY RESIDENTIAL BUILDING WITH 1-BED AND 2-BED FLATS
	(C) 2.5 - 3 STOREY TOWN HOUSES
	(D) 2 STOREY DETACHED HOUSE
	- TO BE REMOVED
	- EXISTING HEDGES/ PLANTING TO BE RETAINED
	- PROPOSED HEDGES/ PLANTING
	- EXISTING TREES RETAINED AND PROTECTED
	- NEW TREES

NOTE
 WEEKLY BIN COLLECTION FOR GROUND FLOOR UNITS BETWEEN 1-29 TO BE AT FRONT OF DWELLING ADJACENT TO NEW FOOTWAY

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 2A Dartford Road
 March PE15 8AB
 tel [01354] 653 818
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 mail@brand-associates.net

LAND AT BREWIN OAKS
 THE BREWIN CHASE
 MARCH
 PE15 9LT
 EXECUTORS OF MRS. P BREWIN

ILLUSTRATIVE SITE PLAN
 1:500 : AHS : DEC.17
 MARCH.EF : 0 : B



ba
brand
associates
architects

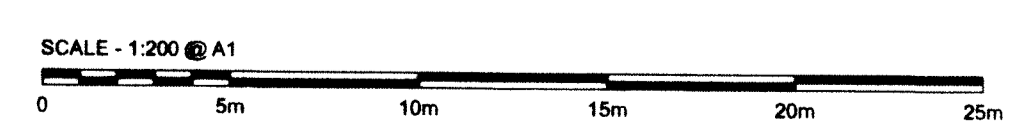
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LAND AT BREWIN OAKS
THE BREWIN CHASE
MARCH
PE15 9LT

EXECUTORS OF MRS. P BREWIN

ILLUSTRATIVE
STREET SCENE

1:200 : EJB : JUL.18
MARCH.EF : 1 : A



PLANNING COMMITTEE DATE: 6th November 2019

APPLICATION NO: F/YR18/0345/FDL

SITE LOCATION: Brewin Oaks, City Road, March

UPDATE

Further consultation response: Anglian Water have confirmed they have no assets in the area that may be affected by the proposals.

Further public representations: 6 further responses have been received from members of the public in relation to the proposal. One response queries if the address given to the application site should reference The Brewin Chase. No other new issues have been raised by these responses

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F/YR18/1108/FDL

**Applicant: Mr A Ferdinand & Mr S Agent : Mr Ted Brand
Green Brand Associates
March PE15 Ltd**

15 Station Road, March, Cambridgeshire, PE15 8LB

**Erection of a part 2-storey, part 3 storey and part 4-storey building comprising of:
1 x retail unit (A1) and up to 26 x flats involving demolition of existing building
(outline application with matters committed in respect of layout and scale)**

Officer recommendation: Grant

Reason for Committee: FDC Ownership of access road at the rear of the site.

1. EXECUTIVE SUMMARY

- 1.1 The application site is an existing, vacant former retail premises on the edge of March Town Centre, and is identified within the March Neighbourhood Plan as a regeneration site.
- 1.2 The proposal is for the construction of a building combining ground floor retail premises fronting Station Road and 26 flats within the remaining section of the site.
- 1.3 Viability issues prevent the scheme from making provision for affordable housing on the site.
- 1.4 The principle of the redevelopment of the land is encouraged by the site-specific policy within the Neighbourhood Plan together with policies contained within the Fenland Local Plan 2014.
- 1.5 The detailed elements provided for approval at this stage are considered to be acceptable, and the scale and indicative elevations detail a building that would enhance the appearance of this section of the town.
- 1.6 The application is recommended for approval.

2. SITE DESCRIPTION

- 2.1. This 0.07 hectare town centre site comprises a vacant and somewhat dilapidated shop unit (former freezer centre) with vacant land to the rear on the south side. From the signage on site this was previously a parking area for visitors to the shop. Currently it appears to be a general parking area. To the west is a pub with accommodation at first floor level facing onto the site, and a parade of shops, separated from the site by a wide footpath. The pub's outside drinking/ smoking area with seating also occupy the walkway. To the east is Jim Hocking Court, a large 2 1/2- 3 storey flat complex laid out with an internal courtyard, comprising 34 flats. Further to the east is a large Sainsbury's supermarket and associated car parking areas.

2.2. The road running adjacent to the southern boundary is owned by FDC and facilitates access and deliveries to the shops fronting onto Broad Street, such as the Tesco Express and Greggs. The rear entrances to the Fenland Walk shops are also accessed directly from this road. The site lies within Flood Zone 1 and is adjacent to the Conservation Area.

3. PROPOSAL

3.1. The proposal is made in outline, and is for the removal of the existing building from the site, and its replacement with a building comprising up to 4 storeys, incorporating a ground floor retail space with provision for up to 3 units, and up to 26 flats.

3.2. Indicative plans have been submitted alongside the application detailing the elevations of the proposed building, and matters of layout and scale are included for approval at this stage.

4. SITE PLANNING HISTORY

F/YR18/0028/FDL	Erection of 1x retail unit and up to 34x flats involving demolition of existing building (outline application with all matters reserved)	Refused 5/4/18
F/YR08/0123/F	Erection of 2 units for mixed use (A2 finance and professional and A4 drinking establishments) with 8 flats above comprising 3x 3-bed 4x 2-bed and 1x 1-bed involving demolition of existing freezer shop	Granted 26/3/08
F/YR07/0045/F	Erection of 2 units for mixed use (A2 finance and professional, A3 restaurants and café, A4 drinking establishments and A5 hot food takeaway) with 11 flats above comprising of 7x 2-bed and 4x 1-bed involving demolition of existing freezer shop	Refused 4/3/07 Appeal dismissed 2/11/07
F/YR06/1245/F	Erection of 2 units for mixed use (A2 Finance & Professional Services, A3 Restaurants & Cafe, A4 Drinking Establishments and A5 Hot Food Takeaway) with 11 x 2-bed flats above, involving demolition of existing freezer shop	Withdrawn 22/11/2006
F/YR05/1359/F	Erection of a retail unit involving demolition of existing freezer shop	Granted 02/10/2006
F/YR00/0834/F	Erection of freezer centre with 14 flats over	Approved 1/9/01
F/95/0312/F	Erection of freezer centre with 14 flats over	Approved 9/6/95
F/93/0644/F	Erection of freezer centre with 14 flats over	Refused 7/11/94
F/1381/89/O	Erection of buildings comprising supermarket (27,000sqft) shop units (17,000sqft) and new scout hall together with 400 car parking spaces and new vehicular access	Approved 10/4/90
F/0881/88/F	Erection of a new freezer centre with 14	Granted

	flats over the site of the freezer shop (to be demolished)	15/12/88
F/0635/83/F	Layout and construction of car-park and rear service road to shops	Deemed consent 13/10/83
F/0311/76/O	Demolition of existing residential and shop premises and the erection of a supermarket	Granted 16/7/76
TP/9569	The installation of a new shop front	Granted 10/5/62
TP/5733	The installation of a new shop front	Granted 18/12/56
TP4411	The rebuilding of a shop	Granted 22/9/54
16/0122/PREAPP	Erection of 36 flats and 3 shops	Not favourable 24/8/16

5. CONSULTATIONS

5.1. **March Town Council**

Recommend approval

5.2. **The March Society**

“Provided that the applicants adhere to the Context appraisal we would not have major objections. The onus will be on providing good design of high quality given the central position of the site. Given that the development also seeks to provide affordable, sustainable accommodation in a central area and that the planners have done their best to address the problem of car-parking it may well enhance an area that has been neglected for a number of years.”

5.3. **NHS England**

Due to the low number of dwellings we do not wish to raise an objection to this development or request mitigation.

5.4. **FDC Housing Strategy**

Expect a contribution to affordable housing on the basis of 25% of the 26 dwellings. 70% of this should be affordable rented and 30% intermediate tenure.

5.5. **FDC Environmental Services**

No objections in principle, but request that issues regarding sufficient bin storage provision are addressed.

5.6. **Cambridgeshire Constabulary Designing Out Crime Officer**

This is an area of low vulnerability to crime at present. Considers the parking area should also be gated, with dusk to dawn lighting recommended.

5.7. **Cambridgeshire County Council Lead Local Flood Authority**

No objection, condition requested.

5.8. **Anglian Water**

Request a condition regarding the surface water drainage strategy

5.9. **Cambridgeshire County Council Historic Environment Team**

Request a condition regarding a programme of archaeological work with no development to commence until this has been secured.

5.10. **Local Residents/Interested Parties**

None received

5.11. **Senior Planning Obligations Officer**

The scheme has demonstrated that it is not able to provide any S106 Planning obligations due to economic viability.

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).

7. POLICY FRAMEWORK

7.1 **National Planning Policy Framework (NPPF)**

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 57: Viability Assessments should be publicly available

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 117: Promote effective use of land

Para 118: Opportunities and benefits of the reuse of land

Para 121: Take a positive approach to alternative land uses

Para 184: Heritage assets should be conserved in a manner appropriate to their significance.

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

Determining a planning application

7.3 **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

LP5 – Meeting Housing Need

LP6 – Employment, Tourism, Community Facilities and Retail

LP9 – March

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

LP18 – The Historic Environment

LP19 – The Natural Environment

7.4 **March Neighbourhood Plan 2017**

Policy TC2 – Regeneration sites (site 2)

8. KEY ISSUES

- **Principle of Development**
- **Layout**
- **Scale**

- **Affordable Housing**
- **Flood Risk & Drainage**

9. BACKGROUND

- 9.1. The application site has an extensive planning history dating back to the 1970's, involving permissions for the demolition and replacement of the building. More recently, there has been a trend of refusals/withdrawals and a single permission granted in 2008 for a mixed retail/residential use. Following the more recent adoption of the current Fenland Local Plan in 2014 there has only been a single decision in relation to the site, which was a recent refusal on the basis that the outline application submitted had not demonstrated that it could be accommodated without unsatisfactory impacts on the area and that no affordable housing requirement was provided for.
- 9.2. The application site is included within the March Neighbourhood Plan as a regeneration site.

10. ASSESSMENT

Principle of Development

- 10.1. The site is within March Town Centre. Historic permissions and planning appeals have supported mixed use development on the site. Planning policy with regard to retail uses in the town centre location is supportive, in particular where the development involves the regeneration of an existing under-used or dilapidated site.
- 10.2. The March Neighbourhood Plan identifies the site (Site 2) as a regeneration site under Policy TC2. The neighbourhood plan has removed the building from the Primary Shopping Frontage as defined in the Fenland Local Plan. It further states that the building is in a significant state of disrepair with blacked out frontages and severe structural damage to the roof, which has started to collapse. The site is in effect in a gateway location on the northern approach to the Town Centre, which comes into view as the bend in the road opens up. It also has well used public footpaths along its eastern and western sides that lead onto Mill View, which compound the harm caused to the entrance to the town centre by the existing building. The land to the rear is used informally for parking. Previous attempts to redevelop the site have been resisted due to the potential loss of A1 retail frontage. Whilst Policy TC1 of the neighbourhood plan provides exception criteria for the loss of A1 retail frontage in situations where the unit has been vacant in the long term and/or is harming the environment, the situation here is such that the site merits special attention as a regeneration site in its own right.
- 10.3. The neighbourhood plan states that for Site 2 – Land to the south of Station Road:
The redevelopment of this site for town centre uses will be supported where the following is achieved:
- a) Where a shopping use is proposed, the length of frontage is maximised;
 - b) The quality of the built environment is improved;
 - c) The pedestrian links to the east and west are maintained;
 - d) The design will complement the character and appearance of the adjacent conservation area;

- e) Provide well-designed car and cycle parking appropriate to the amount and type of development proposed, reflecting the parking standards provided by Fenland District Council; and
 - f) Vehicular access is from the rear.
- 10.4. On the basis of the above, the principle of the redevelopment of the site with a mixed A1 retail / C3 residential scheme can find support within both the Fenland Local Plan (2014) and the March Neighbourhood Plan. The specific details and impacts of the scheme must also be considered however.

Layout

- 10.5. The proposal is for the construction of a 2, 3 and 4 storey building on the site, with a central courtyard area. The proposed building consists of several distinct parts, with a 3-storey building to the Station Road frontage, incorporating a retail space at the ground floor that is capable of internal subdivision and with an indicative street elevation showing a more traditional design approach to a street frontage. The eastern part of the development is indicated as being four storeys in height, with a more plain design seen in conjunction with Jim Hocking Court, which is also of a more utilitarian appearance. The western elevation of the proposal has a limited element of three-storey development nearer Station Road, then a lower, two-storey element that connects to a reduced height three-storey section to the rear of the site. Finally the south east corner of the site is a four-storey building, with the indicative elevations being of a more modern appearance.
- 10.6. The layout allows for 12 parking spaces within the boundaries of the site, bin and cycle storage, and a small shared courtyard area for the residents. Vehicular access is obtained from the south as required by the neighbourhood plan, with the footpath links between Station Road and the land to the south maintained to either side of the proposed building.

Scale

- 10.7. There are several elements to the consideration of the scale of the buildings proposed on the site within the wider setting. In particular, consideration must be given to the number of residential units proposed, its impact on parking within the site and beyond, and the overall height of the proposal within the wider area.
- 10.8. The proposal includes for a total of 26 residential units on the site, comprising 9 x 1-bed and 17 x 2-bed flats, with a retail unit occupying the ground floor of the building fronting Station Road. 12 parking spaces are to be provided within the site, and the accompanying documentation includes an assessment of the level of use of nearby public car parks with regard to the justification for the under-provision of parking on the site in relation to the parking standards set out in the Fenland Local Plan (2014). At its highest, the development is indicated on the elevation drawings (which are indicative) as being equivalent to the overall ridge height of the adjacent Jim Hocking Court.
- 10.9. The previous application on the site involved the provision of the retail unit and up to 34 flats within the proposed buildings. The number of residential units proposed represents a reduction of just under 25% of the previously sought level of provision, and the applicant has indicated that any further reductions in this regard would prevent the scheme from being practical as a development site. A viability assessment has been provided that demonstrates that the scheme cannot accommodate the provision of any developer contributions,

including with regard to Affordable Housing units, which is considered in greater detail later in the report.

- 10.10. The proposal is for a high density development however one that on the basis of the layout plans and indicative elevations submitted would be appropriate within its surroundings. As a town centre site the nature of the accommodation as small 1-bed and 2-bed units is appropriate in scale to the wider town centre/edge of centre location, and would not be out of scale with the surrounding buildings. The indicative elevations of the proposed building demonstrate that it would be appropriate in terms of its scale and massing within the street scene due to both its overall height, and the options for a design response to its setting. It is noted that the elevations submitted do not form part of the formal submission of details at this stage, however the agent has indicated informally that as they are a product of extensive pre-application discussions it is likely that the reserved matters submission will reflect the appearance details submitted.

Affordable Housing

- 10.11. The applicant has provided a viability assessment alongside the other information submitted in relation to the proposal. The viability assessment adopts a 15% profit level in relation to the Gross Development Value, which is between 2.5% and 5% below the normal expected return on development of this type.
- 10.12. 3 appraisals were submitted as part of the documentation, with all three showing a negative development value once all factors are taken into account. A policy compliant scheme resulted in a deficit of £94,250, a policy compliant scheme with vacant building credit included showed a deficit of £74,402 and a scheme with no affordable provision resulted in a deficit of £29,333.
- 10.13. The Senior Obligations Officer has assessed the submitted documentation and the costs levels adopted as part of the viability assessment and indicated that these are all within normal ranges for development of this type.
- 10.14. On that basis it is concluded that the scheme cannot deliver affordable housing due to issues of viability.

Flood Risk and Drainage

- 10.15. The site is located within flood zone 1, and is also noted by Environment Agency data as being at very low risk of surface water flooding. It is at present a mixed surface treatment of gravel and tarmac, with existing structures on the northern portion of the site. The proposal would see the whole of the site developed, and in that respect and in response to the comments received in relation to the proposal the applicant has provided additional information regarding surface water drainage on the site, with the preferred option being for discharge to soakaways/permeable paving with on-site attenuation as a fall-back option.
- 10.16. The Anglian Water response indicated that if the Local Planning Authority was inclined to approve the application then a condition requiring a detailed surface water drainage scheme would be required. Similarly, following the submission of the additional information, the Lead Local Flood Authority has provided further comments removing their initial objection to the proposal, requesting instead a condition is imposed on any permission requiring the submission of a surface

water drainage scheme for the site, and implementation of that scheme in the construction of the development.

- 10.17. On the basis of that information therefore, the flood risk associated with the site is not sufficient to raise concern, and the surface water drainage is considered to be capable of being addressed through the submission of a detailed scheme. On that basis, there is no justification for refusal of the scheme on flood risk or drainage grounds.

11. CONCLUSIONS

- 11.1. The scheme is for the development of a site that is identified for redevelopment within the March Neighbourhood Plan. The principle is in accordance with the relevant policies of the development plan and there are no material considerations that justify refusal of the scheme in principle.
- 11.2. The details submitted for approval at this time are acceptable or can be made so through the use of appropriate planning conditions and therefore there is no justification for refusal of the application.

12. RECOMMENDATION

Grant, subject to conditions

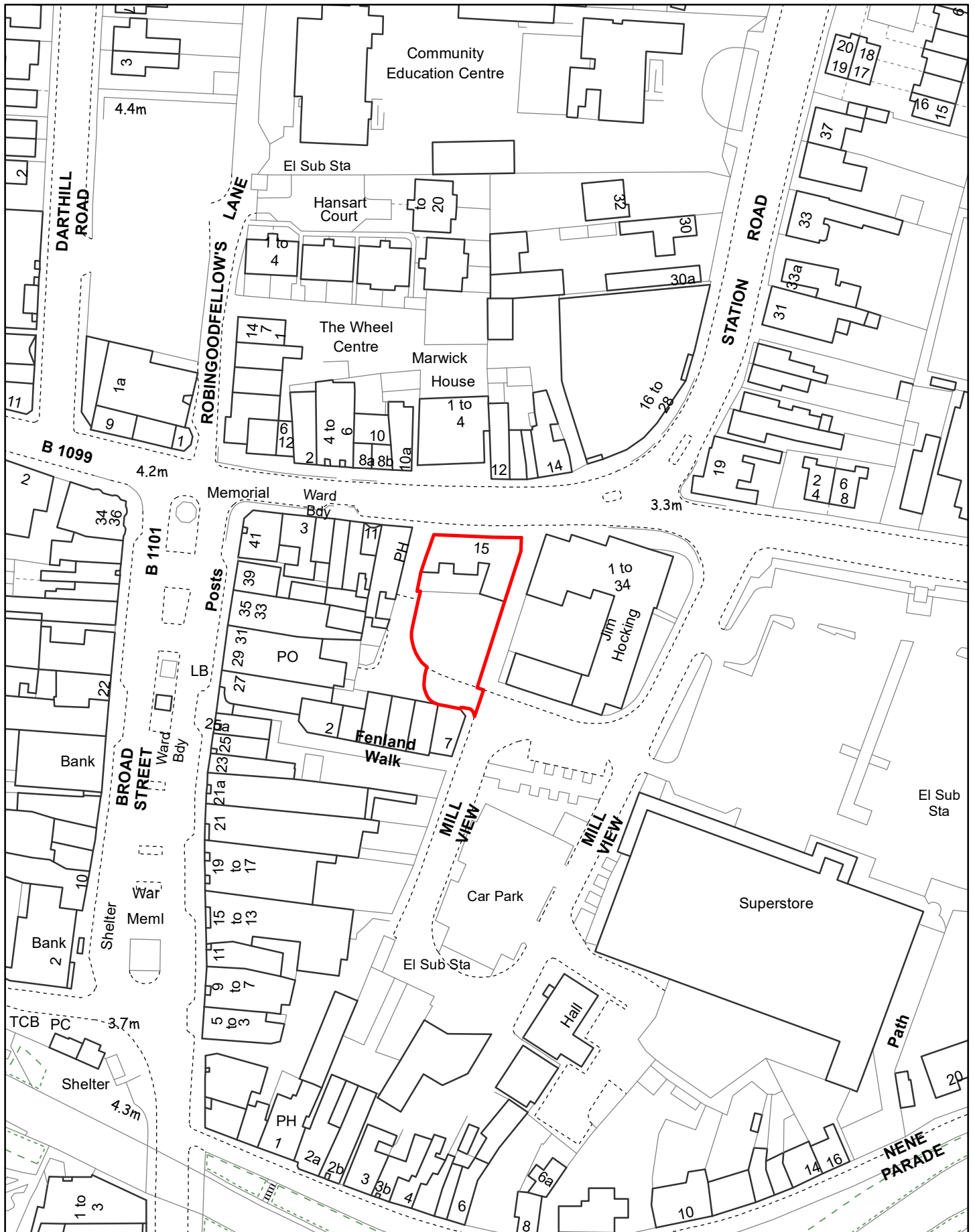
The proposed conditions are as follows;

1.	<p>Approval of the details of:</p> <ul style="list-style-type: none"> (i) the external appearance of the building(s); (ii) the means of access thereto; (iii) the landscaping <p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason: To enable the Local Planning to control the details of the development hereby permitted and to ensure the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.</p>
2.	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
3.	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>

4.	<p>The residential elements of the development shall not exceed 26 flats (Use Class C3).</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5.	<p>No above ground works shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall be based upon the principles within the agreed Design and Access Statement prepared by Brand Associates Architects (ref: MARCH.15/EJB) dated May 2016 and shall also include:</p> <ul style="list-style-type: none"> a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance; c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers; d) Full details of the proposed attenuation and flow control measures; e) Site Investigation and test results to confirm infiltration rates; f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants; g) Full details of the maintenance/adoption of the surface water drainage system; h) Measures taken to prevent pollution of the receiving groundwater and/or surface water <p>The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.</p>

6.	<p>No demolition/development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.</p> <p>Reason: To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan and to enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation.</p>
7.	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.</p>
8.	<p>Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.</p> <p>Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
9.	<p>Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part A, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).</p> <p>Reason: To ensure that the parking and turning provision associated with the development is available at the time of occupation in order to comply with policy LP15 of the Fenland Local Plan (2014).</p>

10.	<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, or in agreed phases whichever is the sooner, 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 (except those contained in enclosed rear gardens to individual dwellings) 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>
11.	<p>Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
12.	<p>The details submitted under condition 1(i) above shall include a scheme for the provision of external lighting/CCTV as part of the proposed development. This shall include provision for dusk till dawn lighting of the proposed parking area at ground floor level. The approved details shall be implemented prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.</p>
13.	<p>The development hereby permitted shall be carried out in accordance with the approved plans and documents.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>



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F/YR18/1108/FDL

Scale = 1:1,250



8a 8b 10a

12 14

S T A T I O N R O A D

11 PH

APPROXIMATE WINDOW POSITIONS ON ADJACENT BUILDING

FOOTPATH



APPROXIMATE WINDOW POSITIONS ON ADJACENT BUILDING

FOOTPATH

APPROXIMATE WINDOW POSITIONS ON ADJACENT BUILDING

7

M I L L V I E W

DWELLING MIX			
BLOCK	1-BED	2-BED	
A	2	4	
B	0	8	
C	2	2	
D	5	3	
TOTAL	9	17	

A - 30.11.18 - Dwelling mix no. amended

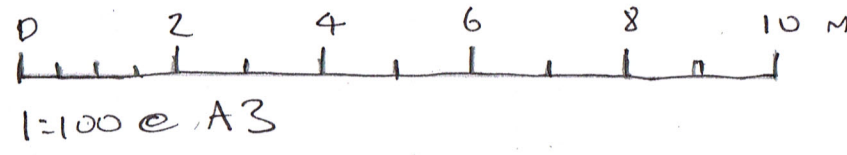
ba
brand
associates
architects
2A Dartford Road
March PE15 8AB
tel [01354] 653 818
fax [01354] 651 951
mail@brand-associates.net

PROPOSED FLATS & RETAIL/
BUSINESS UNIT
15 STATION ROAD
MARCH
PE15 8LB
MARCH PE15 LTD.

KEY PLAN

1:200 : AHS : NOV 2018
MARCH.15 : 1 : A





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PROPOSED FLATS & RETAIL/BUSINESS UNIT
15 STATION ROAD
MARCH
CAMBS
PE15 8LB
MARCH PE15 LTD.
ILLUSTRATIVE STREET
ELEVATIONS - REAR (South)
1:100 : EJB : NOV 2018
MARCH.15 : 3.3 : A



(REAR (SOUTH) ^D
↑
ACCESS

JIM HOCKING COURT

0 2 4 6 8 10 M

1:100 @ A3

O = OBSCURED GLASS
FIXED SHUT 1-7 M
BELOW FLOOR LEVEL

ba
brand
associates
architects
2A Dartford Road
March PE15 8AB
tel [01354] 653 818
mail@brand-associates.net

PROPOSED FLATS & RETAIL/BUSINESS
UNIT
15 STATION ROAD
MARCH
CAMBS
PE15 8LB
MARCH PE15 LTD.
ILLUSTRATIVE STREET ELEVATIONS
NORTH (FRONT) & WEST (SIDE)
1:100 : EJB : NOV 2018
MARCH.15 : 2.1 : A



STATION RD. - FRONT (NORTH) - A



STATION RD. - SIDE (WEST) - D

JIM HOCKING COURT
FLATS

PUB

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F/YR19/0726/O

Applicant: Mr Gary Caulfield

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

Land North Of 20, St Francis Drive, Chatteris, Cambridgeshire

Erect 1no dwelling with attached garage (outline application with matters committed in respect of access and layout)

Officer recommendation: Grant

Reason for Committee: Number of representations received contrary to Officers recommendation.

1 EXECUTIVE SUMMARY

1.1 The application seeks outline planning permission for the erection of a dwelling with layout and access committed on land north of 20, St Francis Drive, Chatteris. A wider site has the benefit of an extant planning permission for 2 dwellings off the same access. This application was approved by Planning Committee in 2017 (F/YR16/0875/F).

1.2 The layout plan is considered to provide sufficient detail in order to demonstrate that the scheme would not have any unacceptable impacts with regard to the relationship with adjoining residential properties, subject to the scale of the development being restricted to single storey.

1.3 As with the previous application, a number of objections have been received to the proposal. However, although it is acknowledged that the intensification of the use of the access would have some adverse impacts upon the amenity of the existing occupiers of the dwellings that share the access, the extent of those impacts is not considered to be such that it would warrant the refusal of planning permission.

1.4 Furthermore, several of these concerns regard matters which fall outside the scope of the planning application process. Therefore, subject to a number of conditions the proposal is considered to be acceptable.

2 SITE DESCRIPTION

2.1 The site lies within the built form of Chatteris and consists of an area of garden land approximately 53m x 15m to the west of No 36a New Road and to the south of No 34 New Road.

2.2 Access to the site runs between Nos 20 and 35 St Francis Drive. This is a small section of the estate road which is private and appears to be shared between these properties as well as Nos 16 and 18 St Francis Drive. The road leads out onto a hammerhead which is adopted. The applicant has retained right of access across the private drive into the site.

- 2.3 Adjacent to the western boundary is a row of bungalows (St Peters Drive) and a group TPO which covers their rear gardens (TPO 1/1967). A number of trees are within the site -mostly Leylandii. The site is surrounded by residential development and falls within Flood Zone 1.
- 2.4 In 2016, Planning Committee approved a development consisting of two dwellings which included the site. (F/YR16/0875/F)

3 PROPOSAL

- 3.1 The application seeks outline planning permission for the erection of a dwelling with only the access and layout committed at this stage. However, an illustrative drawing indicates the dwelling will be single storey with an integral garage.
- 3.2 The committed layout shows the dwelling towards the centre of the site, 1m (minimum) from the boundary with No 36 and 2m from the boundary with Nos 9 and 11 St Peters Drive. This will involve the removal of a number of the Leylandii trees. The driveway includes a turning head and bin collection area. However, an amended plan has been received removing the bin collection area because the collection lorries do not drive off the adopted highway onto the block paving.

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

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=document&keyVal=PWHFS3HE0D800>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR16/0875/F	Erection of a single-storey 2-bed dwelling with integral garage and a 2-storey 4-bed dwelling with detached garage Land North Of 20 St Francis Drive Chatteris Cambridgeshire	Granted	02/02/2017
F/YR16/0043/F	Erection of a 2-storey 4 bed dwelling involving demolition of existing outbuilding Land To The South Of 36A New Road Chatteris Cambridgeshir	Granted	22/06/2016
F/YR15/0921/F	Erection of 2 x 2-storey 4 bed dwellings involving demolition of existing outbuilding Land To The South Of 36A New Road Chatteris Cambridgeshir	Withdrawn	25/11/2015
F/YR05/1448/F	Erection of a 4-bed detached house with integral garage Land South Of 34 New Road Chatteris Cambridgeshire	Granted	13/02/2006
F/YR05/0211/F	Erection of a 4-bed detached house with integral garage Land South Of 34 New Road Chatteris Cambridgeshire	Withdrawn	12/12/2005

5 CONSULTATIONS

- 5.1 **Chatteris Town Council:** Support the proposal.
- 5.2 **FDC Scientific Officer (Land Contamination):** *The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development, as it is unlikely to have a detrimental effect on local air quality and the noise climate, or be affected by ground contamination.*

5.3 Cambridgeshire County Council Highways Authority: *The proposed development will be accessed via a private drive with no adverse impact to the highway network. No highways objections.*

5.4 FDC Tree Officer: *The proposed development requires the removal of a group of trees (G1) and 5 individual trees to facilitate the development; 4 of the trees are recommended for removal on arboricultural grounds alone.*

I have no objection to the proposed removals as the trees do not merit a TPO, I also note that trees are recommended for replanting as part of the proposal.

It is noted that a TPO runs along the rear boundaries of properties in St Peters Drive. The TPO shows area A21 to run along the boundaries, composed of 33 Elm trees, these trees no longer exist and likely died some years ago from Dutch Elm Disease. It is not considered that there will be any adverse impact to neighbouring vegetation on the west boundary

5.5 Local Residents/Interested Parties: A total of 9 objections have been received from 8 properties on St Francis Drive. The concerns can be summarised as follows:

- The use of the private access road which is maintained by Nos 16, 18, 20 and 35. If the road is damaged during construction who will be liable for its repair? This should be conditioned. It's not possible for large construction vehicles to access the site.
- How will the new occupier contribute to its upkeep/ become jointly responsible?
- The access road becomes very narrow adjacent to No 20, concerns about possible damage to this property during construction.
- A condition should be attached preventing construction vehicles from parking and/or waiting on the private road.
- Parking in general on St Francis Drive is insufficient, especially around No 21- this will increase.
- Noise and the safety of children during construction.
- Location of refuse bins

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

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

8 KEY ISSUES

- **Principle of Development**
- **Layout**
- **Residential Amenity**
- **Access, parking and turning**
- **Refuse Collection**
- **Other Considerations**

9 ASSESSMENT

Principle of Development

- 9.1 Chatteris is identified as a Market Town as outlined in Policy LP3 where the majority of development should be located. The site is considered to be within the built form and urban area and therefore the principle of the proposal is acceptable subject to other policy considerations.
- 9.2 Furthermore, a larger site benefits from full planning permission (F/YR16/0875/F) for the erection of a single-storey 2-bed dwelling with integral garage and a 2-storey 4-bed dwelling with detached garage. This expires in February 2020. That development would be accessed via the same route as this proposal, demonstrating that Members have previously accepted the use of the access road to serve the dwellings.

Layout

- 9.3 Policy LP16 is also relevant as it promotes the delivery and protection of high quality environments across the District. Part (d) requires all new development to make a positive contribution to the local distinctiveness and character of the local built environment, to reinforce local identity and not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 9.4 The committed layout places the dwelling towards the centre of the site, with private amenity land to the north. The driveway leading to the indicative integral garage will be adjacent to the garage of No 36. As before, there would be some glimpsed views of development in this location but the development would not appear harmful in those views; the layout is therefore considered to be compliant with Policy LP16. A number of trees are proposed to be removed. The Tree Officer has no objection to the proposed removals as the trees do not merit a TPO. A TPO runs along the rear boundaries of properties in St Peters Drive. The TPO shows area A21 to run along the boundaries, composed of 33 Elm trees, these trees no longer exist and likely died some years ago from Dutch Elm Disease. It is not considered that there will be any adverse impact by the proposal to neighbouring vegetation along the western boundary.
- 9.5 New planting can be dealt with as part of the landscaping details and reserved matters application. In addition, a condition has been included requesting the inclusion of bat slips/ bird boxes to enhance the biodiversity on the site.

Residential Amenity

- 9.6 Policies LP2 and LP16 seek to provide a high level of residential amenity. As noted above a larger site benefits from full planning permission for the erection of a

single-storey 2-bed dwelling with integral garage and a 2-storey 4-bed dwelling with detached garage. This expires in February 2020.

- 9.7 Although scale has not been committed, a single storey dwelling is indicated. A bungalow would have no significant impact on nearby dwellings, whereas anything above single storey is likely to impact detrimentally on the bungalows backing onto the site, along St Peters Drive. Therefore the scale of the proposed dwelling should be conditioned to be single storey only. For similar reasons, permitted development rights should be removed to prevent additional windows to the roof or roof alterations. The size of the proposed private amenity area is considered to be sufficient (representing at least one third of the properties) to serve the dwelling.
- 9.8 There would be some harm to the amenity of the occupiers of 16, 18, 20 and 35 St Francis Drive arising from the increased use of the vehicular access, particularly to No 20 where the existing access road is located adjacent the front and side of this property. This harm would be limited though in duration and the vehicular movements associated with one property would be relatively low and so the impact is considered to fall within an acceptable threshold.
- 9.9 Overall the proposal is considered to comply with Policy LP16 with regard to residential amenity.

Access, parking and turning

- 9.10 The proposal is to be accessed off a private shared driveway which serves 4 other existing properties, numbers 16, 18, 20 and 35 St Francis Drive. The access width reduces down to 3.4 metres between No 20 and No 35. However, there is a wide turning area shown within the site with sufficient space for turning to allow vehicles to enter and exit the site in forward gear.
- 9.11 The Highway Authority raises no objection to the proposal subject to suitable planning conditions regarding temporary facilities and parking and turning provision there are no highway grounds to resist the proposal.

Refuse collection

- 9.12 As the access would be along a private road (the extent of the public highway ceases close to 16 St Francis Drive) the Council's refuse vehicles would not enter the site. Therefore a condition has been added requiring the submission of a refuse collection strategy.

Other Considerations

- 9.13 The use of a private drive is considered to be acceptable in that the number of dwellings which would use it is appropriate. The comments of the objectors are noted, including the request for a planning condition. However, the future maintenance of the private access road and any damage caused during construction is considered to be a private matter and the Council would expect the applicant/ developer to liaise with the other existing users of the access road
- 9.14 It is noted that following discussions at Committee last time, Members requested an additional planning condition requiring a Construction Management Plan to be approved prior to the commencement of development. This is considered appropriate again and will help to alleviate the concerns of the neighbouring residents.

10 CONCLUSIONS

- 10.1 The proposal is within the built up area of Chatteris and as such the principle of the development is acceptable. A wider site benefits from an extant planning permission for the erection of 2 dwellings off the same access. Therefore the access is considered to be sufficient to serve the proposed dwelling – there would though be some impacts upon the occupiers of the existing dwellings which currently use the access.
- 10.2 The scale, appearance and landscaping are reserved matters for consideration at a later date. However, subject to a condition restricting the scale of the development to single storey, it is considered that the submitted details are acceptable. The impacts upon residential amenity have been assessed and an acceptable level of amenity would be retained or provided to serve the proposed dwelling. Accordingly the proposal is recommended for approval subject to a number of planning conditions.

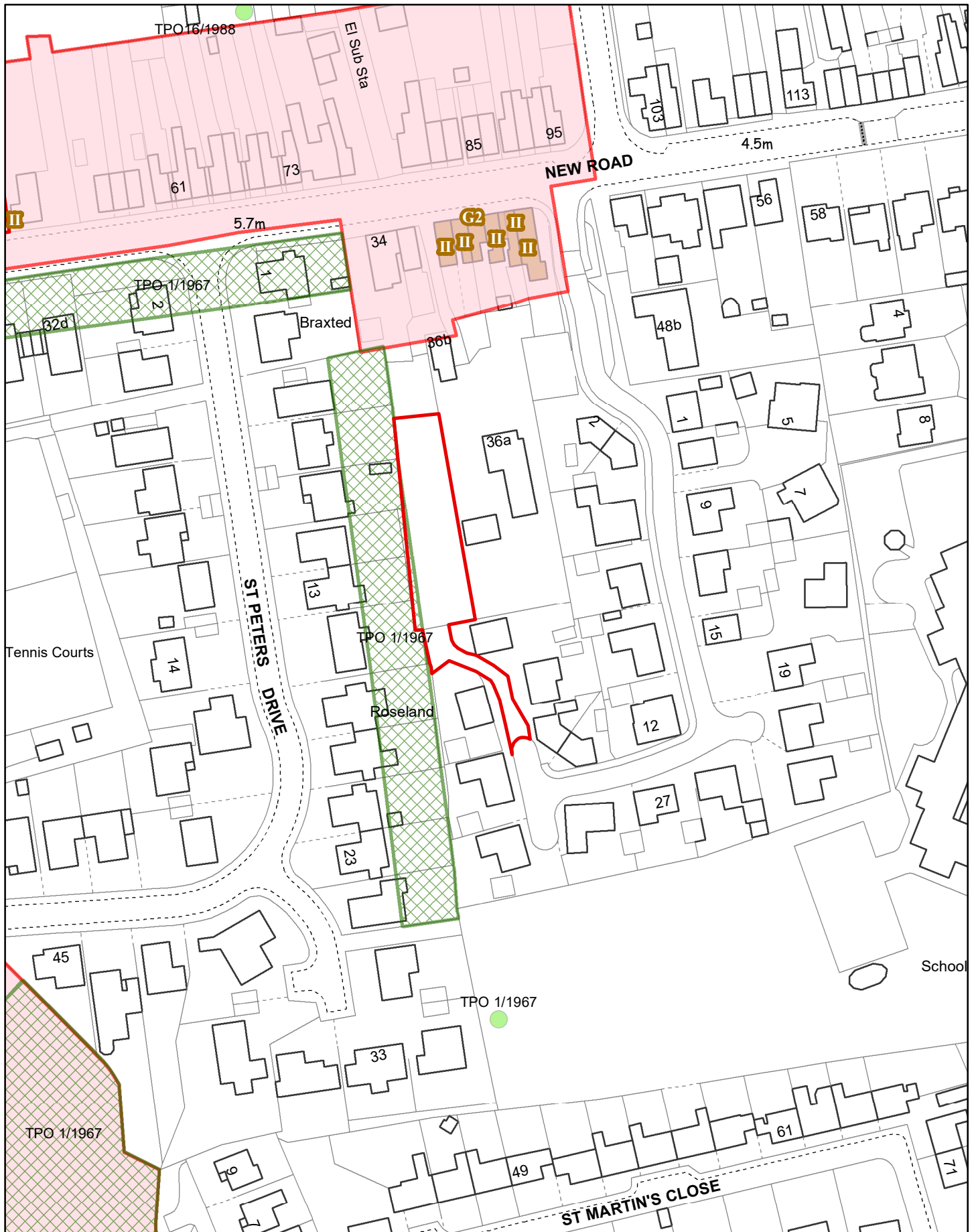
11 RECOMMENDATION

Grant subject to the following conditions

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the scale of the building(s); ii. the external appearance of the building(s); iii. the landscaping <p>(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p>Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.</p> <p>Reason- In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan.</p>
5	<p>No development shall take place until a construction management plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:</p> <ul style="list-style-type: none"> - Parking of vehicles of site operatives and visitors

	<ul style="list-style-type: none"> - routes for construction traffic - hours of operation - method of prevention of mud being carried onto highway - pedestrian and cyclist protection - any proposed temporary traffic restrictions and proposals for associated safety - Signage <p>Reason - To prevent harm being caused to the amenity of the area in accordance with the provisions of Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
6	<p>Prior to the first occupation of the development the proposed on-site parking /turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use.</p> <p>Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan.</p>
7	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:</p> <ul style="list-style-type: none"> i) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B); ii) alterations to the roof of the dwelling house (as detailed in Schedule 2, Part 1, Class C) <p>Reasons- To prevent overlooking of neighbouring properties and to safeguard the amenities currently enjoyed by the occupants of adjoining dwellings, in the interest of the protection of residential amenity and in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
8	<p>All hard and soft landscape works shall be carried out in full accordance with the details submitted to discharge condition 1. 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 dwelling. 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 and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
9	<p>The details submitted to discharge Condition 1 shall include: The location and design of the bat box/ tiles and bird nesting boxes to be incorporated into the new dwelling as a biodiversity enhancement. Details of the location of any external lighting proposed on site which should be designed to be baffled downwards away from retained trees.</p>

	<p>The development shall be carried out in accordance with the approved scheme.</p> <p>Reason- In the interests of highway safety and to ensure satisfactory access into the site in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
10	<p>The details to be submitted to discharge Condition 1 shall include: details of the finished floor level of the dwelling and associated external ground levels.</p> <p>The development shall be implemented in accordance with the approved details.</p> <p>Reason- In the interests of visual and residential amenity in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
11	<p>Prior to occupation of any part of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason - To ensure a satisfactory form of refuse collection and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
12	<p>The scale of the dwelling hereby permitted shall be restricted to single storey only.</p> <p>Reason- in the interests of protecting the residential amenity of the occupiers of the neighbouring properties, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
13	Approved Plans



Created on: 21/08/2019

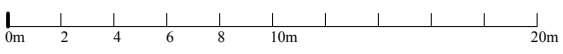
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Scale: 1:200



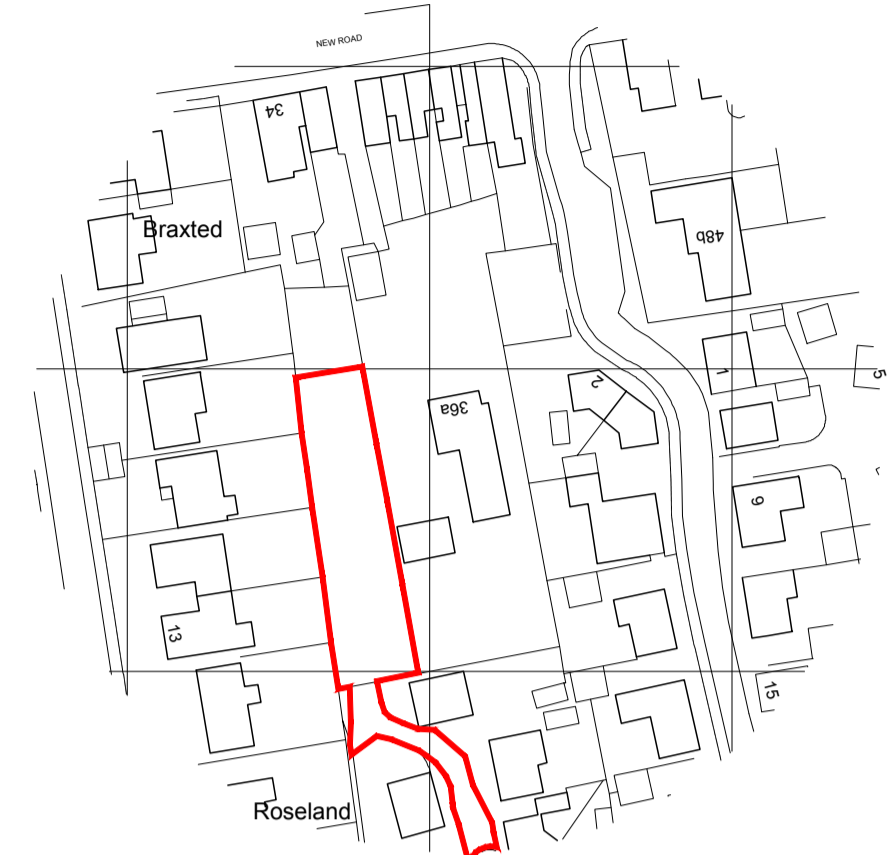
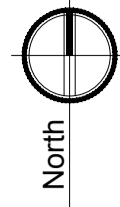
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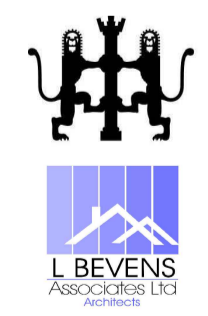
Location Plan 1:1250

Proposed Site Plan



Illustrative Front Elevation.

Rev A Oct. 2019 Bin collection point removed as per discussion planning officer.



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Table with columns: DRAWING STATUS, PRELIMINARY, PLANNING, CONSTRUCTION, FILE COPY.

CLIENT: Mr G Caulfield

PROJECT: Land north of 20 St. Francis Drive, Chatteris, Cambridgeshire.

DRAWING TITLE: Proposed Site Plan Location Plan

Table with columns: SCALE, DATE, DRAWN, CHECKED.

Table with columns: DRAWING NUMBER, REVISION.

F/YR19/0760/O

Applicant: Mr W Beaney

Agent : Morton & Hall Consulting Ltd

Land West Of 130, London Road, Chatteris, Cambridgeshire

Erect up to 3 x dwellings (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Officer recommendation contrary to the comments of Chatteris Town Council.

1. EXECUTIVE SUMMARY

- 1.1 The proposal is an outline application for the construction of up to three dwellings on a current greenfield site. The land is within flood zone 1.
- 1.2 The site is located away from the built up part of the nearest settlement of Chatteris on land currently defined as an 'Elsewhere' location as set out in Policy LP3 of the Fenland Local Plan 2014. The site is set amongst a group of sporadic housing development which form clusters of built roadside development in the countryside and Policy LP3 says that development in such 'elsewhere' locations will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services and such development will be subject to a restrictive occupancy condition. The site is located between 130 and 132 London Road, Chatteris.
- 1.3 It is considered that Policy LP3 is consistent with paragraph 78 of the NPPF as the Settlement Hierarchy does identify opportunities for growth in smaller rural settlements however the application site does not lie within such an identified settlement and therefore does not comply Paragraph 78 of the NPPF.
- 1.4 The proposed access is identified by the Local Highways Authority as having substandard visibility splays and will require re-alignment if intensification is to be acceptable. The road is subject to a 50mph speed limit and visibility splays are likely to include rights across third party land and therefore the LHA recommends refusal.
- 1.5 The development of this site will involve the removal/works to existing landscaping along the front of the site and the application has failed to demonstrate the potential impact on the landscaping features or indeed on any biodiversity impacts that might arise from this development due to the lack of an ecology survey. The proposal is therefore contrary to Policy LP16 and LP19 of the Fenland Local Plan 2014.
- 1.6 There are no material considerations that justify approval of the site and therefore the development is considered to be contrary to Policies LP3, LP16 and LP19 of the Fenland Local Plan 2014 and Paragraph 78 of the NPPF.

2. SITE DESCRIPTION

- 2.1. The application site is currently open grassland that slopes gently away from the highway and screened from the road by a mature hedge and tree belt. The site is flanked on both sides by established residential dwellings known as 130 London Road and 132 London Road. The site is separated from the adjoining land by a combination of boundary treatments, including hedges, post and rail and post and wire fencing. Immediately to the north of the site there is an equestrian manege associated with a stable block to the rear of the adjoining dwellings.
- 2.2. The site is located within flood zone 1, the zone of lowest flood risk. It is also located approximately 0.67km beyond the built up part of the settlement of Chatteris within the countryside, defined as an 'Elsewhere' location under policy LP3 of the Fenland Local Plan (2014). This part of the B1050 is subject to a 50 mph speed limit and has limited street lights and substandard footpath links to Chatteris.

3. PROPOSAL

- 3.1. The proposal is an outline application with all matters reserved for later approval with the exception of access.
- 3.2. An indicative layout plan is submitted alongside the proposal to demonstrate how three dwellings could potentially be accommodated and accessed within the site resulting in one access point located adjacent to No. 130 London Road. The proposal involves the formalisation of the current field access point by widening the access point and sealing and draining it for a distance of 15 m into the site.
- 3.3. The indicative layout shows the provision of 3 large plots with detached dwellings and associated garaging facing onto the B1050 with the plots accessed via a private driveway.
- 3.4. The proposal will involve works to the existing vegetation/trees to reduce their height and density along the front edge of the site which adjoins the B1050.
- 3.5. Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4. SITE PLANNING HISTORY

F/YR00/0311/F	Erection of stable block siting of 1 no portacabin and change of use from agricultural land to paddock	Granted 2/6/2000
F/0986/85/F	Use of land and buildings as a riding school (retrospective) and provision of a car park	Granted 16/1/86

5. CONSULTATIONS

Cambridgeshire County Council Highways Authority

- 5.1. *The B1050 is subject to a 50mph speed limit. The proposed access should therefore achieve 155m visibility in both directions with 2.4m set back. Third party property constraints appear to restrict visibility, particularly to the south. Unless*

the applicant can obtain rights across third party land and/or demonstrate 155m visibility is achievable in both directions, I recommend this application is refused.

- 5.2. *The access should also be aligned perpendicular to the carriageway edge with a tapered access arrangement. This is to ensure safe ingress/egress of the highway carriageway.*
- 5.3. *The access will also need to be extended to include a short length of footway so a dropped kerb/uncontrolled crossing could be provided across the B1050.*
- 5.4. *Defer for amended plans or refuse due to failure to demonstrate suitable access visibility can be achieved.*

Environment Agency

- 5.5. No comments

Parish/Town Council

- 5.6. *Support but request that a footpath is installed and the 50mph speed limit is reduced to 40mph as housing development has taken place along the road. Councillors also raised concerns about the safety of the Stocking Drove junction.*

Chatteris Town Council has also confirmed that they are content to support the application without the above caveats.

Environment & Health Services (FDC)

- 5.7. No objection

Local Residents/Interested Parties

- 5.8. 1 letter of objection has been received from the neighbouring property:
Object on the following grounds:
 - Overlooking
 - Loss of privacy
 - Loss of light
 - Overshadowing
 - Noise and disturbance
 - Layout and density of buildings
 - Development not in character with existing dwellings;
 - Traffic generation
 - Highway safety
 - Overdevelopment of the site
 - Loss of trees and impact on wildlife.

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).

7. POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

National Planning Practice Guidance (NPPG)

Determining a planning application

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

8. KEY ISSUES

- **Principle of Development**
- **Sustainability**
- **Character of area**
- **Access & Highway Safety**
- **Ecology**
- **Other Matters**

9. BACKGROUND

- 9.1. The application site history indicates that the land in question has formerly been included in planning permissions relating to the use of the site as paddock/riding school land. No pre-application contact has been made in respect of the current proposal.
- 9.2. The dwelling immediately to the north east of the site (No.130) was constructed pre planning i.e. pre 1947 and the dwelling south west of the site (No.132) was constructed as a farmhouse.

10. ASSESSMENT

Principle of Development

- 10.1. The application site is located beyond the built up parts of the settlement of Chatteris, in an area that is defined as an 'Elsewhere' location within planning policy LP3 of the Fenland Local Plan. Policy LP3 states that development in such locations will be *"restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services"*.
- 10.2. The site is not isolated but is set within a loose group of built roadside development in an area of countryside outside the developed footprint of Chatteris town. This approach is consistent with Paragraph 78 of the NPPF as the settlement hierarchy set out in LP3 identifies opportunities for growth in smaller rural settlements and the application site does not lie within such an identified settlement.
- 10.3. In this instance, the proposal does not contain any indication that it is to fulfil any of the identified needs for such a location, and the scheme is therefore

considered to be open market and contrary to policy LP3 of the Fenland Local Plan.

- 10.4. A recent appeal decision elsewhere within the district set out the approach to be taken in respect of such sites, with the key parts of that approach being as follows:
- The site is classed as an 'Elsewhere' location.
 - Policy LP3 restricts development in such areas to support specific uses.
 - Policy LP3 is consistent with paragraph 78 of the National Planning Policy Framework (2019) as the settlement hierarchy identifies opportunities for growth in smaller settlements; however the site is not located within such a settlement.
 - Modest social and economic benefits are not of sufficient weight to override policy LP3.

Sustainability

- 10.5. The site is estimated to be a 0.67km (8 minute) walk from the edge of Chatteris, and approximately 2.2km (27 minutes) to the centre of the town. A pedestrian footpath is available for the length of the journey, although there is no street lighting in the area, however given the distances involved and the narrow nature of the footway and lack of street lights, it is considered unlikely that a significant number of trips would be made to and from the site to the town by this means and that this would not be sufficient for the site to be considered as a sustainable location.

Character of area

- 10.6 The area is characterised by sporadic development located along the frontage of London Road and consists of a mix of residential uses and commercial uses including equestrian related uses and a carpet tile outlet.
- 10.7 The site is located away from Chatteris town and whilst not isolated is considered to be in a countryside setting as can be determined by large areas of open land and soft landscaping along the B1050.
- 10.8 Policy LP16 seeks to achieve high quality environments including protection and retention of natural features; retention of trees and hedgerows and for development to make a positive contribution to the local distinctiveness and character of the area. The introduction of 3 large dwellings on this open grassland will adversely change the character of the area and will significantly harm the character of the open countryside.

Access & Highway Safety

- 10.9 The proposal utilises an existing field access point to the highway network for access into the site itself, indicating also that widening of the access would be required to allow two-way vehicle flow along the access drive.
- 10.10 The Local Highways Authority has indicated that the visibility splays shown on the submitted plans do not meet the minimum required standards for a road subject to the speed limit that applies in this instance. The visibility splays required for this 50 mph road is 155 m in both directions and it is likely that the splays will go over third party land but this has not been evidenced. Therefore without the

evidence that the visibility splays can be achieved, the Local Highway Authority has recommended refusal based on highway safety issues.

- 10.11 The access from the site onto the highway network is currently in existence, however the proposal would see a significant intensification of its use, introducing movements associated with different ownerships along the driveway, as well as providing an additional element of turning off that access onto the shared driveway serving the proposed dwellings.
- 10.12 Planning Policy LP15 of the Fenland Local Plan (2014) notes that development schemes must be able to demonstrate that they have had regard to providing a well-designed, safe and convenient access for all.
- 10.13 In this instance, despite the use of an existing access point onto the highway network associated with the proposal, it is considered that the intensification of the use of that access is significant, and will fail to accord with the above policy (LP15).

Ecology

- 10.14 The development proposal indicates that there will be changes to the front boundary landscaping however the application has not been supported by either a tree survey or biodiversity survey to determine whether changes to this boundary will affect any identified protected species.
- 10.15 The proposal therefore is considered to be contrary to Policy LP16 and LP19 which seeks to protect and enhance biodiversity on and surrounding the development site and also which seeks to retain natural features of the site.

Other Matters

- 10.16 A local resident has raised several other matters in relation to the proposal relating to overlooking, loss of light, character impact etc.
- 10.17 These issues are all relevant to the consideration of the reserved matters in relation to the proposal however, and not for consideration at the outline stage. On that basis, whilst they are significant in relation to the detailed development of the site and may be relevant should outline planning permission be granted, they are not matters relevant to consideration of the current application.

11. CONCLUSIONS

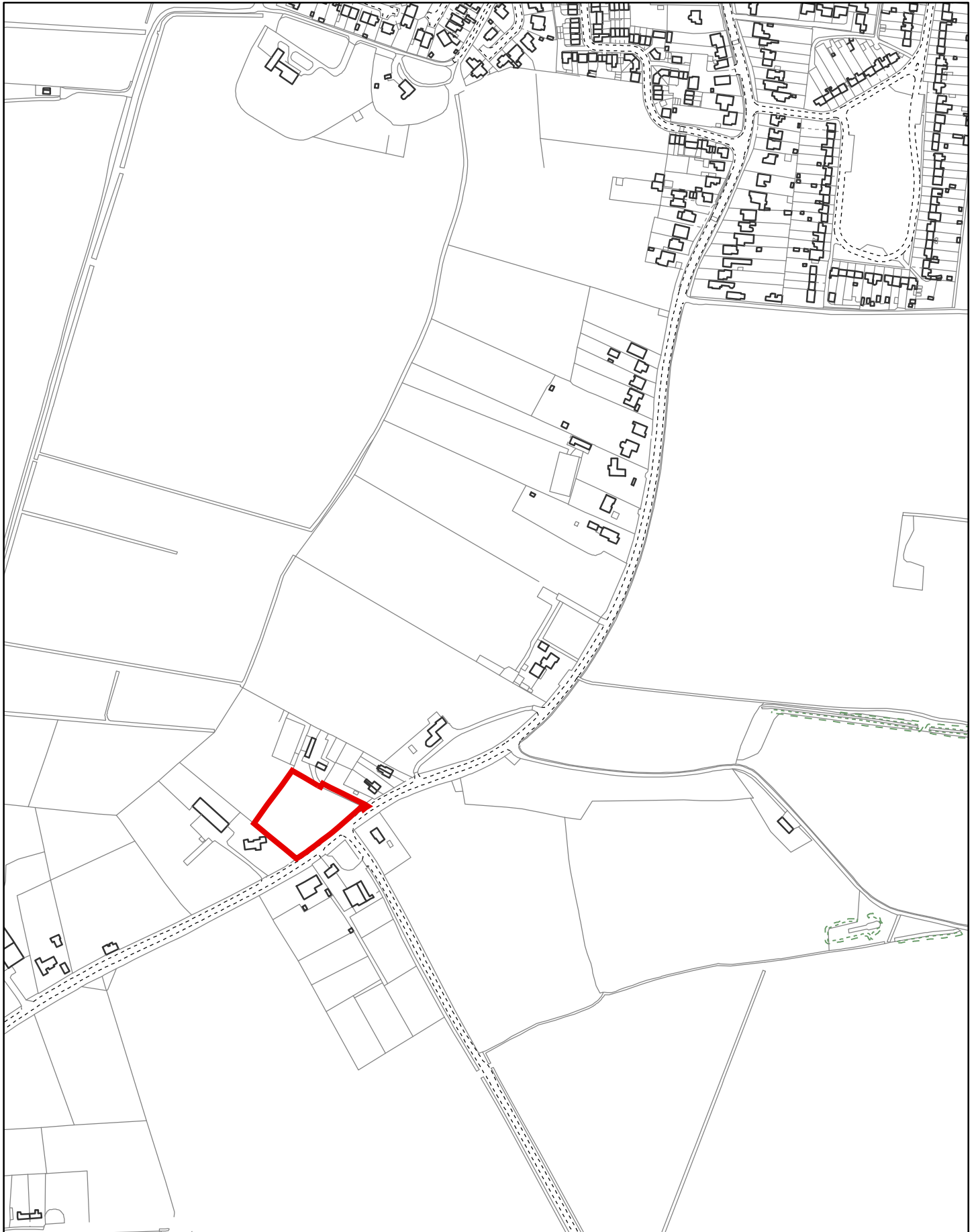
- 11.1. The application site is located in an 'Elsewhere' location beyond the built up parts of the Town of Chatteris. Planning policy LP3 requires that development in such locations is demonstrably essential to the effective operation of one of a range of rural uses. The application documentation fails to demonstrate that the proposal fulfils such a need, and is therefore contrary to policy LP3 which sets out the information requirements for such applications.
- 11.2. The site is not in a sustainable location, and despite the presence of a footpath connecting it to the nearby town of Chatteris, the distance between it and the centre of the town is such that it is unlikely that it would encourage use of means of transport other than the private car and does not mitigate against the unsustainability of the location.

- 11.3. The proposed access fails to demonstrate that the visibility splays and arrangement shown are acceptable with regard to the site and the legal speed limit of 50 mph at the access point. On that basis, the application has also failed to demonstrate that a safe and convenient access for all can be provided, and the scheme is therefore contrary to the requirements of policy LP15 of the Fenland Local Plan.

12. RECOMMENDATION

Refuse, for the following reasons

1	<p>Policy LP3 of the Fenland Local Plan (2014) and national planning policy guidance steers new residential development to built up areas that offer the best access to services and facilities. This is unless it can be demonstrated that such development is essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. The site falls within the open countryside, and therefore the principle of residential development in this location would not be consistent with this policy and national guidance. The proposed development is located in an unsustainable location outside any settlement limits where residential development is not normally supported unless justified. No relevant justification has been submitted to the local planning authority that demonstrates a justifiable need for this accommodation. The proposal is therefore contrary to Policy LP3 of the Fenland Local Plan (2014).</p>
2	<p>Policy LP15 of the Fenland Local Plan (2014) requires development proposals to demonstrate that they can provide a well-designed, safe and convenient access for all. The proposal is to utilise an existing access point in relation to the proposal, widening the existing road to allow two vehicles to pass off the adopted highway network. The information provided however does not demonstrate that suitable visibility splays are available at the point of access, and also that the access requires realignment in order to meet with the requirements of the Local Highway Authority to demonstrate that it is safe for vehicles to enter and leave the site. The proposal is therefore contrary to the requirements of policy LP15 of the Fenland Local Plan (2014).</p>
3	<p>Policies LP16 and LP19 of the Fenland Local Plan (2014) seeks to protect the natural environment and the application has failed to demonstrate that there will be no adverse impacts on the existing trees and hedgerows along the site frontage. The application also fails to demonstrate that the development will not significantly impact on any protected species through the absence of an ecology survey. The proposal is therefore contrary to Policies LP16 and LP19 of the Fenland Local Plan (2014).</p>



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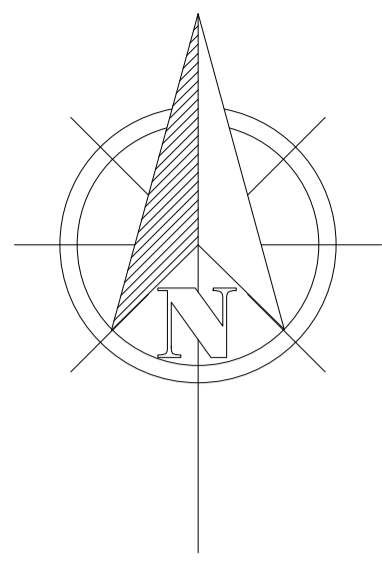
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






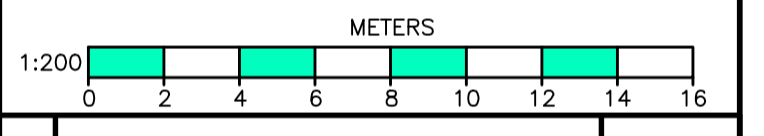
INDICATIVE LAYOUT



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 Please read, if in doubt ask. Change nothing without consulting the Engineers.
 Contractor to check all dimensions on site before work starts or materials are ordered. Do not scale, if in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.
 All finishes, insulation and damp-proofing to architect's details.

SITE PLAN KEY

-  PERMEABLE BLOCK PAVING (NON SLIP)
-  CONCRETE SLABS (NON SLIP)
-  GRASS
-  VEGETATION
-  HEDGING
-  GRAVEL
-  WATER COURSE
-  SITE ENVELOPE
-  LAND CLIENT OWNS
-  PAVEMENT
-  TARMAC
-  EXISTING DWELLINGS
-  WASTE BINS



B	PLANNERS COMMENTS	SEP 2019
A	ACCESS UPDATED	MAR 2019
	REVISIONS	DATE

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Fenland District Council
 Building Design Awards
 Building Excellence in Fenland

CLIENT
 Mr Beaney

PROJECT
 Land Adj 130 London Rd
 Chatteris
 Cambs
 PE16 6SF

TITLE
 Proposed Site Plan

DRAWN	M. Halmshaw	DATE OF ISSUE
CHECKED		
DATE	February 2019	DRAWING NUMBER
SCALE	As Shown	H6276/02_B



PROPOSED SITE PLAN
 (1:200)

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PLANNING COMMITTEE DATE: 6th November 2019

APPLICATION NO: F/YR19/0760/O

SITE LOCATION: Land West Of 130, London Road, Chatteris

UPDATE

Revised drawings and speed survey information have been received from the agent in relation to the proposals following publication of the officer's report and the comments from the Local Highways Authority.

The revised drawings detail a new vehicular visibility splay based on the results of a speed survey undertaken by the applicant following initial comments from the Local Highways Authority.

The proposal now includes the removal of the landscaping along London Road and replacement planting set into the site.

Consultee comment: Local Highways Authority

"Further to receiving the amended speed survey and plans, I have no highway objections to the proposal.

The applicant has demonstrated that the proposed visibility distances are acceptable by producing speed survey evidence. The 85th %ile speeds show the visibility splays are within acceptable design parameters.

The footway extension adjacent to the access is intended to provide a safe area for pedestrians to cross London Road. Details of this will be agreed at detailed design stage."

Conditions recommended should consent be granted.

Consultee comment: Tree Officer

Following the receipt of the amended layout plan showing the removal of the vegetation along London Road, The Council's Tree Officer has been consulted and responds as follows.

Due to the presence of known weak junctions in the main stems, the trees do not justify the serving of a Tree Preservation Order.

The hedge is partly dominated by brambles at the eastern end, but of mature hawthorn in the western half. This western section in particular is of high amenity value.

Should development be approved, a robust and comprehensive landscaping proposal and ecology survey should be required to include the planting of a native species hedge and replacement trees for any that are removed.

Recommendation: Refuse, as amended below

Retain reason 1 as per the main report

Remove refusal reason 2

Amend refusal reason 3 to read:

Policies LP16 and LP19 of the Fenland Local Plan (2014) seek to protect the natural environment and the proposed plans detailing the removal and relocation of the front boundary hedge of the site will result in adverse ecological impacts and will adversely affect the character and appearance of the area. The application fails to demonstrate that the development will not significantly impact on any protected species through the absence of an ecology survey, and the relocation of the hedge will harm the distinctive character of the area through its increased set-back from the highway. The proposal is therefore contrary to Policies LP16 c) and d) and LP19 of the Fenland Local Plan (2014).

F/YR19/0799/VOC

Applicant: Mr & Mrs Fitt

**Agent : Mr Jamie Burton
Swann Edwards Architecture Limited**

Land South Of The Conifers 67, Fridaybridge Road, Elm,

Removal of condition 6 of planning permission F/YR15/0004/F (Erection of 3 x 2-storey 4-bed dwellings involving the formation of new accesses) relating to the provision of a footway

Officer recommendation: Grant

Reason for Committee: Parish Council comments contrary to officer recommendation.

1 EXECUTIVE SUMMARY

- | |
|---|
| <p>1.0 This submission seeks to remove condition 06 from the related planning permission which required the widening of the existing footway to the frontage of the three plots, originally granted full planning permission in 2015.</p> <p>1.1 In revisiting this condition it is necessary to ascertain whether there is a highway safety benefit in retaining the condition as imposed and to consider whether the condition meets the tests outlined in the NPPF.</p> <p>1.2 With regard to highway safety it is noted that there is no highway safety data which would indicate the footway widening is necessary, furthermore other similar schemes do not appear to have been the subject of similar requirements.</p> <p>1.3 It is considered that the footway widening required by virtue of the original condition 06 would NOT meet the tests outlined in the NPPF for the reasons outlined above; accordingly a favourable recommendation to the proposal to remove the condition must be forthcoming.</p> |
|---|

2 SITE DESCRIPTION

- 2.1 The application site benefits from an extant planning permission for the erection of 3 dwellings. The central dwelling is built and occupied (No 85) and the southernmost plot whilst substantially complete is not occupied, the most northerly plot south of 67 is undeveloped.

3 PROPOSAL

- 3.1 This submission seeks to remove condition 06 from the related planning permission; this condition is as follows:

A 1.8m wide footway shall be provided along the frontage of the development site in accordance with the Dwg SE-270-04 Rev B. Details of the footway construction and any associated drainage to be to the specification of the County Council. Details to be approved and works completed prior to first occupation of the development.

Reason - In the interests of highway safety in accordance with Policies LP15 and LP16 of the Fenland Local Plan, 2014.

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

<https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

F/YR18/3114/COND	Details reserved by condition 2 relating to Plot 1 only [...] F/YR15/0004/F	Approved 12/10/2018
F/YR17/3063/COND	Details reserved by condition 2 relating [...] F/YR15/0004/F for Plot 2 only	Approved 12/07/2017
F/YR17/3002/COND	Details reserved by conditions 2 and 10 relating to Plot 2 only and condition 9 relating to all plots of planning permission F/YR15/0004/F	Approved 28/02/2017
F/YR15/0004/F	Erection of 3 x 2-storey 4-bed dwellings Involving the formation of new accesses	Granted 05/03/2015

5 CONSULTATIONS

5.1 Parish Council

The above application was considered by the Elm Parish Council at their meeting on 1 October 2019. Having carefully considered the application the Council OBJECT to the proposal to reduce the width of the footway as it will make it difficult for pedestrians to fully utilise the footpath particularly those with reduced mobility or those pushing pushchairs or prams.

The Parish Council fully support the views of the Highways Development Management Engineer for Cambridgeshire County Council in the need to maintain the provision contained in the FDC Local Plan (Policy LP15).

5.2 Cambridgeshire County Council Highways Authority

The current footway along the development frontage is only 1.2m wide. At this width, a pedestrian would be unable to pass a pushchair without having to walk in the carriageway.

Whilst subject to a 30mph speed limit, the straight carriageway alignment and semi-rural natural of Fridaybridge Road (along the site frontage) reduces driver awareness/reaction times and encourages high vehicle speeds. I base my high vehicle speed statement on observed vehicle speeds and local knowledge of the area.

The more development that is permitted along Fridaybridge Road, the greater the number of pedestrian trips along the footway in question. If efforts to widened this footway are not secured through Policy LP15 of FDC's adopted Local Plan, there is a greater likelihood of pedestrians walking in the carriageway and conflicting with vehicles.

As appropriate development comes forward along Fridaybridge Road improvements should be made to the footway in question in order to provide safer, more suitable and fit for purpose infrastructure, with the view of encouraging more sustainable trips to local services such as schools, doctors, shops etc.

The cumulative/incremental effect of further development will eventually result in a highway safety problem. It will then be incumbent upon the LHA to introduce improvements, of which may prove difficult to provide within the current highway reserve width.

If this application is approved, it will make it difficult to secure similar improvements along Fridaybridge Road and across the highway network.

With no accidents (at this time) to support a highway safety argument, this comes down to a policy decision for FDC.

5.3 Local Residents/Interested Parties

None

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).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Paragraph 2 - Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise
Paragraph 10 - Presumption in favour of sustainable development
Paragraph 12 - Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise
Paragraph 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise
Paragraphs 55-56 - Outline the tests to be applied with regard to conditions

7.2 National Planning Practice Guidance (NPPG)

7.3 Fenland Local Plan 2014

LP1 - Presumption in favour of sustainable development
LP15 - Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 - Delivering and protecting high quality environments across the district

8 KEY ISSUES

- **Principle of Development**
- **Highway and pedestrian safety:**

9 BACKGROUND

9.1 It should be noted that there are a number of recent planning approvals which post-date the 2015 consent to which this submission relates:

- (a) **F/YR19/0408/F** - Erection of 4 x 2-storey dwellings comprising of 2 x 3-bed with garages and 2 x 2-bed Land South 49, Fridaybridge Road, Elm - **No requirement to increase footway width.**
- (b) **F/YR17/0707/F** - Erection of 1no 2-storey 4-bed dwelling with integrated garage and 1no 2-storey 4-bed dwelling at Land South Of 183 Main Road, Friday Bridge - **No requirement to increase footway width.**
- (c) **F/YR17/1009/F** - Erection of a 2-storey, 4-bed dwelling with integral double garage involving formation of a dropped kerb at Land South Of 111 Fridaybridge Road, Elm - **No requirement to increase footway width.**
- (d) **F/YR16/1027/F** - Erection of a 2-storey 2-bed dwelling and 1.2 metre high timber fence and gates and formation of a new vehicular access involving demolition of conservatory to existing dwelling Land South Of 49 Fridaybridge Road, Elm - **No requirement to increase footway width.**
- (e) **F/YR15/0706/F** - Erection of a 2-storey 2-bed dwelling with detached double garage - Land South Of 111 Fridaybridge Road, Elm - **No requirement to increase footway width.**
- (f) **F/YR15/0305/RM** - Erection of a 2-storey 4-bed dwelling with detached garage at South Of Gaywood, Fridaybridge Road, Elm - **No requirement to increase footway width identified on the related outline planning approval.**
- (g) **F/YR12/0312/F** - Erection of 4no x 2-storey 4-bed dwellings with detached garages at Land North Of Old Killeen 172 Fridaybridge Road, Elm

CCC requested a footway be provided along the site frontage, there being no footpath in this location. The application was recommended for refusal as the site was considered outside the settlement, to encroach on the open land between Elm and Fridaybridge and given the scale and design of the proposed properties.

*Planning Committee overturned this recommendation and the decision issued including a condition requiring the provision of a 1.5 metre footway which was shown on the related planning application drawing. Subsequent to this the applicant submitted an application to remove this condition and this was granted as the condition was found to fail the tests of Circular 11/95 (superseded by Paras 55-56 of the NPPF) as not being 'necessary'. Resulting in - **No requirement to provide a footpath.***

9.2 By way of justification for the application the supporting information contained within the submission notes that:

Given recent approvals in the area and the fact that the footpath remains a consistent width for its length from Elm to Fridaybridge with limited opportunity to widen the footpath (particularly given numerous developments have been recently completed without footpath widening) it is considered that this condition is unreasonable and does not meet the 6 tests of the National Planning Policy Framework and should therefore be removed from this Planning Approval.

- 9.2 Photographs are included within the submission documents and it is noted that the images serve to illustrate:

'Recent development has occurred within the immediate vicinity without the requirement to widen the footpath and as such, it is not considered that the widening of the footpath across the frontage of this site is required in the interests of Highways safety. In addition, the image highlights the fact that the footpath remains the same width for a great distance in either direction of the application site with minimal chance for widening to occur in other areas. As such it is considered that this condition is unreasonable and should be removed.'

10 ASSESSMENT

Principle of Development

- 10.1 The principle of the development has been established by virtue of the original grant of planning permission. This scheme seeks to amend the approved details with regard to the requirement imposed on the original consent to secure footway widening.
- 10.2 The application needs to be assessed against policies LP15 and LP16 noting that it is not necessary, or appropriate, to revisit issues of character, design, flood risk and servicing although such matters should be safeguarded on any future decision issued given that a 'VOC' application type is a stand-alone consent.

Highway and pedestrian safety:

- 10.3 When consulted regarding the scheme the LHA have provided detailed comments regarding the desirability of securing footway improvements in order to provide a safer more suitable and fit for purpose infrastructure, with the view of encouraging more sustainable trips to local services such as schools, doctors, shops etc. Going on to note that *'The cumulative/incremental effect of further development will eventually result in a highway safety problem. It will then be incumbent upon the LHA to introduce improvements, of which may prove difficult to provide within the current highway reserve width.'* By removing the condition it is considered that *'it will make it difficult to secure similar improvements along Fridaybridge Road and across the highway network'*.
- 10.4 This advice is however caveated by the statement that *'with no accidents (at this time) to support a highway safety argument, this comes down to a policy decision for FDC.'*
- 10.5 This is considered to be the crux of the matter in that whilst it may be 'desirable' to secure infrastructure improvements of this type this needs to be balanced against the 6 tests outlined in the NPPF relating to the imposition of conditions, i.e.

- (a) Necessary
- (b) Relevant to planning

- (c) Relevant to the development to be permitted
- (d) Enforceable
- (e) Precise
- (f) Reasonable in all other respects

- 10.6 There must be some sympathy with the applicants with regard to the 'reasonableness' test in that it is clear that there has been regrettably a lack of consistency regarding this requirement, not solely limited to the recent planning approval which prompted this submission. Furthermore given that there is no highway data to support the highway safety argument the 'necessity' test would again, it is considered, fail.
- 10.7 Whilst it may be 'desirable' to retain enhancements in respect of the footway width it is not considered 'reasonable' when applying the tests outlined under Paras 55-56 of the NPPF.
- 10.8 As the issue of a variation of condition is a new decision notice it is necessary to revisit the original condition as any consent issued is a stand-alone consent. In this regard the following is noted:

Condition 1 (start date) does not need to be re-imposed as 2 of the 3 plots have been developed and the start date therefore complied with; the permission in respect of Plot 3 remains extant in perpetuity.

Condition 2 (materials) discharged in respect of Plot 1 & 2 requires re-imposition on DN in respect of Plot 3

Condition 3 (vehicle accesses) It is noted that this required the vehicle accesses to be laid out and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by the LPA, to include levels, forms of construction and drainage. It is noted that Plot 2 is in breach of this condition as it is occupied and Plot 1 details have not been submitted although as the dwelling is not occupied the scheme is not yet in breach - Re-impose this condition

Condition 4 (height of front boundary) - Re-impose this condition

Condition 5 (no gates) - Re-impose this condition

Condition 6 (footway widening) - Remove this condition as per this submission

Condition 7 (parking and turning provision) - Re-impose this condition

Condition 8 (provision of visibility splays) - Re-impose this condition

Condition 9 (ground levels) - Discharged in respect of all plots, implementation should be in accordance with agreed details (shown on Drawing No SE-712-01C) amend condition accordingly

Condition 10 (Construction management plan) - Details discharged in respect of Plot 2, however no details submitted in respect of Plot 1. As Plot 1 is substantially complete, yet not occupied, the dwelling is technically in breach of this condition, nevertheless it would not be expedient to take any action in this regard.

Furthermore given that the development now comprises the construction of a single dwelling the CMP is no longer considered necessary and accordingly the condition will not be re-imposed.

Condition 11 (approved plans) - Re-impose this condition

11 CONCLUSIONS

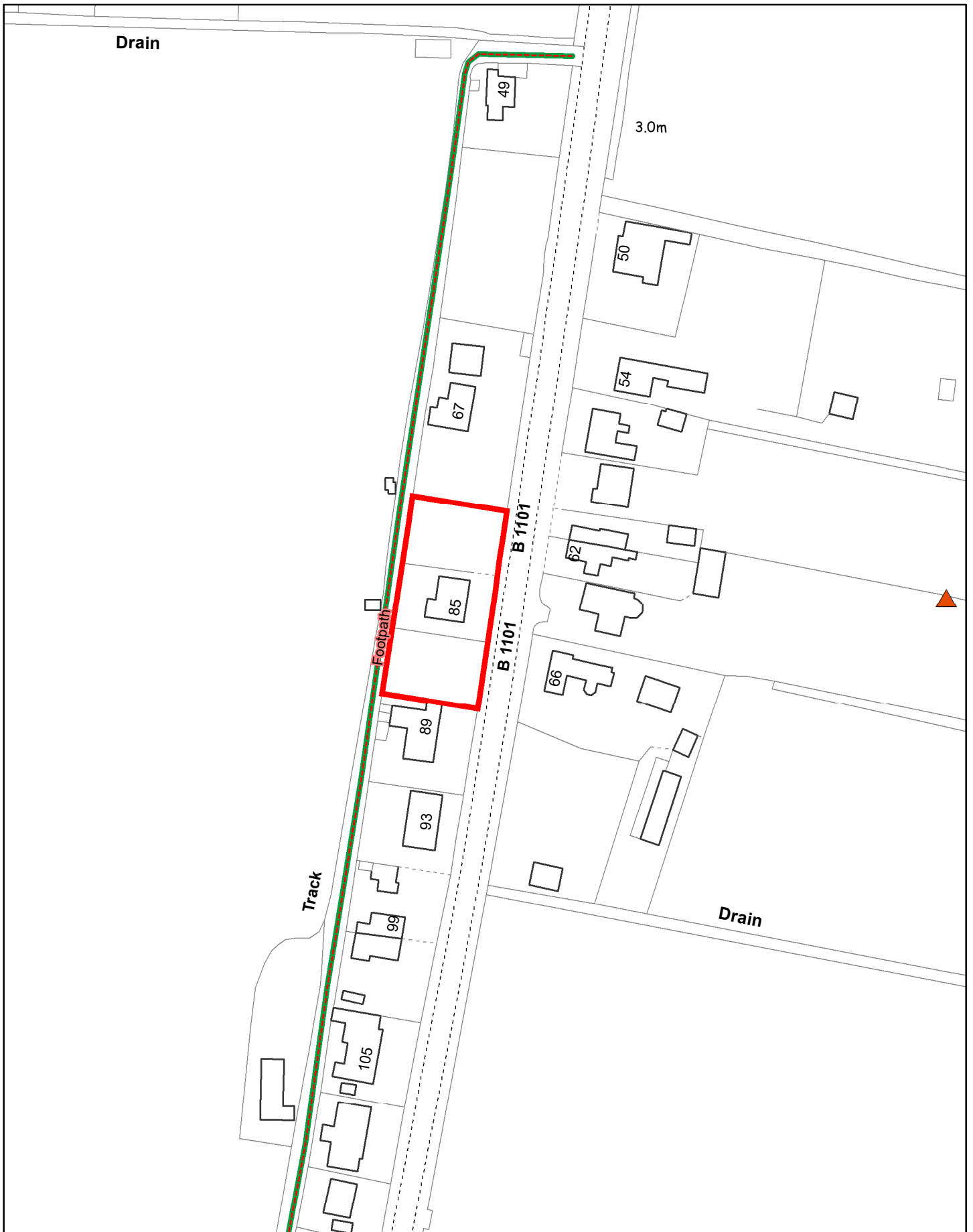
- 11.1 It is considered that the footway widening required by virtue of the original condition 06 would NOT meet the tests outlined in the NPPF for the reasons outlined above; accordingly a favourable recommendation to the proposal to remove the condition must be forthcoming.

12 RECOMMENDATION: Grant

Conditions

01	<p>Prior to any development above the slab level of Plot 3 hereby approved full details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.</p> <p>Reason - To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
02	<p>Before the dwelling on Plot 3 is occupied, its vehicular accesses where it crosses the public highway shall be laid out and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by the LPA, and such a scheme shall include, levels, forms of construction and surface water drainage.</p> <p>Reason: In the interests of highway safety and to ensure satisfactory access into the site in accordance with Policies LP15 and LP16 of the Fenland Local Plan, 2014.</p>
03	<p>Within 6 months of the date of this decision the vehicular accesses relating to Plot 1 & Plot 2 where they cross the public highway shall be laid out and constructed in accordance with a detailed engineering scheme to be submitted to and approved in writing by the LPA, and such a scheme shall include, levels, forms of construction and surface water drainage.</p> <p>Reason: In the interests of highway safety and to ensure satisfactory access into the site in accordance with Policies LP15 and LP16 of the Fenland Local Plan, 2014.</p>
04	<p>The frontage boundary will be maintained to a height that doesn't exceed 0.6m above the level of the highway carriageway for a setback distance of 2.4m from the adjacent carriageway.</p> <p>Reason: In the interests of highway safety in accordance with Policies LP15 and LP16 of the Fenland Local Plan, 2014.</p>
05	<p>Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of highway safety in accordance with Policies LP15 and LP16 of the Fenland Local Plan, 2014.</p>
06	<p>Prior to the first occupation of the development the proposed on-site parking/turning shall be laid out in accordance with the approved plan and thereafter shall be retained in perpetuity for these purposes.</p> <p>Reason - To ensure the permanent availability of the parking / manoeuvring area in accordance with Policies LP15 and LP16 of the Fenland Local Plan, 2014.</p>
07	<p>Prior to the first occupation of the development visibility splays of 2.0m</p>

	<p>x 2.0m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall be thereafter maintained free from obstruction exceeding 0.6m above the level of the footway.</p> <p>Reason - In the interests of highway safety in accordance with Policies LP15 and LP16 of the Fenland Local Plan, 2014.</p>
08	<p>Development shall be carried out strictly in accordance with the levels details submitted to and approved in writing by the LPA under conditions discharge application reference F/YR17/3002/COND.</p> <p>Reason - In the interests of visual amenity in accordance with Policies LP12 and LP16 of the Fenland Local Plan, 2014.</p>
09	Approved plans



Created on: 19/09/2019

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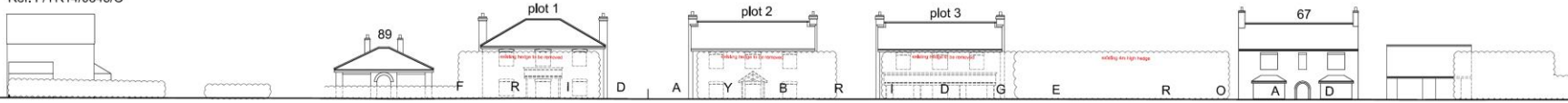
F/YR19/0799/VOC

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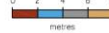
ORIGINAL APPROVAL – F/YR15/0004/F

recently approved dwelling
Ref: F/YR14/0345/O



Street Scene

Scale: 1:200



General Notes
 1. This drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are given in 'mm' unless otherwise stated.
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 4. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractor drawings and specifications.
 5. Any discrepancies are to be brought to the designers attention.

AREA SCHEDULE

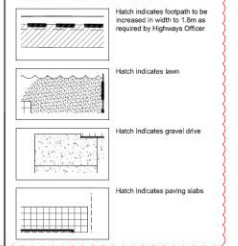
PROPOSED APPLICATION SITE AREA – 2087 7sqm (0.56 Acres)

PLOT 1	
Ground Floor	= 76.56sqm
First Floor	= 76.56sqm
Total	= 153.12sqm
Site Area	= 372.7sqm (0.09 Acres)
Garden Area	= 141.3sqm 37.9% of total site area

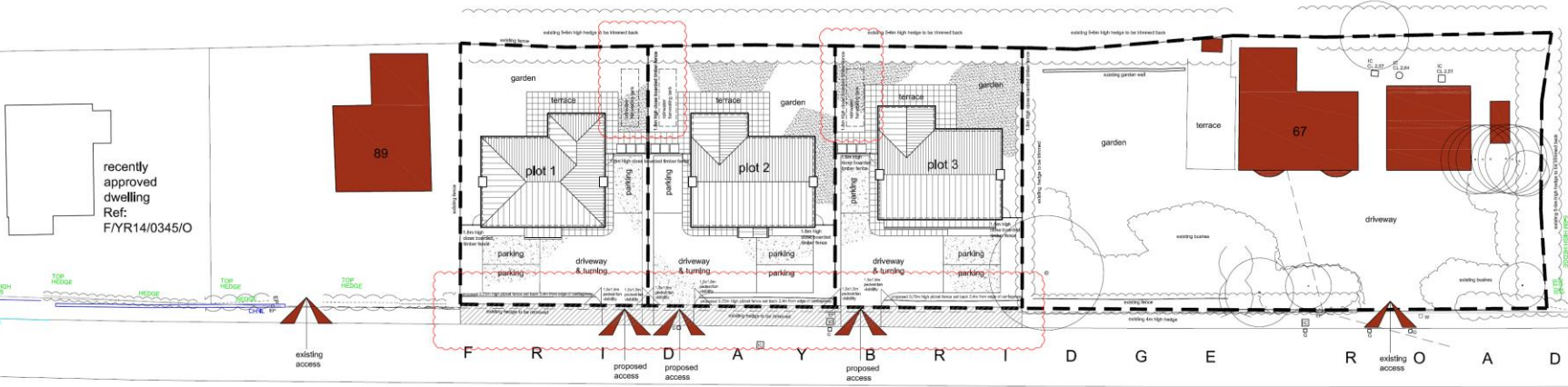
PLOT 2	
Ground Floor	= 76.56sqm
First Floor	= 76.56sqm
Total	= 153.12sqm
Site Area	= 372.7sqm (0.09 Acres)
Garden Area	= 141.3sqm 38% of total site area

PLOT 3	
Ground Floor	= 76.56sqm
First Floor	= 76.56sqm
Total	= 153.12sqm
Site Area	= 372.7sqm (0.09 Acres)
Garden Area	= 141.3sqm 35.3% of total site area

SITE PLAN KEY

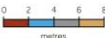


recently approved dwelling
Ref: F/YR14/0345/O



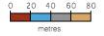
Site Plan

Scale: 1:200



Location Plan

Scale: 1:2500



Revisions		Comments
A	Jan 2015	Planners comments
B	Feb 2015	Updated following Highways comments

Status
FOR APPROVAL



Proposed Residential Development		Date	Scale
Land Adjacent 67 Fridaybridge Road, Elm, Walsby, Mrs Rickett		November 2014	Various Sheet Size A1

Drawing Title		Job No.	Drawn by
Site Plan & Location Plan		SE-270	JB

F/YR19/0809/F

Applicant: Mr N Bowers

**Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited**

6 Bridge Lane, Wimblington, March, Cambridgeshire

Erect 1 dwelling (2-storey 5-bed with attached 4-bay garage and swimming pool to rear), 2.0m high (max height) wall with railings and gates to front and the temporary siting of 2 x static caravans involving the demolition of existing dwelling and garage

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officers recommendation.

1 EXECUTIVE SUMMARY

- 1.1 The application seeks permission for a replacement dwelling.
- 1.2 The proposal would enable the effective use of land for a residential property following the removal of an existing, relatively restrictive dwelling and would provide a high quality living environment for future occupiers which would not compromise the amenity of neighbouring occupiers or result in any adverse highway impacts.
- 1.3 However, the proposed dwelling, due to its siting, design, scale and massing would fail to respect the settlement pattern, scale of local built form and general character of the area.
- 1.4 As a result, the development would adversely impact on the character and appearance of the area contrary to policy LP12 Part C and LP16(d) of the Fenland Local Plan (2014), DM3 of the Delivering & Protecting High Quality Environments in Fenland Supplementary Planning Document (2014) and Chapter 12 of the National Planning Policy Framework.
- 1.5 The recommendation is to refuse the application.

2 SITE DESCRIPTION

- 2.1 The site comprises an established residential plot with a single storey dwelling and large rear garden located along Bridge Lane.
- 2.2 The site is straddled on either side by a mixture of residential properties which in the immediate area run predominantly along the southern side of Bridge Lane, with an area of agricultural land immediately opposite to the north.
- 2.3 The dwellings on Bridge Lane are characterised by relatively large scale individual designs. However they are within spacious plots and many feature mature

boundary planting, which combined with the open green surroundings and the single lane road, give the locality an informal rural character.

2.4 The site lies in Flood Zone 1 (low risk).

3 PROPOSAL

- 3.1 The application seeks planning permission for the demolition of the existing bungalow and the erection of a 2-storey dwelling with attached garage block and rear projecting element to incorporate a swimming pool. A 2m high boundary wall is also proposed along the boundaries with entrance gates and railings at the frontage. At the time of the Officer's site visit, the boundary walls were partially built.
- 3.2 The dwelling occupies a footprint of c.460m² with a height of 9.5m to the main dwelling, a height of 6.4m for the garage area and 5.6m for the rear-projecting swimming pool element. The dwelling is proposed to be finished in a light buff facing brick (Vandersanden Zena Facing Bricks) with slate roof tiles.
- 3.3 The dwelling incorporates a mixture of features including stone cills and lintels, sash windows and pillars at the entrance and at the rear.
- 3.4 The existing access is proposed to be utilised which then opens up into a spacious driveway leading to the garages and gated access at the sides of the dwelling to the rear garden. The rear garden is proposed to be laid to lawn with the existing rear boundary hedge proposed to be retained. An area of paddock and stables to the south east associated with the dwelling are proposed to remain with no works proposed to this element within this submission.
- 3.5 The applicant also seeks permission for the siting of 2 mobile homes to use as a residence whilst construction of the dwelling is carried out.
- 3.6 Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR19/0617/F	Erect a 2-storey 5-bed dwelling with attached 4-bay garage and swimming pool to rear a 2.0m high (max height) wall and gates to front and the temporary siting of 2 x static caravans involving the demolition of existing dwelling and garage 6 Bridge Lane Wimblington March Cambridgeshire PE15 0RS	Withdrawn	05/09/2019
F/YR03/1160/F	Erection of a detached single garage and access to stable/paddocks 6 Bridge Lane Wimblington Cambs PE15 0RS	Granted	31/10/2003
F/96/0371/F	Erection of a single-storey rear extension to existing bungalow including alterations to the existing roof 6 Bridge Lane Wimblington Cambs PE15 0RS	Granted	27/09/1996
F/94/0368/F	Erection of a 4-bed bungalow with detached double garage 6 Bridge Lane Wimblington Cambs PE15 0RS	Granted	10/07/1994

5 CONSULTATIONS

Wimblington Parish Council

- 5.1 No objection but has concerns about the environmental impact of so many vehicles being allowed to stay on the property. Would also like a robust and workable plan in place for the removal of the 2 temporary caravans, which must be removed after the house build is completed, which should include the possible use of cranes to take them from the site.

FDC Environmental Protection

- 5.2 Raises no objection but requests that the unsuspected contaminated land condition is included in any approval in view of the demolition element of the proposal.

CCC Highways (LHA)

- 5.3 Raises no objection subject to conditions securing access layout and the location of gates no closer than 6m from the highway and inward opening.

Local Residents/Interested Parties

- 5.4 22 letters of support received from local residents raising the points;
- Plans are well thought-out with consideration for neighbours and the area
 - The build will be a great asset – compared to the existing
 - The site is very large and suited to a prestigious property of this size
 - Will enhance the area
 - The village needs quality development such as this
 - Homes today should be adequate for bigger families
 - Swimming pools are a fantastic idea
 - Good architectural design in appearance and layout
 - Policy compliant amenity space
 - Not overdeveloped for the land it is sited on
 - Not overbearing
 - The development for 3a to 9 Bridge Lane is for 7 substantial dwellings which is no different this application.
 - Will increase house values
 - No implications to view of Bridge Lane
 - Will help with flow of traffic rather than over-developing the site
 - In-keeping with 8a Bridge Lane (5 bedroom property)
 - Hopes the Council encourages executive-style homes to persuade businesses and developers to relocate to this area and enhance the local economy
 - Applicant has worked to reduce impact on adjacent property
 - Will not cause much noise or traffic
 - The plans are unique to the area

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 127: Well-designed development

Para 130: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

7.2 National Planning Practice Guidance (NPPG)

National Design Guide

(Ministry of Housing, Communities and Local Government, 2019):

- Context
- Identity

7.3 Fenland Local Plan 2014 (FLP);

LP1: A Presumption in Favour of Sustainable Development

LP2: Facilitating Health and Wellbeing of Fenland Residents

LP3: Spatial Strategy, the Settlement Hierarchy and the Countryside

LP5: Meeting Housing need

LP12: Rural development

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

LP16: Delivering and Protecting High Quality Environments across the District

7.4 Supplementary Planning Documents/ Guidance:

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

8 KEY ISSUES

- **Principle of Development**
- **Impact on the character of the area**
- **Residential amenity**
- **Highways**
- **Other matters**

9 BACKGROUND

9.1 This application follows the withdrawal of a previous application for development of the site for 1 dwelling (F/YR18/0617/F) which was withdrawn following concerns raised by officers primarily over the scale, massing and design of the development and including the loss of hedgerow along the rear boundary.

9.2 Following a meeting with the applicant's agent, the scheme has been amended slightly through shifting of the dwelling away from No.6a by a further 1.4m, the retention of the rear hedge and introduction of railings to the front boundary wall.

10 ASSESSMENT

10.1 The site is considered to lie outside the settlement of Wimblington due to its detachment from the continuous built frontage of this settlement – having regard to criteria under policy LP12 Part A which sets out the definitions for developed footprint (see also F/YR15/0281/F and F/YR15/0798/O). Notwithstanding this,

Policy LP12 Part C supports the principle of replacement dwellings in locations outside of the developed footprint subject to 6 criteria as follows;

- (a) The residential use of the original dwelling has not been abandoned; and
- (b) The original dwelling is not important to retain due to its character and/or contribution to the landscape; and
- (c) The original dwelling is not a temporary or mobile structure, such as a caravan; and
- (d) It is of a design appropriate to its rural setting; and
- (e) It is of a similar size and scale to the original dwelling; and
- (f) It is located on the footprint of the original dwelling unless an alternative position within the curtilage would enhance the setting of the building on the plot and have no adverse impact on the wider setting.

10.2 In respect of (a) whilst the dwelling appears to be currently uninhabitable, it is considered that it has not been abandoned. Nor is it considered that the existing permanent dwelling important to retain (b and c). In respect of criteria d to e; these are considered in detail below as they relate to the impact of the development on the character and appearance of the area.

Impact on the character of the area

10.3 Properties along this part of Bridge Lane are generally set within good sized gardens, proportionate to the size of the properties, mainly being family-sized dwellings. There is spacing between the dwellings that enables privacy and maintains the informal rural appearance of the area.

10.4 The proposed dwelling occupies a footprint of c.460m² compared to the c.60m² footprint of the dwelling proposed to be demolished. Whilst it is acknowledged that dwellings in the vicinity do vary in style and size, with the application site dwelling being notably smaller than those around it, average footprints of dwellings along Bridge Lane generally do not exceed 100m² to 200m² with dwelling widths between 10m and 13m in comparison to the 460m² footprint and c.30m overall width of the application dwelling. In this regard, the proposed dwelling would accommodate a footprint significantly bigger than the existing dwelling and substantially larger than those in the locality. Likewise, building heights in the immediate vicinity are notably lower than the application dwelling with the height of No.4 at c.7.5m, No.6a at c.5.5m and 8a at c.7.8m, compared to the 9.5m ridge height proposed. There is therefore clear conflict with criteria (e) of LP12 Part C.

10.5 It is noted that the application site is substantially larger than those adjacent. However, this has historically remained relatively undeveloped and a formal and informal boundary line of rear gardens is evident with the boundaries set back between 30 and 40m from the highway. Whilst properties within this part of the village vary in terms of design, age and plot size they are arranged in a distinct linear manner resulting in a prevailing character of a linear settlement with little in-depth development. This distinctive pattern of development contributes significantly to the character of the area.

10.6 The development is pushed rearward, away from the highway with the dwelling going well beyond the rear garden line of existing dwellings which is uncharacteristic to this part of Bridge Lane and would disrupt the general pattern of development in this location. Whilst it is acknowledged that scope to locate a new dwelling on the footprint of the existing dwelling may be slightly constrained due to the size of the existing dwelling and narrowness of the access; nonetheless the location of the dwelling, so far away from the existing footprint, introduces a

discordant in-depth feature into the street scene – emphasised with the garage wing extending behind No. 4. This results in conflict with criteria (f) of LP12 Part C.

- 10.7 This physical disruption of the settlement pattern is further compounded by the incongruous scale, massing and design of the dwelling. As noted, the dwelling is substantially larger than those adjacent and found along Bridge Lane and this, combined with the mass of built form would be noticeable from immediate views and as far as the A141 when approaching south where the current simple, linear arrangement of dwellings can be clearly seen along the lane. The development would be further highlighted by the use of light facing brick which would draw the eye to the development which would appear visually dominant and incongruous in the street scene contrary to criteria (d) of LP12 Part C.
- 10.8 Notwithstanding the clear conflicts with LP12 Part C the development is considered to conflict with the aims of LP16(d) and the National Design Guide in that it fails to make a positive contribution to local distinctiveness and character of the area and does not reinforce local identity due to the incongruous scale and massing, appearance and layout which does not reflect the informal rural character of the lane and its settlement pattern.
- 10.9 Whilst it is recognised that the development incorporates some high quality features, the proposal conflicts with the context of the site location and the overall character and identity of the area.

Residential amenity

- 10.10 No objections are raised by immediate neighbours as to any adverse amenity impacts arising from the development and indeed the immediate neighbour has offered their support for the development. Having regard to the layout of the development relative to neighbouring properties, it is considered that residential amenity would not be compromised, for example through overlooking, loss of light or negative outlook. As such, the scheme accords with the aims of LP16(e).
- 10.11 In addition, the development would afford the future occupiers adequate private amenity space and a pleasant environment in accordance with the aims of LP2 and LP16(h) of the FLP.

Highways

- 10.12 The LHA has raised no objection to the scheme subject to conditions securing access delivery and appropriate gate location. It is concluded that the development would achieve safe and effective access for future users and would not compromise highway safety in accordance with policy LP15 of the FLP.

Other matters

Parish Council comments

- 10.13 The comments from the Parish Council are noted. In respect of the removal of the caravans, it is Officers understanding that these are to be removed upon completion of the development and a condition could be imposed to ensure this is undertaken. The exact logistics of doing so would be a matter for the developer but there doesn't appear to be any constraint in achieving this.
- 10.14 In respect of environmental impacts of vehicles at the property, this would be a matter for the applicant to ensure that they do not cause contamination contrary to environmental law which fall outside of planning legislation. Furthermore, the storage of vehicles would need to be incidental to the enjoyment of the dwelling.

Resident comments

- 10.15 Whilst some of the resident comments have been addressed above, the following require attention;

The development for 3a to 9 Bridge Lane is for 7 substantial dwellings which is no different this application.

- 10.16 This development secured Outline approval with no matters committed. As such, at this time, layout, appearance and scale have not been considered. Notwithstanding this, the site context being a back-land brownfield site for a former commercial use is notably different in context to this application.

Will increase house values

- 10.17 With regards to matters related to the impact on property values, the courts have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property could not be a material consideration.

Will help with flow of traffic rather than over-developing the site

- 10.18 Having regard to the planning history of the site, there has not been any proposal for more than 1 dwelling on the site. As such any traffic impacts for such a proposal have not been explored.

In-keeping with 8a Bridge Lane (5 bedroom property)

- 10.19 8a Bridge Lane is substantially smaller than this proposal (c.120m² footprint including garage and a ridge height of 7.8m compared to 460m² footprint and 9.5m height as proposed) and of a different style, design and layout. It is considered that the dwellings are not comparable in this regard.

Hopes the Council encourages executive-style homes to persuade businesses and developers to relocate to this area and enhance the local economy

- 10.20 There is no planning definition of “executive-style” housing either nationally or locally and therefore it is not possible to assess the demand or delivery for such housing in the district. Notwithstanding this, as noted above the principle of a dwelling in this location is accepted subject to satisfying the relevant policies of the development plan.

11 CONCLUSIONS

- 11.1 The proposal would enable the effective use of land for a residential property following the removal of an existing, relatively restrictive dwelling and would provide a high quality living environment for future occupiers which would not compromise the amenity of neighbouring occupiers or result in any adverse highway impacts.

- 11.2 However, the proposed dwelling, which is set back away from the highway and incorporates a substantial frontage which wraps behind the adjacent dwelling fails to respect the distinctive frontage, linear build line of this settlement. Furthermore, the proposed dwelling is substantial in scale and massing which is at odds with the more modest scale and design of development in this rural area. The development is also proposed to be finished externally in a light-buff facing brick which is uncharacteristic to the area and which would further emphasise its incongruous scale, massing and in-depth positioning on the street scene.

- 11.3 As a result, the development would adversely impact on the settlement pattern of the area and would ultimately fail to make a positive contribution to the local

distinctiveness and character of the local built environment contrary to Policy LP12 Part C and LP16(d) of the Fenland Local Plan (2014), DM3 of the Delivering & Protecting High Quality Environments in Fenland Supplementary Planning Document (2014) and Chapter 12 of the National Planning Policy Framework.

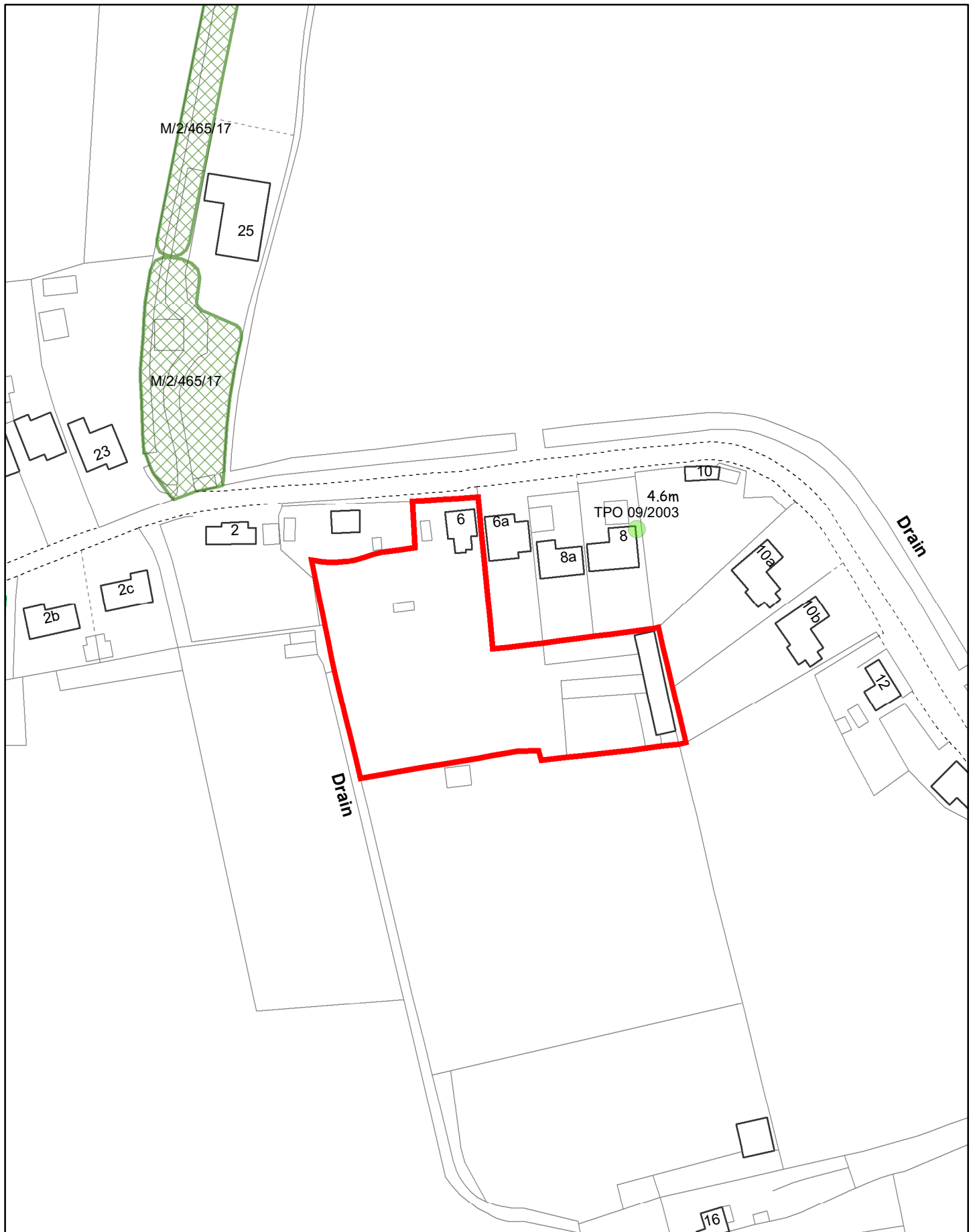
- 11.4 Whilst it is acknowledged that the applicant has made some amendments to the previous scheme following proactive discussion, these amendments have not been sufficient to overcome the fundamental concerns over general scale and massing of the development. It is considered that the benefits of the scheme do not outweigh the substantial harm identified.

12 RECOMMENDATION

Refuse for the following reason;

1. The proposed dwelling by reason of its in-depth position and width which extends behind the adjacent dwelling to the west fails to respect the distinctive frontage linear pattern of development. Furthermore the dwelling's large scale and massing is at odds with the more modest scale and mass of development in this rural area. The development is also proposed to be finished externally in a light-buff facing brick which is uncharacteristic to the area and which would further emphasize the incongruous siting, scale and massing.

As a result, the development would adversely impact on the settlement pattern of the area and would ultimately fail to make a positive contribution to the local distinctiveness and character of the local built environment contrary to policy LP12 Part C and LP16(d) of the Fenland Local Plan (2014), DM3 of the Delivering & Protecting High Quality Environments in Fenland Supplementary Planning Document (2014) and Chapter 12 of the National Planning Policy Framework.



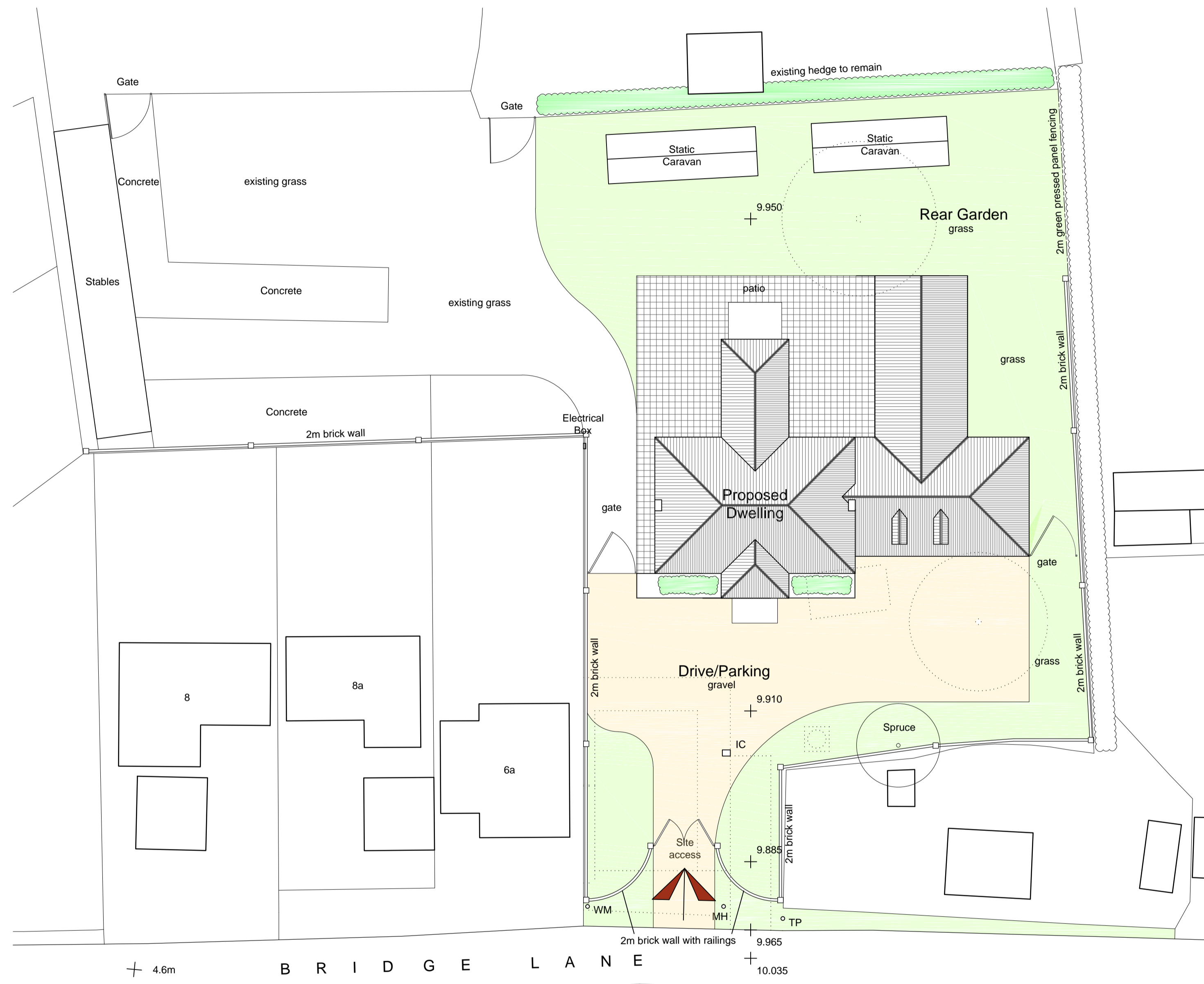
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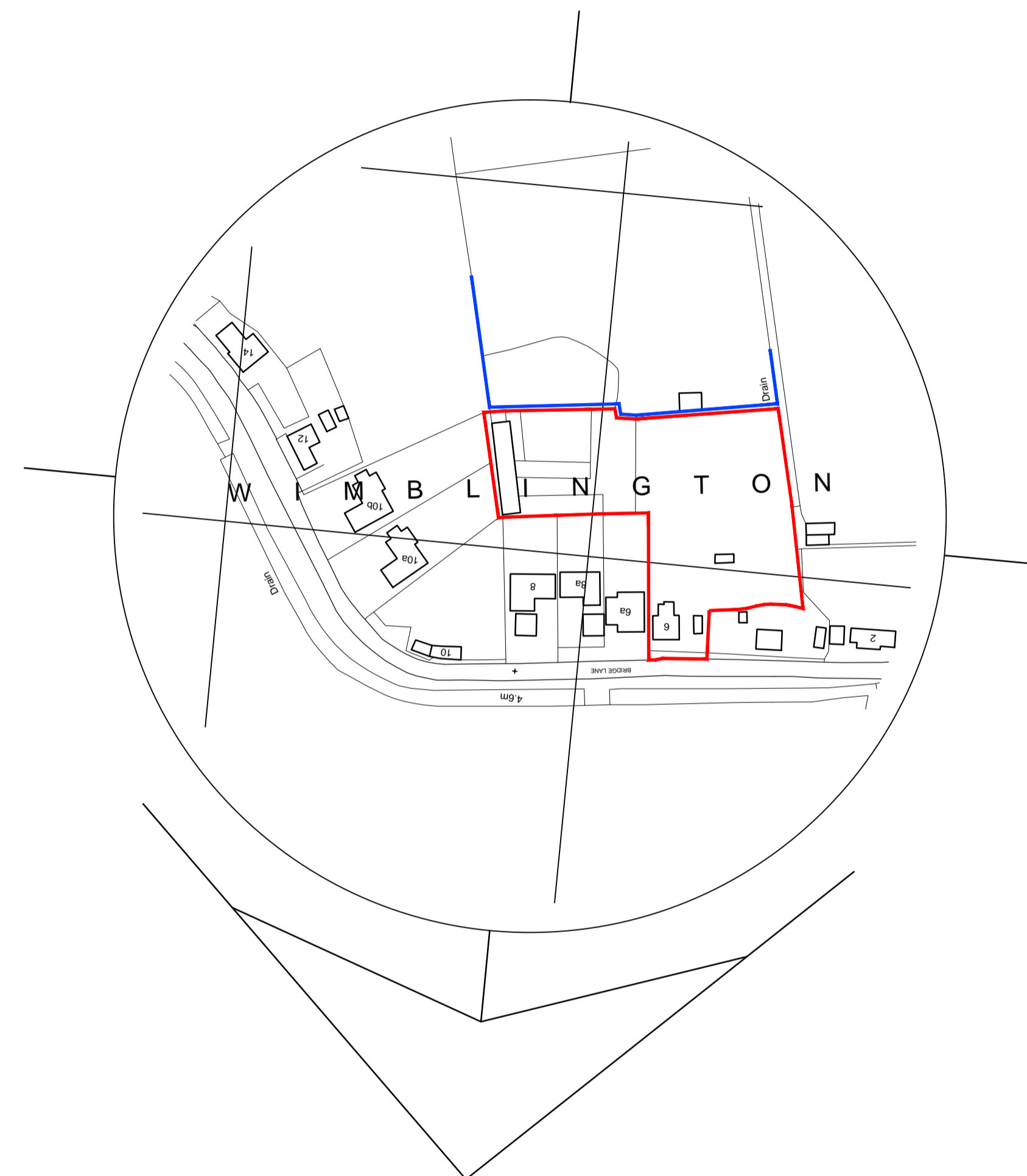
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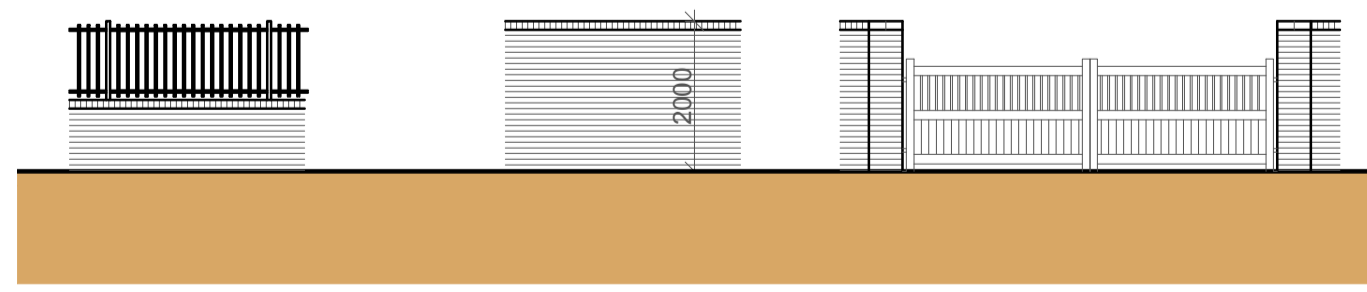




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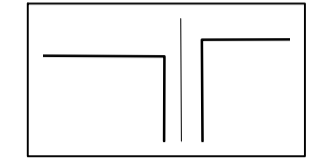
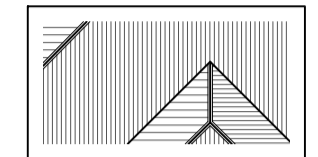
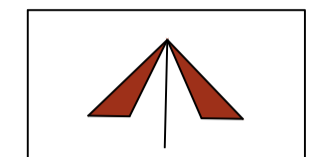
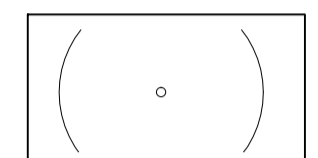
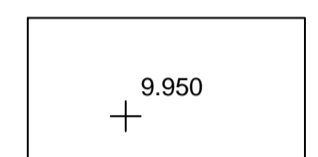
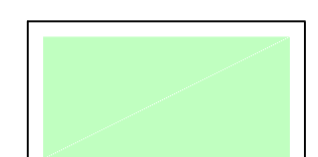
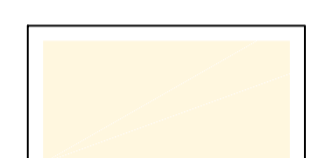
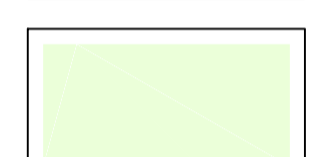
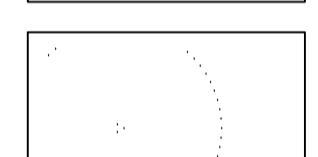
Location Plan
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Boundary Wall & Gate Elevation
Scale: 1:100

- General Notes
1. This drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are shown in "mm" unless otherwise stated.
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 4. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 5. Any discrepancies are to be brought to the designers attention.

SITE PLAN KEY

-  Buildings taken from OS map
-  Proposed building
-  Site access
-  Approximate position of existing vegetation and trees
-  Existing site levels
-  Proposed vegetation and trees
-  Proposed gravel
-  Proposed grass
-  Indicates existing features on site to be demolished

Revisions

D	Sept 2019	Revised for new application
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Status
FOR APPROVAL

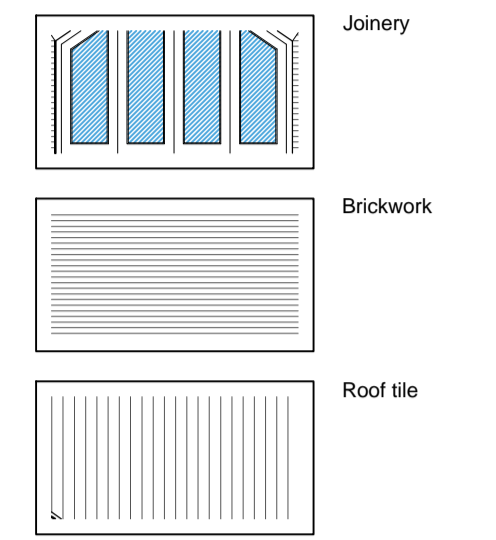


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Job Title Proposed Development 6 Bridge Lane, Wimblington, March, Cambs For: Mr and Mrs Bowers	Date June 2019	Drawn by JRB Checked by GE
Drawing Title Planning Drawing Site Plan & Location Plan	Job No. SE-1231 Dwg No. PP1000	Sheet Size A1 Revision D

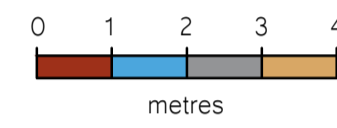
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ELEVATION KEY



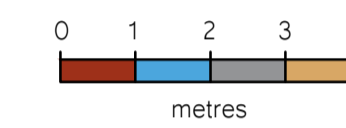
Front Elevation

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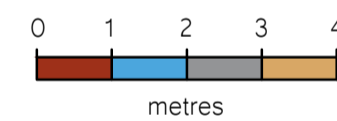
Side Elevation

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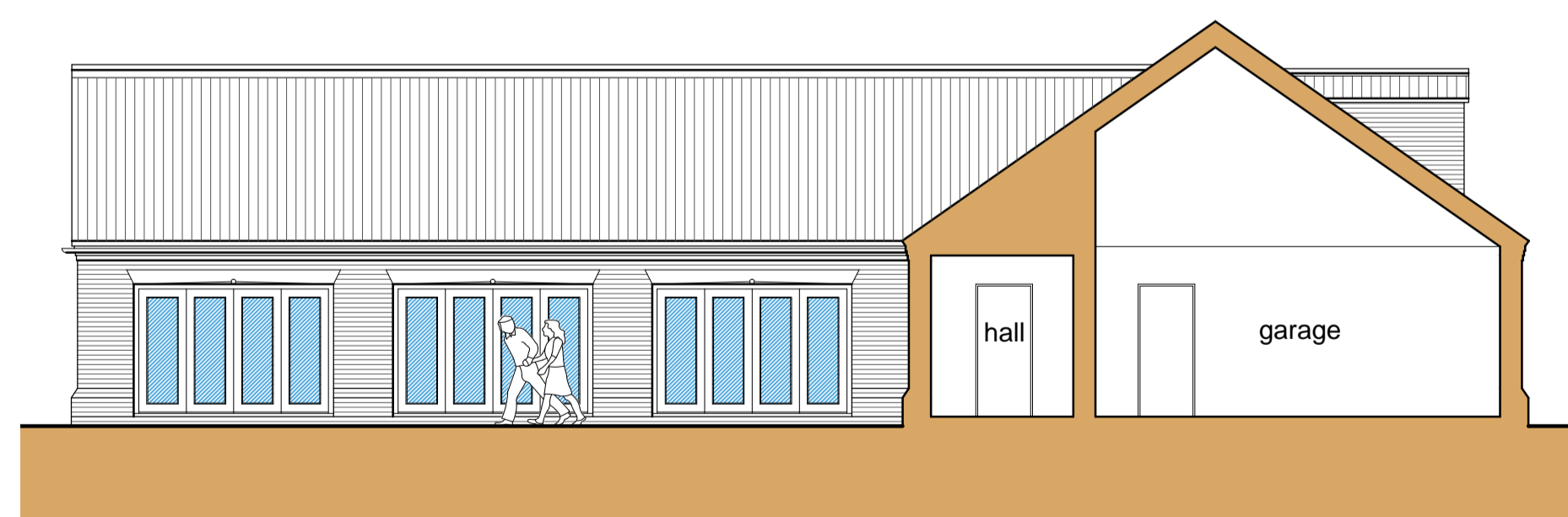
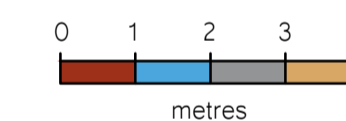
Rear Elevation

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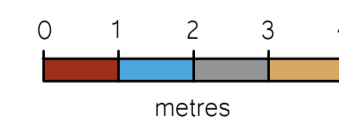
Side Elevation

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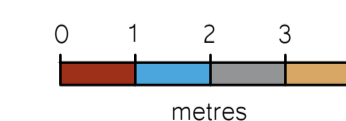
Section A-A

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Section B-B

Scale: 1:100



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Proposed Development 6 Bridge Lane, Wimblington, March, Cambs For: Mr and Mrs Bowers	Job Title Date June 2019	Drawn by JRB Checked by GE
Drawing Title Planning Drawing Proposed Elevations	Job No. SE-1231 Dwg No. PP2100	Sheet Size A1 Revision

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PLANNING APPEAL DECISIONS

The Council has received the following Appeal decisions in the last month:

PA Ref	Site/Proposal	Officer Recommendation	Decision Level	Appeal Decision	Main issues
F/YR18/1127/O	Erection of a dwelling and garage involving the demolition of existing garage, and erection of a detached garage to serve 34 The Bank (outline application with matters committed in respect of access) Land East Of 34 The Bank Parson Drove	Refuse	Delegated	Dismissed	<ul style="list-style-type: none"> • Main issue is the effect of the development upon the character and appearance of the surrounding area • Inspector noted that the development in the area was distinctly linear with views of the open countryside beyond with little back land development • It was acknowledged that the prominence of the development would be reduced as a result of its position set back from the road, however this arrangement would significantly be at odds with the established linear pattern of built form through the introduction of a new dwelling and associated residential paraphernalia in the rear garden • The development would significantly change the character and appearance of the site having an urbanising effect upon it at odds with the established pattern of development and would undermine the character of the area.

All decisions can be viewed in full at <https://www.fenland.gov.uk/publicaccess/> using the relevant reference number quoted.

F/YR19/0123/O	Erection of up to 6no dwellings (outline application with matters committed in respect of access) Land South Of 6 Fridaybridge Road Elm	Refuse	Committee	Allowed	<ul style="list-style-type: none"> • Main issue identified is the effect of the development upon the character and appearance of the area • Inspector considered that both sides of FBR were characterised by almost continuous linear development and did not consider that there was obvious spatial separation between Elm and FB when travelling along the road • In the appeal decision the Inspector highlighted that the linear form of development set behind landscaping would follow the established pattern of housing and would be characteristic of the typical fen form and commensurate with the pattern and scale of the settlement • Although the Inspector acknowledged that there would be a degree of urbanisation and modest encroachment into the countryside, but he felt that the development would read as a cohesive part of the settlement and not an isolated form of development. Furthermore he considered long range views would not be diminished. • Concluded no harm to the character and appearance of the area. • The Inspector recommended additional conditions but did not support the imposition of a condition relating to the provision of a footpath and link across the FBR as this was not considered reasonable or necessary to make the development acceptable.
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All decisions can be viewed in full at <https://www.fenland.gov.uk/publicaccess/> using the relevant reference number quoted.

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