

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 15 AUGUST 2018

1.00 PM

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

Committee Officer: Jo Goodrum
Tel: 01354 622285
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- 1 To receive apologies for absence.
- 2 Previous Minutes. (Pages 5 - 12)

To confirm and sign the minutes of the Previous meeting of 18 July 2018
- 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/YR16/0792/F.
The College of West Anglia, Elm High Road, Wisbech.
Erection of 137 dwellings, alterations to Ramnoth Road and Elm High Road junction to form a new vehicular and pedestrian access and associated works and infrastructure (Pages 13 - 40)

To determine the application.
- 6 F/YR17/0507/O,
Land South East of 208 Coates Road, Coates

. Erection of up to 60 x Dwellings (Outline with Matters committed in respect of access only) (Pages 41 - 78)

To Determine the Application.

7 F/YR17/1217/F,

Land North of Orchard House, High Road, Wisbech St Mary.

Erection of 76 Dwellings:comprising 29 x 2-storey 4-bed, 6 x 3-storey 4 bed, 29 x 2-storey 3-bed and 2 x blocks of flats (4 x 1 -bed and 8 x 2-bed) with associated garages, parking, play area and landscaping involving the formation of a new access road (Pages 79 - 110)

To determine the application.

8 F/YR17/0685/VOC.

Land South West of Queen Street Close, March.

Variation of Condition 1 (condition listing approved plans), relating to planning permission F/YR14/0886/RM (Erection of 6 x 3-storey, 3 bed dwellings with balcony to front and integral garage and 4 x 3 -storey, 2-bed dwellings) to provide for 10 x 2 storey 3-bed dwellings with accomodation in the roof space, revisions to design, materials, floor area, turning head, landscaping and boundary treatments, amenity areas and removal of the integral garages (Pages 111 - 136)

To determine the Application.

9 TPO 06/2018 -W1 Woodland Group.

To advise Members of the current situation in respect of confirmation of a Tree Preservation Order (TPO) at Manea Pit, Park Road, Manea. (Pages 137 - 144)

To determine the Application.

10 F/YR18/0128/RM.

Westhaven Nursery, Peterborough Road, Whittlesey.

Reserved Matters application, relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR14/0183/O. Erection of 68 x 2 storey dwellings comprising of 4 x 1 bed; 20 x 2 bed; 42 x 3 bed; 2 x 4 bed with Public Open Spaces and Play Area (Pages 145 - 166)

To determine the application.

11 F/YR18/0381/F. Wisbech Grammar School, 46- 48 North Brink, Wisbech.

Construction of a staff car park with access via Harecroft Road and link footpath to existing school and raising of existing Astro Turf Fence to 6.0 metres (max) on eastern side (Pages 167 - 176)

To determine the Application.

12 F/YR18/0579/F.

Northview, Decoy Road, Gorefield.

Erection of a 2 storey 4 bed dwelling involving the demolition of existing property,

extension to the residential curtilage, installation of gravel driveway and temporary siting of a static caravan and two storage containers during the construction of the new dwelling (Pages 177 - 188)

To determine the Application.

13 F/YR18/0615/F.

9-15 Orange Grove, Wisbech.

Erection of an additional storey to existing flats to form 1 x 2 bed and 2 x 1 bed flats and retention of external insulation and render (part retrospective) (Pages 189 - 200)

To determine the Application.

14 F/YR18/0568/F

Land East of the Haven, Seadyke Bank, Murrow.

Erection of 5no industrial buildings (B1) and offices and 1.8 metre high fencing (Pages 201 - 212)

To determine the Application.

15 Items which the Chairman has under item 3 deemed urgent

Members: Councillor A Miscandlon (Chairman), Councillor S Clark (Vice-Chairman), Councillor Benney, Councillor D Connor, Councillor S Court, Councillor M Davis, Councillor A Hay, Councillor D Laws, Councillor P Murphy, Councillor F Newell, Councillor W Sutton and Councillor S Bligh,

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PLANNING COMMITTEE

WEDNESDAY, 18 JULY 2018 - 1.00 PM



PRESENT: Councillor A Miscandlon (Chairman), Councillor S Clark (Vice-Chairman), Councillor S Court, Councillor A Hay, Councillor D Laws, Councillor P Murphy, Councillor F Newell and Councillor W Sutton,

APOLOGIES: Councillor D Connor and Councillor M Davis,

Officers in attendance: David Rowen (Development Manager) and Stephen Turnbull (Legal Officer)

P9/18 PREVIOUS MINUTES

The minutes of the meeting of 20 June 2018 were confirmed and signed.

P10/18 PLANNING ENFORCEMENT UPDATE - NEW BRIDGE LANE, WISBECH.

Stephen Turnbull updated members on the enforcement action taken by the Council in relation to the site in New Bridge Lane, Wisbech. He confirmed that following a further court hearing on 13 June 2018, a full injunction was granted to prevent any person or persons, carrying out works for the creation of a caravan site. He added that the owner of the site had given a formal undertaking to the Court in support of this.

P11/18 F/YR17/0548/F - LAND WEST OF 338 AND LAND SOUTH EAST OF 344 MAIN ROAD, CHURCH END, PARSON DROVE - CHANGE OF USE OF BARN TO TEA ROOM AND AGRICULTURAL LAND TO TI-PEE CAMPING SITE AND ERECTION OF 2X2 STOREY 5 BED DWELLINGS WITH INTEGRAL GARAGE (PLOT 1) AND DETACHED DOUBLE GARAGE (PLOT 2).

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

David Rowen presented the report and update to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Alan Dixon (the Applicant).

Alan Dixon explained that he had been involved with the site since the age of fourteen and had been responsible for creating multiple habitats for wildlife throughout the farm. He said he was passionate about the site and his proposed plans are of a positive nature and will not cause harm to anybody. He explained that he currently runs free woodland walks on the site for members of the public, with over 550 people attending. He is keen to encourage the local community to explore the wildlife in the area and said the walks had received positive feedback from those that attended. He added that the local village school had attended the farm and he is keen to engage with them further, if planning permission is approved to expand the site. He informed members that although the planning application is for thirteen Ti-pee's, he feels ten would be a comfortable amount for the site without impacting the surrounding habitat. He confirmed that work will be carried out to the entrance of the site in order to improve safety, if planning permission is granted.

Members asked Alan Dixon the following questions;

1. Councillor Mrs Laws said the site visit had allowed her to understand the vision Mr Dixon has for the site. She said it was positive that he had engaged with the local school and would be interested to see this progress further. She asked for confirmation that the business element of the proposal would commence prior to the development of the dwellings, as discussed in the report. Alan Dixon confirmed this was correct.

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

1. Councillor Murphy said Parson Drove and Church End are distinctly separate settlements and have developed in a predominantly linear form along the main road. He said the southern side of the road has remained undeveloped, as it is considered outside of the settlement boundary. He highlighted that the site is located in Flood Zone 3 and said public representation had discussed that the development would be built outside of the built-up area and would exceed the permitted limit for residential developments in the village. He said in regards to the Fenland Local Plan (FLP), the scheme does not comply with policy LP3 as Church End is another village where development is considered on its own merits, but would normally be limited in scale to single dwellings. He believes the proposed residential element of the application is not in accordance with LP12 as development would lead to the erosion of an important open-frontage and this could set an unwelcome precedent for future applications. He said policy LP16 would be contravened if the application is to be approved, as the dwellings would not make a positive contribution to the local distinctiveness of the area. He said policy LP3 restricts development in the open countryside and the proposal cannot comply with LP12 or LP16. He said the threshold for development in Church End has been exceeded and policy LP3 restricts development in Church End to single in-fill sites. He believes development of the land would lead to erosion of the frontage which would be detrimental to the character and appearance of the area and would set an unwelcome precedent.
2. Councillor Mrs Hay agreed with Councillor Murphy's comments and said if the application was purely for dwellings, members would reject it on this basis. She said that whilst she would approve the tourism element of the site, she does not support the dwellings.
3. Councillor Sutton agreed but said members should consider this a holistic application. He believes the site benefits from a natural boundary and therefore supports the application.
4. Councillor Mrs Laws explained that if the application was purely for two dwellings, the application would be refused based on the issues raised. Whilst she applauds the projects undertaken on the site, she is concerned that the tourism element of the application does not outweigh the issues she has with the residential development aspect.

Proposed by Councillor Sutton, seconded by Councillor Sam Clark and decided that the application be APPROVED as per the officer's recommendation.

P12/18 F/YR18/0233/F - LAND NORT OF ALLENDALE, MILL HILL LANE, MARCH - ERECTION OF 2X2 STOREY 4 BED DWELLINGS WITH ATTACHED GARAGES INVOLVING DEMOLITION OF OUTBUILDINGS.

The Committee had regards to its inspection of the site as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers) 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 Chris Walford (The Agent).

Chris Walford explained that prior to the submission of this application; pre-application advice had been sought on a similar layout but for three-dwellings. Following discussions with the Tree Officer, the design was re-worked to overcome any issues raised. He highlighted that whilst the pre-application advice is over a year old, there have been no policy changes in this time. He confirmed that a specialist tree report had been carried out in order to show members that the development would have no adverse impact on the sites trees. He hoped the concerns raised by local residents, had been satisfied by the report findings and reminded members that a similar outline application had been recently been approved for a development located south of the proposed site. He concluded that the development would cause no adverse impact on the character or residential amenity of the area and asked members to support the officer's decision to grant planning permission.

Members had no questions for Chris Walford.

Members asked questions made comments and received response as follows;

1. Councillor Mrs Laws said as the proposal has gained approval from March Town Council, complies with the Neighbourhood Plan and has received no objections from the statutory consultees, the application should be approved.
2. Councillor Sutton said whilst he is not in favour of development on this site, there is no planning reason to reject the scheme.
3. Councillor Mrs Newell asked if any archaeological tests had been carried out on the site. David Rowen confirmed that this is would be covered under a condition if planning permission is granted.

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

P13/18 F/YR18/0466/F - LAND SOUTH OF 92 ELLIOTT ROAD, MARCH - ERECTION OF 2 X SINGLE STOREY 3 BED DWELLINGS INVOLVING DEMOLITION OF GARAGE AND OUTBUILDINGS.

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

David Rowen presented the report and update to members.

Members received a presentation in objection to the application, in accordance with the Public Participation Procedure, by Colin Richards.

Colin Richards said he is speaking as a concerned resident who will be negatively affected by the proposed development. He highlighted that both March Town Council and this Committee had previously rejected an application for development on this site. He showed members photographs of his garden which regularly floods during rainfall and believes this is caused by a pond that was once on the proposed site. As a result of this, he does not believe that even installing soakaways on the proposed site will prevent this from happening in the future. He explained that the suggested site entrance will be narrow and hazardous to vehicles entering and exiting the site. He highlighted that Elliott Road already suffers from congestion due to parked vehicles and believes this will only worsen if approval is granted. Due to his property's proximity to the site, his privacy will be lost and he will suffer from noise pollution as the suggested parking areas for the dwellings are adjacent to his garden. He said Elliott Road currently has several sites with planning permission granted however the infrastructure has not been updated to cope with the impact of these developments and their residents.

Members asked Colin Richards the following questions;

1. Councillor Mrs Laws asked Colin Richards if the flooding in his garden had worsened over recent years. Colin Richards explained that he had lived in his property for thirty-seven years and the flooding had worsened during this time. He clarified that the photos he had shown members were of his garden after only a normal level of rainfall.

Members received a presentation in objection to the application, in accordance with the Public Participation Procedure, by Councillor Mrs Jan French.

Councillor Mrs French explained that she had been a Ward Councillor for over twenty years therefore was well aware of the flooding issues in Elliott Road. She clarified that the photos of Colin Richard's garden were taken during a period of normal rainfall and not during the flooding the area suffered in 2014. She highlighted that March Town Council are against the application due to the flooding issues and said the Environment Agency have not managed to resolve the problem either. She views the proposed site as 'backland' development and said the Council had promised to stop this type of development as part of the National Planning Policy amendments in 2010/11. Councillor Mrs French reminded members of the previous planning application on the site and asked them to reject this application on the same basis.

Members had no questions for Councillor Mrs French.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, by Chris Walford (The Agent).

Chris Walford clarified that the previous outline planning application had been submitted by another agent and was refused on the grounds that not enough information was given to members. He has now submitted a detailed scheme that, in his opinion, proves the site can be successfully developed. He highlighted that the private amenity space has been increased and said his client acknowledges the drainage issues on site and is happy to accept to a drainage condition if planning permission is granted. Regarding the concerns of 'backland' development, he said the policies mentioned do not stop this but suggest sites are assessed on an individual basis. He highlighted that locally, there are many developments in similar cul-de-sac locations and asked members to support the application.

Members had no questions for Chris Walford.

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

1. Councillor Mrs Hay said she saw very little difference between the previously rejected application and the application being considered today. She confirmed the decision notice for the previous application had stated that; 'the development proposed by virtue of its 'backland' location would be at odds with the prevailing pattern of development in its vicinity of the site and would therefore fail to make a positive contribution to the local distinctiveness and character to the area, contrary to Policy LP16 (d) of the FLP' and 'the development of this site for two dwellings would represent an over intensive form of development which has failed to demonstrate that the amenity of neighbouring residents would not be adversely impacted in terms of loss of privacy and outlook'. As the current application does not address these issues, she proposed members reject the application.
2. Councillor Mrs Laws asked for further information on the pond mentioned by Colin Richards. David Rowen confirmed that he was unaware if a pond had been on the site historically and added that detailed drainage schemes would be submitted to try and alleviate the issue.
3. Councillor Mrs Laws believes the site would have a detrimental visual impact and brings little merit to the area. She agreed that members should reject this application too.
4. Councillor Murphy agreed and said it is 'backland' development with a very narrow site entrance,

5. Councillor Sutton said whilst he had voted to approve the previous planning application on the site, the new application proposes a worse layout than before with much larger dwellings.

Proposed by Councillor Mrs Hay, seconded by Councillor Mrs Laws and decided that the application be REFUSED against officer's recommendation.

The Chairman proposed that the reasons for refusal of this application, be approved by himself and the Vice-Chairman prior to the refusal notice being issued. Councillor Mrs Laws asked that the size of the proposed dwellings is included in the refusal notice. Members agreed. The reasons for refusal being :

1)The development proposed by virtue of its 'backland' location would be at odds with the prevailing pattern of development in the vicinity of the site and would therefore fail to make a positive contribution to the local distinctiveness and character of the area, contrary to Policy LP16 (d) of the Fenland Local Plan.

2)The development of the site for two dwellings would represent an over intensive form of development which has failed to demonstrate that the amenity of neighbouring residents would not be adversely impacted in terms of loss of privacy and outlook. This would be contrary to Policy LP16(e) of the Fenland Local Plan.

3)The proposed dwellings by virtue of their length, orientation and layout within the application site, would be at odds with the distinctive character of the development in the immediate vicinity of the application site, and would therefore be contrary to the requirements of policy LP16 (d) of the Fenland Local Plan (2014).

P14/18 F/YR18/0489/F - 1 EXCHANGE SQUARE, WISBECH - RETENTION OF 7NO FIRST-FLOOR WINDOWS (RETROSPECTIVE); REPLACEMENT OF 2NO FIRST FLOOR WINDOWS TO UPVC AND INSTALLATION OF GUARD RAILINGS TO GROUND AND FIRST FLOOR WINDOWS.

(Members resolved to exclude the public from the meeting for part of this item of business in so far as it related to confidential papers which were circulated at the meeting on the grounds that it involved the disclosure of exempt information as defined in Paragraph 3 of Part 1 of scheduled 12A of the Local Government Act 1972)

The Chairman explained that a confidential document would be circulated to members once the registered speakers had finished their presentations. He made the public and press aware that they would be asked to leave the Council Chamber during this time, to allow members deliberation of the document.

David Rowen presented the report and update to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Councillor Steve Tierney.

Councillor Tierney asked members to consider the people they serve and not bureaucracy when considering this application. He said the site deserves special consideration as The Retreat is a fantastic local business working in a tough area where other businesses have previously failed. He explained that he had recently attended a presentation at Meadowgate School where students were celebrating their work with The Retreat. He explained that the owners of the salon work hard to serve the community and he had personally spoken to hundreds of people who support them and their business. He highlighted that Wisbech Town Council had passed a motion to support the

proposed application and the Mayor of Wisbech is in attendance today to show his support too. He said the Deputy Leader of the Council, Councillor David Oliver also backs the application. He said the public opinion is that the Council are putting bureaucratic barriers above helping a legitimate business and he reminded members that the site is located opposite a car-wash and between two nightclubs. The windows installed are attractive and shutters will protect the business from the anti-social behaviour problems they face. He highlighted that windows are expensive to replace when they are subject to vandalism and the Police cannot protect the premises at all times, therefore this application should receive special dispensation as they are in a situation through no fault of their own. He explained that the applicants had employed a firm to install the UPVC windows, who had assured them that they would apply for the appropriate planning permission on the applicant's behalf. This firm is no longer in business and the applicants are left with the consequences of this. He asked members to go against officer's recommendations and send a positive message to the public in relation to protection of local businesses against vandalism. He said the Committee should view this case as an exception. He disagreed that a precedent would be set by granting the planning permission as each application is assessed on its own merits and asked members to make a common sense decision.

Members asked Councillor Tierney the following questions;

1. Councillor Mrs Laws said Councillor Tierney had referenced the installation of shutters however the application is for protective railings. Councillor Tierney said he had made a mistake and corrected his statement.
2. Councillor Court asked if the building is listed. Councillor Tierney confirmed it is not listed but located in a conservation area.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr and Mrs Faulkner (the Applicants).

Mr and Mrs Faulkner thanked members for the opportunity to speak and offered special thanks to Councillor David Oliver for his support. Mrs Faulkner said they had received huge amounts of support from Wisbech Town Council and the public, with over two-thousand signatures in support of their application. She confirmed that they had put their faith in a local firm to install the UPVC windows, who assured them that they had obtained the relevant planning permissions on their behalf. They were devastated to learn that this was not the case and planning permission had not been given. She explained that in the last three years they had suffered more damage to their building than ever before. Due to their location, between two nightclubs, they are prone to acts of anti-social behaviour and decided to change the windows to acoustic, high-quality, double-glazed sash windows to try and prevent further vandalism. She highlighted that 10.3 of the Fenland Local Plan, supports proposals which help reduce crime and confirmed that if the application is refused, they cannot afford to replace the UPVC windows with the same quality timber-frame windows due to the high cost. Because of this, they would have to revert back to single-glazed windows which will have an adverse effect on their health and wellbeing due to the noise of the surrounding premises. She added that nobody had approached them in relation to the UPVC windows and they were only made aware of the issues surrounding these, when they sought advice on replacing the ground floor windows this year. She highlighted that within close proximity of the shop, are buildings with plastic windows, illegal shutters and a fire-damaged listed building nearby too. She argued that these are far more detrimental to the character of the conservation area than the shops windows. Mrs Faulkner said the salon is losing foot-fall and looks an eyesore in its current state, as the boards at the window cannot be removed until the railings are installed due to the high-risk of further vandalism. She explained that the salon had recently styled the Rose Queen's hair as well as donating hair to the Little Princess Trust charity. The salon currently has eight employees of which three are Apprentices and offer work experience to pupils of Meadowgate School too. She concluded that she and her husband are innocent victims in this upsetting situation and thanked members for their time.

Members asked Mr and Mrs Faulkner the following questions;

1. Councillor Mrs Laws asked if they were aware at the time of purchase that the property was located in a conservation area and what this entailed. Mr Faulkner confirmed they were aware of this but did not realise the restrictions.
2. Councillor Mrs Laws asked if the applicants had ever approached the Council about the windows. Mr Faulkner said no as they had entrusted the window company to do this.
3. Councillor Mrs Laws asked if anybody had ever recommended they seek pre-application advice or recommend they submit the application for the windows and railings separately. Mr Faulkner said following meetings with their agent and the Council's planning officers, it was suggested the application be submitted as one application to save the cost of submitting two.

The meeting was adjourned at 2:09 PM to allow members time to consider the confidential papers.

The meeting resumed at 2:26 PM.

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

1. Councillor Mrs Laws asked for confirmation that the building is subject to an Article 4 too. David Rowen confirmed that properties located in Wisbech and Bowthorpe Conservation areas, are subject to an Article 4. This is imposed on particular areas to restrict certain forms of development. For example, the restriction removes the permitted development right for householders to change their windows and instead states that planning permission must be obtained.
2. Councillor Murphy said he was surprised that the applicants had not considered that planning permission may be required to replace the windows and asked why they had not obtained more than one quote for the work. He said the Council had had a similar situation in another town which had caused many issues which he is keen to avoid happening again.
3. Councillor Mrs Laws said she would have had no issues with granting planning permission for the railings as she agrees that business owners need to protect their premises and feels railings would be suitable both for the protection of the building and aesthetics of the area. She said whilst she understands the financial impact changing the windows would have on the applicants, this cannot be used as a planning consideration. She is mindful that the building is located in a conservation area and is subject to an Article 4 also. She said she is upset to say that she cannot see how this application can be granted on this basis and offered her sympathies to the applicant. She suggested the application should have been submitted as two separate applications and with a heavy heart, suggested the application is refused.
4. Councillor Mrs Hay agreed and added that she had no issues with the installation of railings either. She said whilst she has sympathy for the applicant, their lack of knowledge of the process cannot be a reason to approve permission for the windows. She feels granting the application would set a precedent and therefore she cannot support the application.
5. Councillor Mrs Laws asked if it was possible to make a decision on the railings and windows separately. David Rowen confirmed that split decisions cannot be issued on planning permissions by Local Authorities.
6. Councillor Murphy said this is a terrible situation however granting permission would set a precedent for other similar applications.
7. Councillor Sutton said this decision was one of the hardest he has considered during his time as a member of the Planning Committee. He said members have policies they must adhere to and cannot wear their heart on their sleeves. He was concerned that if they were to grant permission, the wrong message would be sent out to the Heritage Lottery Fund who invest a lot of money in to improvements in Wisbech. He confirmed that other windows in the area that do not comply with planning policy will be identified and the relevant action taken against them.

8. Councillor Mrs Laws said whilst she understands Councillor Tierney's point regarding assessing applications on a case-by-case basis; this site is located in a conservation area and will set a precedent if it is approved. She said Wisbech has one of the highest amounts of listed properties in the area and they must be mindful of the funds that are granted to the town because of this.
9. Councillor Mrs Newell asked why nothing has been done about the other properties in the area with UPVC windows. David Rowen confirmed that examples of these had been submitted arising from this application however initial investigations showed these windows were unauthorised. He reiterated that dependent on the decision today, officers will investigate these claims further and take the appropriate enforcement action where necessary.
10. All members confirmed that the decision made was with a 'heavy heart'.

Proposed by Councillor Mrs Laws, seconded by Councillor Mrs Hay and decided that the application be **REFUSED** as per officer's recommendation.

2.41 pm

Chairman

F/YR16/0792/F

**Applicant: Foster Property
Developments (Fenland) Ltd**

**Agent : Mr Matthew Hare
Carter Jonas**

The College Of West Anglia, Elm High Road, Wisbech, Cambridgeshire

**Erection of 137 dwellings, alterations to Ramnoth Road and Elm High Road
junction to form a new vehicular & pedestrian access and associated works &
infrastructure**

Reason for Committee

1 EXECUTIVE SUMMARY

This is a full application for the residential development (137 dwellings) on the former College of West Anglia site of Elm High Road in Wisbech.

The application relates to a brownfield site located in a highly sustainable location some 1.0km to the south east of Wisbech town centre and along a major radial route (A1101). The proposal accords with national and local policy which seek to promote the development of previously developed land in sustainable locations.

The design and layout of the proposed development is considered to be acceptable, as is the impact of the development on the residential amenities of the occupiers of neighbouring dwellings and of occupiers of the proposed development.

The proposal is acceptable in highway safety terms with modifications to the access to the site and improvements to infrastructure and the provision and implementation of a Travel plan. The site is not considered to be viable, but a developer contribution of £250,000 towards the provision of local services will be secured through a S106 agreement. Development of the site is acceptable in terms of ecological, landscaping and flood risk matters. It is therefore recommended that permission is granted subject to conditions and the completion of a S106 agreement.

2 SITE DESCRIPTION

- 2.1 This application relates to the residential development of 137 dwellings on the former College of West Anglia site off Elm High Road in the centre of Wisbech. The site was formerly an agricultural college with a number of buildings which were demolished in 2016, currently the site is vacant and overgrown.

- 2.2 The site is a rectangular area of land covering some 5.6ha, and measures some 516 m in length by 130 m in depth and is sited about 1.0km to the south east of Wisbech Town Centre.
- 2.3 The application site is bounded by established residential areas along its northern and southern boundaries. The residential development along Westmead Avenue to the south of the application site comprises a mixture of semi-detached and detached dwellings set in large plots along a linear tree lined avenue. The existing development along the northern boundary of the application site comprises of a row of bungalows set in a linear fashion along Falklands Drive. This development is denser, more compact and with open frontages and set on smaller plots than development along Westmead Avenue.
- 2.4 Ramnoth Road/Elm High Road forms the western boundary of the site, and Meadowgate Lane its eastern boundary.
- 2.5 Watercourses run along the northern, southern and western boundaries of the site. The site is generally level with established boundary planting.
- 2.6 Vehicular access to the site is currently off Elm High Road, and there is a pedestrian access off Meadowgate Lane.
- 2.7 The site is within Flood Zone 1.

3 PROPOSAL

- 3.1 Full planning permission is sought for the erection of 137 dwellings (revised from 139 dwellings), alterations to the junction between Ramnoth Road and Elm High Road to form a new vehicular and pedestrian access and associated works and infrastructure.
- 3.2 The application is accompanied by the following supporting information:
 - Air Quality Assessment Report.
 - Design and Access Statement.
 - Ecology Report.
 - Flood Risk Assessment.
 - Geo Environmental Report.
 - Landscape Design Statement
 - Statement of Community Involvement.
 - Travel Plan.
 - Tree Survey & Arboricultural Impact Assessment.
 - Updated Transport Assessment.
 - Updated Drainage Strategy Report.
 - Viability Assessment.

Residential Layout

- 3.3 The site is bounded along its northern and southern boundaries by established residential development as described above.
- 3.4 A Local Equipped Area of Play (LEAP) is located along the north western corner of the site near its access with Ramnoth Road. An attenuation pond is located at the other end of the site to meet the requirements of the IDB.
- 3.5 The development comprises a mixture of different house types ranging from bungalows and flats to semi-detached and detached dwellings. The mix of the 137 dwellings proposed is as follows:
- 6 x one bedroom flats.
 - 6 x two bedroom flats.
 - 52 x two bedroom bungalows and houses.
 - 64 x three bedroom houses.
 - 7 x five bedroom houses.
- 3.6 A three storey building containing the flats with parking is located to the east of the LEAP. Six dwellings are three storeys (Type W), and these have been relocated from the site perimeter to a central location.
- 3.7 The visualisation of the block of flats (Type Z) shows a three storey rectangular shaped building with a shallow pitched hipped roof in buff bricks. Brick and tile is proposed to be used for the dwellings, with flat roofs for porches and garages.
- 3.7 As originally submitted, the proposed layout included a footway link through a small area of open space serving the residential development to the south and through to Westmead Avenue. The latest iteration of the layout omits this link in response to local concerns.

Access

- 3.8 A new access off Ramnoth Road is proposed to serve the development to the north of the existing access, which will be closed off. The proposals seek to realign Ramnoth Road at it meets Elm High Road. The realignment would remove the need for vehicles travelling from the north to the site turning left across the merging lane from Ramnoth Road. Footways measuring 2 metres in width would be provided along either side of the proposed access, which would connect with the existing footpath infrastructure on Ramnoth Road.
- 3.9 The proposed access modifications include alterations to the existing Churchill Road/Ramnoth Road/Elm High Road/Weasenham Lane signal controlled junction and will improve existing road safety for pedestrians by facilitating movements across the arms of the junction. A zebra crossing is proposed to the north of the proposed access to allow pedestrians to cross Ramnoth Road when travelling between the site and Wisbech Town Centre.

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

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=OC05NIHE01U00>

4 SITE PLANNING HISTORY

F/YR16/0319/SC - Screening Opinion: Residential development (139 dwellings max) with associated landscaping - Further Details Not Required - 17.06.2016.

F/YR15/0710/DE1 - Demolition of existing buildings -Further Details Not required - 21.09.2015.

F/YR08/0584/O - Residential development (5.58 ha) involving demolition of all existing buildings - Resolution to approve subject to S106 agreement.

F/YR07/1328/O - Residential development (5.58) involving demolition of all existing buildings - Refused - 14.05.2008 - Refused contrary to Officer and Highway Authority recommendation on the grounds that the access was inadequate. Appeal withdrawn.

5 CONSULTATIONS

Cambridgeshire Constabulary: Supports the application.

Cambridgeshire County Council: Seeks the following developer contributions.

- Early Years: £213,078.
- Primary Needs: £1,037,157.
- Secondary: £919,992.
- Libraries: £15,078.96

Cambridgeshire Fire Service: Supports the application.

Cambridgeshire Highways (TA Team): Considers the application to be acceptable subject to conditions:

Cambridgeshire (Highway Authority): No objections subject to conditions.

Environment Agency: Has no comments to make.

Environmental Health Officer: No objections, recommends conditions relating to the provision of a Construction Management Plan, and unsuspected contamination.

FDC (Housing Strategy): Recommends the requirement to secure a provision of 34 affordable houses with a tenure mix; or the developer to enquire about the possibility of grant funding.

FDC (Waste Collection): No objections subject to an indemnity for refuse vehicles accessing shared drives (to be secured through an S106 Agreement).

NHS: Requests a developer contribution of £49,680 to be secured by a S106 Agreement to mitigate against the impacts of the proposal on the capacity of the three existing GP practices.

Highways England: No objections subject to a condition requiring Travel Plan measures to be implemented before the development is brought into use.

King's Lynn Drainage Board: Had originally expressed concerns about easement to watercourses, new crossings of watercourses, and surface water disposal.

LLFA: No objections, recommends conditions relating to surface water and maintenance and informatives.

Section 106 Officer: The Viability Appraisal has been assessed in accordance with FDC's usual approach to viability assessments using the Homes and Communities Agency Development Appraisal Toolkit which allows for a consistent and systematic review of viability submissions. The assessment has concluded that due to abnormal costs and external works there are viability issues preventing the delivery of Affordable Homes and S106 contributions. The applicant has agreed to make a total contribution of £250,000 towards infrastructure provision which will be allocated in liaison with Cambridgeshire County Council. The offer of £250,000 towards infrastructure is considered reasonable.

Tree Officer: Seeks clarification on any planting to be retained on the eastern boundary.

Wildlife Officer: Recommends mitigation in terms of provision of bat and bird boxes, external lighting to be baffled, hedgehog protection and native planting.

Wisbech Town Council: Supports the development providing the new junction arrangement is acceptable in highways terms.

Representations

The application has attracted a total of 29 separate representations, the objections are summarised as follows:

- Inadequate access.
- Additional traffic and congestion leading to highway safety problems.
- Overlooking.
- Anti-social behaviour.
- Loss of view/outlook.
- Noise.
- Loss of property value,
- Out of character.

- Separation distances.
- Visual impact.
- Wildlife concerns.
- Pedestrian link to Falklands Drive.
- Meadowgate Lane should be improved and used to access the site.
- Requirement for a children's play area.
- Need for adequate fencing.
- Inadequate capacity of local services.

A petition with 41 signatories has also been received, the principal concerns raised relate to the proposed pedestrian link to Falklands Drive which is considered to be detrimental to residential amenity through loss of privacy, crime, and anti-social behaviour.

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) 2018

Paragraph 2- Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 10 - Presumption in favour of sustainable development.

Paragraph 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 54 - Use of conditions or planning obligations.

Paragraph 59 - To support the Government's objective of significantly boosting the supply of homes a sufficient amount and variety of land should be brought forward where needed and that the needs of groups with specific requirements are addressed.

Paragraph 91 – Promoting health and safe communities.

Paragraph 96 - Access to high quality open spaces, opportunities for sport and physical activity and health and well-being of communities.

Paragraph 103 - Manage growth to achieve sustainable transport.

Paragraph 124 - Creation of high quality buildings and places, good design being integral to achieving a sustainable development.

Paragraph 149 - Mitigating and adapting to climate change.

Paragraph 155 - Planning and flood risk – Directing development away from areas at highest risk of flooding.

Paragraph 170 - Decisions should contribute to and enhance the natural and local environment.

Paragraph 212 - The Framework is a material consideration which should be taken into account in dealing with applications.

National Planning Practice Guidance (NPPG)

Design;
Flood Risk and Coastal Change;
Health and Wellbeing;

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;
LP8: Wisbech;
LP14: Responding to climate change and managing the risk of flooding in Fenland;
LP15: Facilitating the creation of a more sustainable transport network in Fenland;
LP16: Delivering and protecting high quality environments across the District;
LP17: Community safety;
LP19: The natural environment.

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

Cambridgeshire Flood and Water Supplementary Planning Document (December 2016)

8 KEY ISSUES

- **Principle of Development**
- **Design and Layout.**
- **Residential Amenity**
- **Highway Considerations**
- **Viability**
- **Ecology**
- **Flood Risk**
- **Air Quality Impact Assessment**
- **Statement of Community Involvement**
- **Pre-commencement conditions**

9 BACKGROUND

- 9.1 Outline planning permission was refused for residential development on this site under F/YR07/1328/O. The reason for refusal was on the grounds that the proposed access was inadequate and detrimental to highway safety. The decision reached by Planning Committee was contrary to the officer recommendation to approve, and the observations of the Highway Authority which had no objections.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP1 sets out a presumption in favour of sustainable development. Policy LP2 requires development proposals to positively contribute to creating a healthy, safe and equitable living environment. Policy LP3 identifies Wisbech as one of the 4 Primary Market Towns where growth should be directed. Policy LP4 sets out the housing delivery targets of the District and indicates Wisbech as the prime location of growth. Policy LP8 also identifies Wisbech as the main focus of growth. Policy LP15 (c) requires proposals of development to be located in sustainable locations. Policy LP 16(d) sets out a need to make a positive contribution to the local distinctiveness and character of the area, and in particular to respond to and improve the character of the built environment.
- 10.2 The application relates to the development of a previously developed brownfield land close to Wisbech Town Centre and a major radial route which itself connects to a Trunk Road (A47) a short distance away.
- 10.3 Outline planning permission for residential development on this site was refused against officer recommendation in 2007 (F/YR07/1328/O). The principle of developing the site accords with the sustainability requirements of Policies LP1,LP2, LP3, LP4, LP8, LP15(c) and LP16 (d) and with previous planning assessment relating to the development of this site.

Design and Layout

- 10.4 The character of the existing residential development in the area varies considerably. To the south of the application site and along Westmead Avenue the built form consists of large individually detached dwellings set in spacious plots in a tree lined avenue. In contrast, the development to the north is more modern, compact and with open frontages with bungalows lining the northern boundary of the application site.
- 10.5 The proposal contrasts from the linear development along Falklands Drive, and Westmead Avenue with dwellings being set along a more undulating primary road with smaller groups of dwellings set around secondary loop roads. The provision of the LEAP, and attenuation pond, and variety of house types results in a layout markedly different from the uniformity of existing development in the area.
- 10.6 The proposed dwellings are undeniably contemporary in terms of design, spacing and plot sizes. The proposed mix of traditional materials of brick and tile in different colour groupings with detailed brick inlays however provides some design relief from modern monotony.
- 10.7 The variety and interest provided by the design and layout is refreshing and pleasant addition to existing development which is welcomed.

Residential Amenity

- 10.8 Private amenity space in the form of one third of the plot curtilage, and bin storage space has been provided for each unit. The road layout has been adjusted to accommodate refuse collection vehicles. It will be a requirement of the S106 agreement that indemnity assurances in relation to damage to private drives are provided. Sufficient separation distances between properties have been allowed to maintain residential amenities of occupiers.
- 10.9 Concerns have been expressed about the adverse impact on residential amenity that would arise from the provision of a footway link between the site and Falklands Drive. On balance, it is considered that the harm caused by the footway would outweigh any advantages of increased permeability. On this basis the layout has been amended to omit the link. The proposal is therefore considered to accord with the requirements of Policy LP16 in relation to residential amenity.

Highway Considerations

Highways England

- 10.10 Highways England has recommended that development should not be brought into use until the measures set out in a Travel Plan have been implemented. Permission is recommended to be conditioned accordingly.

Transport Assessment Team

- 10.11 The Transport Assessment Team (TA Team) of Cambridgeshire County Council has assessed the Revised Transport Assessment and considers it to be acceptable, it recommends the following conditions.

1. Provision of Travel Plan.
2. Works to pedestrian and cycle links to the employments areas off Weasenham Lane including :
 - a) Dropped kerbs, footway widening and tactile paving at all side roads where there are none at present.
 - b) Widening National Cycle Route (NCR) 63 on the north side of Weasenham Lane between Churchill Road crossing and the upgraded Toucan crossing.
3. Provision of a Zebra Crossing on Ramnoth Road, and pedestrian facilities linking the zebra crossing with the signal controlled crossings across Elm High Road.
4. A S106 Agreement requiring either:
 - a) A contribution to a scheme of junction improvements as proposed in the emerging 'Wisbech Access Strategy', the contribution to be equal to the cost of implementing the scheme shown on drawing COWA-BWB-HML-XX-DR-D-100 Rev P1. **OR**

b) If the Wisbech Access Strategy scheme referred to in 1 above will not be complete within 5 years, the scheme of works to the junction of Weasenham Lane/Elm High Road/Ramnoth Road to be completed prior to the occupation of any of the dwellings. The scheme should accord with the principles shown on the drawing COWA-BWB-HML-XX-DR-D-100 Rev P1.

- 10.12 The imposition of a Travel Plan condition required by the TA Team is also a recommendation of Highways England and is recommended on the list of conditions below should planning permission be granted.
- 10.13 Weasenham Lane stretches for about 1.5km between Elm High Road and Cromwell Road. It is not considered reasonable or justifiable to expect the developer to carry out or fund unspecified footway improvements along this stretch of highway. This requirement of the TA Team is therefore not recommended to be imposed as a condition.
- 10.14 The TA Team request to widen National Cycle Route 63 lacks clarity and detail, and is not reasonably related to the development, this requirement is therefore not recommended to be imposed as a condition.
- 10.15 The request for the provision of a Zebra Crossing and pedestrian facilities across Ramnoth Road and Elm High Road is reasonable and will be conditioned.
- 10.16 The Wisbech Access Strategy (the Strategy) proposes comprehensive improvements to the junction of Weasenham Lane/Elm High Road/Ramnoth Road in the form of a roundabout.
- 10.17 The application proposes a new access off Ramnoth Road to serve the development to the north of the existing access, which will be closed off. Ramnoth Road will be realigned where it meets Elm High Road. The proposed access modifications include alterations to the existing Churchill Road/Ramnoth Road/Elm High Road/Weasenham Lane signal controlled junction.
- 10.18 The improvements proposed by the Strategy are acknowledged by the application. However, the timescales for funding and delivery of any Strategy initiatives are currently unknown.
- 10.19 The Transport Assessment Team (TA Team) requests a S106 contribution towards junction improvements identified in the Strategy or if this scheme is not implemented within 5 years, the junction improvements identified as part of the application are implemented before the occupation any dwellings.
- 10.20 Although the principle of a S106 contribution is accepted the applicant suggests that the default position should be the implementation of the access and junction upgrades as proposed with a proviso for a capital contribution in lieu if the Strategy works were to be commenced earlier. Given that the timescales for the delivery of the Strategy works are unknown, and the time limit for planning permission is three years the request for the applicant's default position is reasonable and acceptable. Furthermore, the applicant has demonstrated that the application works will not prejudice the implementation of the Strategy proposals.

10.21 For the above reasons it is recommended that permission is conditioned to require the access/ junction improvements to be implemented as approved or a pro rata financial contribution (secured through S06) is made before the occupation of any dwellings.

Highway Authority

10.22 The Highway Authority has no objections subject to conditions.

10.23 The application has attracted considerable concerns relating to traffic congestion and highway safety. The consultation responses from Highways England and Cambridgeshire County Council confirm that there are no highway objections to the proposals. The highway mitigation works in the form of a Travel Plan, junction improvements etc. will be secured through a S106 agreement and conditions as appropriate.

Viability/S106 Agreement

10.24 The NHS seeks a financial contribution of £49,680 to mitigate impact on 3 GP practices in the area which do not have capacity.

10.25 The Housing Enabling Officer recommends the provision of 34 affordable houses out of the 137 dwellings proposed. The tenure mix proposed is: affordable rented -6 x 1 bed flats, 16 x 2 bed houses, and 4 x 3 bed house; intermediate tenure-7 x 2 bed houses, and 3 x 3 bed houses.

10.26 Cambridgeshire County as Education Authority seeks a total of £2,185,305.96 as detailed above.

10.27 NHS: £49,680

10.28 In accordance with Policy LP13 and Appendix B-Open Space Standards the following provision is required:

- Neighbourhood/Town Park: £22,400.
- Natural Greenspace: £28,000.
- Allotments: £5,600.
- Outdoor Space: £44,800.

10.29 The developer has submitted a viability appraisal which has been submitted to and assessed by the Council's Section 106 Officer. The conclusion of the Section 106 Officer is that that the appraisal has demonstrated through evidence supporting Abnormal Costs and External Works that there are viability issues preventing the delivery of Affordable Housing and S106 contributions.

- 10.30 Having established that the scheme is not viable the Section 106 Officer has liaised with the applicant to agree to a contribution of £250,000 towards infrastructure provision which will be allocated in liaison with Cambridgeshire County Council. Given the scheme has been demonstrated to be unviable the Section 106 officer considers the offer of £250,000 as reasonable.
- 10.31 The appraisal has demonstrated that there are viability issues preventing the delivery of Affordable Housing and S106 Contributions. Policy LP5 requires the provision of 25% of the development to be affordable housing (in these instance 34 houses). However, due to the applicant's viability argument this is not being provided. Clearly this is contrary to Policy LP5 but accords with advice within the NPPG regarding viability and brownfield sites. However, it is considered appropriate to include the option of providing affordable housing should other funding sources become available, such as the Combined Authority funded route (or possibly funded by the Council itself). This would not obligate the developer to provide, but would enable the provision of Social Housing should the opportunity arise. The scale and location of the development is likely to be appropriate for affordable housing and the possibility of achieving funding.
- 10.32 The development cannot meet the substantial education request or provide any affordable housing. Despite the viability arguments of the scheme the applicant is prepared to offer a financial contribution of £250,000. This sum would be evenly shared with Cambridgeshire County Council, and secured through a Section 106 Agreement. The County Council allocation will be put towards the provision of education. Where limited resources have to be prioritised and given the pressing affordable housing needs, and demands for health provision vis a vis the benefits provided by 'Green' infrastructure it is recommended below that £75,320 is utilised towards the provision of off-site affordable housing with the remainder for the NHS (£49,680).

To summarise, the S106 agreement will include the following requirements:

- NHS: £49,680.
- Off-Site Affordable Housing: £75,320.
- Education: £125,000.
- Provision of LEAP.
- Highway improvement works.

Ecology

- 10.33 A Phase 1 Habitats Assessment and a site specific bat survey has accompanied the planning application.
- 10.34 The site is not covered by any statutory or non-statutory wildlife designations, neither is it close to a designated site. Planting on the site is identified as being of low value, no plant species of ecological or biodiversity value was found.

- 10.35 The supporting information has been considered by the Wildlife Officer who welcomes the incorporation of additional planting and habitats on the western area of the site. The revised survey does not indicate the presence of bats. The Wildlife Officer recommends a number of conditions relating to the provision of bat and bird boxes/tiles, lighting and native species of planting - requirements which are included in the list of conditions below .

Flood Risk

- 10.36 The application is accompanied by a Flood Risk assessment and a Drainage Strategy. The application site is located within Flood Zone 1 and therefore is considered to be at low risk of flooding and should not give rise to flood related impacts either on or off the site.
- 10.37 In relation to surface water drainage the site is partly bounded by open water courses along its northern and southern boundaries which flow into another watercourse which runs along the eastern boundary and forms part of the Kings Lynn Internal Drainage Board's (IDB) system. The original proposal to contend with surface water disposal by unattenuated discharge into the IDB watercourses was considered unfavourably by the IDB. A revised solution, where disposal of surface water drainage is proposed to be dealt with through an attenuation pond sited in the north-eastern corner of the site meets the IDB requirements in principle.
- 10.38. There is capacity in the public foul sewer under Ramnoth Road and the West Walton Water recycling Centre to server the proposed development.

Air Quality Impact Assessment

- 10.39 The Council has allocated four Air Quality Management Areas (AQMAs). Part of the proposed development site is located within AQMA No.3. The pollutant declared in relation to this AQMA is Nitrogen Dioxide (NO₂) which is produced as a result of road traffic and the fuel combustion process.
- 10.40 The Assessment concludes that NO₂ concentration at the development site should not exceed the relevant air quality objectives. It should also be noted that the Environmental health Officer has not raised any concerns on the matter as part of the consultation process.

Local Equipped Area of Play (LEAP)

- 10.41 A Local Equipped Area of Play (LEAP) is located along the north western corner of the site near its access with Ramnoth Road. If this area is not to be adopted by FDC or Wisbech Town Council its maintenance will need to be through a residents' management agreement secured by the S106 agreement.

Statement of Community Involvement

- 10.42 A community involvement exercise in the form of a public exhibition at the Boathouse Centre in Wisbech took place on 28 April 2016. The exhibition was attended by 190 people. Feedback was received from 52 respondents, 59% of comments were supportive, 24% undecided and 14% not supportive.

Pre-commencement conditions

- 10.43 From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).
- 10.44 The applicant has been consulted on the proposed conditions and has confirmed their agreement to them in writing. Therefore, should the application be approved and the consent granted with the proposed conditions after 1st October 2018, it is considered that the requirements of section 100ZA(5) have been met.

11 CONCLUSIONS

- 11.1 This application relates to a brownfield site located in proximity to Wisbech Town Centre and good transport links. The proposal accords with national and local policy which seek to promote the development of previously developed land in sustainable locations.
- 11.2 The design and layout of the proposed development is considered to be acceptable, as is the impact of the development on the residential amenities of the occupiers of neighbouring dwellings and of occupiers of the proposed development.
- 11.3 The proposal is acceptable in highway safety terms with modifications to the access to the site and improvements to infrastructure and the provision and implementation of a Travel plan. The site has been demonstrated as not being viable, but a developer contribution of £250,000 towards infrastructure will be secured through a S106 agreement. Development of the site is acceptable in terms of ecological, landscaping and flood risk matters.
- 11.4 It is for members to consider the benefits of the development set against the harm arising from not providing affordable housing or education contributions. It is officer opinion that, in this instance, the benefits outweigh harm and recommend that permission is granted subject to the conditions listed below and the completion of a S106 agreement on the terms detailed above.

12 RECOMMENDATION

Grant subject to the completion of a S106 agreement and the following conditions:

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Development above slab level shall not begin until full details of the materials to be used for the external walls and roof are 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.

Reason - To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, 2014.

3. Development above slab level shall not begin until full details of both hard and soft landscape works are submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-
 - a) proposed finished levels [earthworks to be carried out]
 - b) means of enclosure
 - c) car parking layout
 - d) vehicle and pedestrian access and circulation areas
 - e) hard surfacing, other hard landscape features and materials
 - f) existing trees, hedges or other soft features to be retained
 - g) planting plans, including specifications of native species, sizes, planting centres number and percentage mix.
 - h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
 - i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
 - j) location of service runs
 - k) management and maintenance details
 - l) (others as may be necessary to be detailed by officer)

Reason - The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 of the Fenland Local Plan, 2014.

4. 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 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.

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.

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) 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:
 - i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);
 - ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
 - iii) 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);
 - iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);
 - vi) the erection of any walls, fences or other means of enclosure to all boundaries/the boundary of the site (as detailed in Schedule 2, Part 2, Class A).

Reason:

To prevent overlooking of neighbouring properties, in the interest of the protection of residential amenity and to safeguard the visual amenities of the area to accord with Policy LP 16 of the Fenland Local Plan (2014).

6. No occupation or use of the development shall take place until a Travel Plan has been submitted to and approved by the Local Planning Authority. The Travel Plan shall be implemented before commencement of first use of the development hereby approved and in line with provisions and timescales set out with the Travel Plan and shall include the following:

The identification of targets for trip reduction and modal shift;

- The methods to be employed to meet these targets; and
- The mechanisms for monitoring and review;
- The mechanisms for reporting;
- The penalties to be applied in the event that targets are not met;
- The mechanisms for mitigation;
- Implementation of the travel plan to an agreed timescale of timetable and its operation thereafter;
- Mechanisms to secure variations to the Travel Plan following monitoring and reviews.

The completed development shall be occupied in accordance with the approved Travel Plan which shall be retained in place thereafter unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: To provide sustainable transport measures for visitors and staff and to ensure that the impact of the proposal on the free and safe flow of traffic on the highway is kept to a minimum to accord with Policy LP15 of the Fenland Local Plan.

7. Development above slab level shall not begin until the following details shall be submitted to and agreed in writing by the local planning authority, and the development shall thereafter be carried out in accordance with the approved details.
- a) All external lighting proposals to be baffled downwards and pointed away from retained areas of woodland and trees.
 - b) Details of integral bat boxes and bat tiles, and bird boxes.
 - c) Overnight trench protection for hedgehogs.

Reason: In the interests of biodiversity enhancement and mitigation of the impact of the development in accordance with Policy LP19 of the Fenland Local Plan.

8. 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 for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.

Reason - To control pollution of land and controlled waters in the interests of the environment and public safety to accord with Policy LP16 of the Fenland Local Plan (2014).

9. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The construction Management Plan shall include the following:-

- Hours of working
- Parking, Turning and Loading/Unloading areas for all construction/contractors vehicles
- Site compounds/storage areas
- Details of wheel cleaning or road cleaning equipment;
- A noise management plan including a scheme for the monitoring of construction noise;
- A scheme for the control of dust arising from building and site works
- Details of remedial measures to be taken if complaints arise during the construction period.

The development shall thereafter take place in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenity of the area and highway safety, in accordance with policies LP15 and LP16 of the Fenland Local Plan 2014.

10. Prior to the first occupation 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.

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.

11. Development above slab level shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Revised Drainage Strategy Report (v3.0) prepared by Stirling Maynard dated 9 May 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.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

12. Details for the long term maintenance arrangements for the surface water drainage system (including all SDs features) to be submitted and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The permitted details should identify runoff sub-catchments, SDs 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.

Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

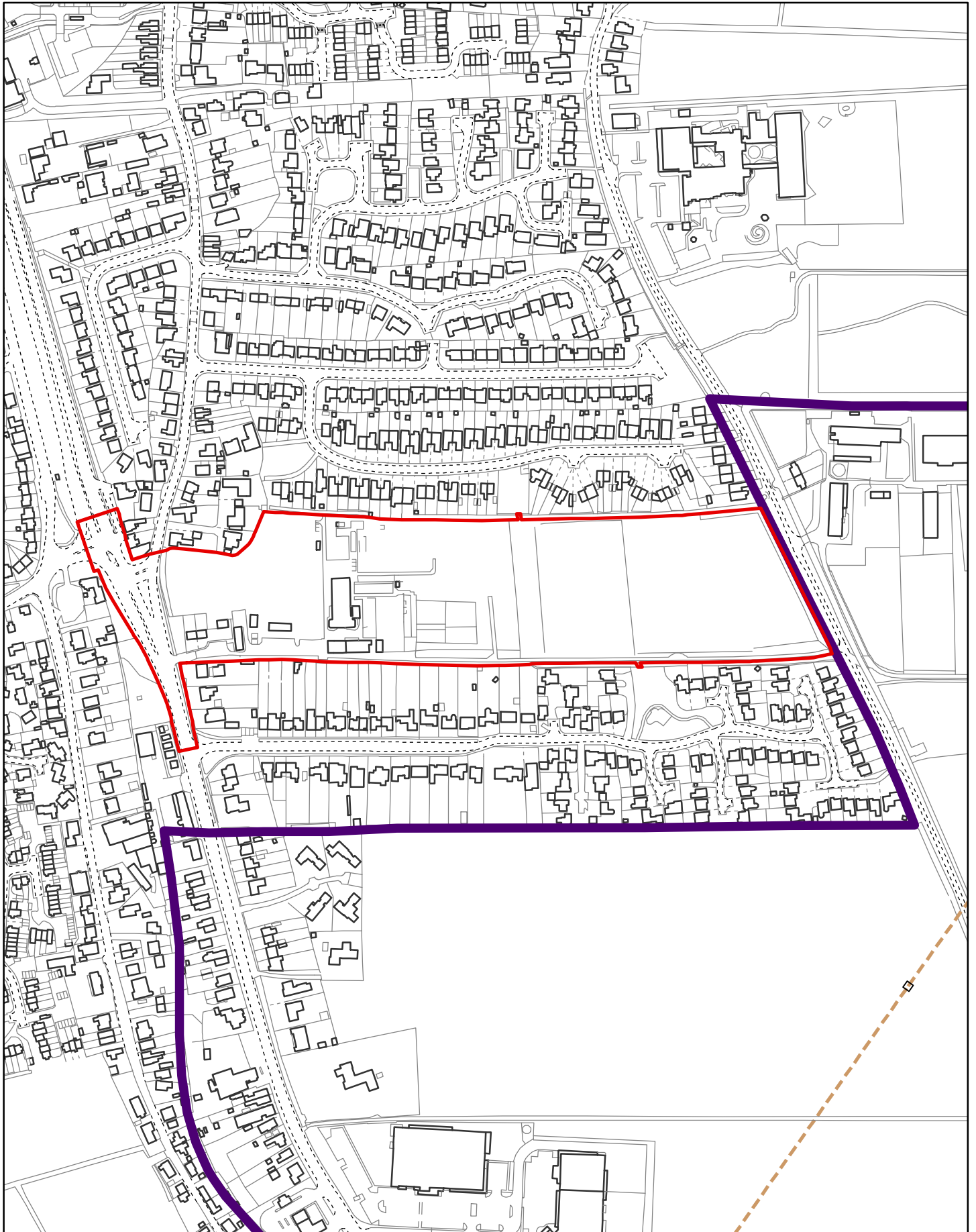
13. Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on AIN in writing by the Local Planning Authority.

Reason: To ensure a satisfactory means of access in accordance with policies LP15 and LP16 of the Fenland Local Plan.

14. 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.

Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

15. Approved drawings.



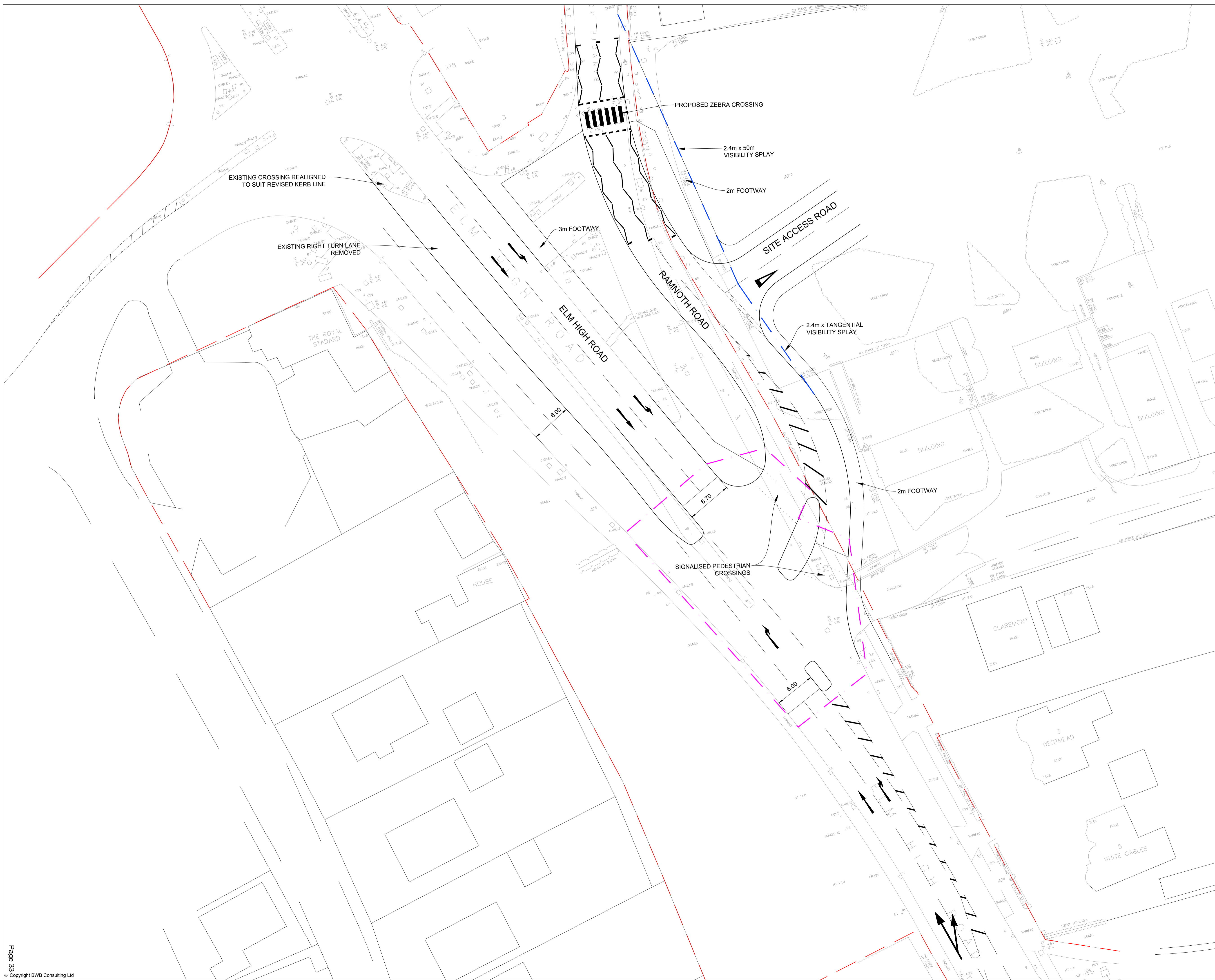
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F/YR16/0792/F

Scale = 1:4,000





- Notes**
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 - Any discrepancies noted are to be reported to the engineer immediately
 - The proposed highway works have been designed in accordance to DMRB TD42/95 & TD50/04
 - Proposed site junction access complies with Manual for Streets 2 requirements
 - This drawing has been prepared for the Section 278 technical approval of the preliminary design

- Key to Symbol**
- Existing Highway Boundary
 - Proposed access visibility splay
 - Proposed signalised junction intervisibility zone

P1	18.12.15	Preliminary Issue	SRH	PW
Rev	Date	Details of issue / revision	Drw	Rev

Issues & Revisions

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Client
FOSTER PROPERTY DEVELOPMENTS (FENLAND) LTD

Project Title
SECTION 278, ELM HIGH ROAD/ RAMNOTH ROAD JUNCTION IMPROVEMENTS, WISBECH

Drawing Title
GENERAL ARRANGEMENT & SITE ACCESS

Drawn:	S. Hilditch	Reviewed:	P. Wilson
BWB Ref:	NTT2422	Date:	18.12.15
Scale:	A1: 1:250		
FOR APPROVAL			
Project - Originator - Zone - Level - Type - Role - Number	Status	Rev	
COWA-BWB-HML-XX-DR-D-100	S4	P1	



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Revisions:

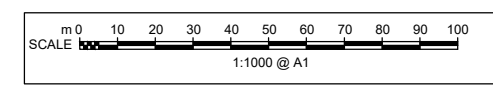
PA	26.07.16	Submission Issue	CR
PA-1	03.02.17	Drawing updated and issued at A1	CR
PA-2	08.05.17		
PA-3	14.07.17	MISC PLAN UPDATES - SCHEDULE UPDATED	CR
PA-4	06.10.17		KZ
PA-5	03.11.17		KZ

- BENDS BY HOUSES 005 - 010, 016,017,056,074,027,028,076,077,072,073,064,072,050,057,065-067,032-034, 120-123 IMPROVED
- JUNCTION KERB RADIUS CHANGED TO 6m THROUGHOUT
- GIVE WAY ROAD MARKING ADDED TO JUNCTION BETWEEN HOUSE 075 - 081
- PLOT 005 - PARKING SPACE ROTATED PERPENDICULAR TO ROAD
- PLOT 007 - HOUSE MOVED BACK, GARAGE AND PARKING SPACE ACCESSED FROM REAR
- PLOT 008 - PARKING SPACE ROTATED PERPENDICULAR TO ROAD
- PLOT 009 - PARKING SPACE AND BOUNDARY MOVED EAST TO INCREASE DISTANCE OF DRIVEWAY TO MAIN JUNCTION
- PLOT 034/35 - TREE REMOVED
- PLOT 054 - BEND RADIUS CHANGED
- PLOT 064 - TREE REMOVED
- PLOT 065 - TREE REMOVED, BEND RADIUS CHANGED
- PLOT 120 - BEND RADIUS CHANGED
- PLOT 121 - BEND RADIUS CHANGED
- PLOT 127 - TREE REMOVED
- FOOTPATH ON THE SOUTH EAST CORNER ADJACENT TO HOUSE 049 RELOCATED
- SPEED TABLE ADDED TO SOUTH EAST CORNER
- DROPPED KERB ADDED TO ALL DRIVEWAYS
- FOOTPATH MODIFIED WITHIN WESTERN PUBLIC OPEN SPACE
- EASTERN FOOTPATH TO EASTERN ROAD WITHIN 9m IDB EASEMENT
- NO STRUCTURES OR LANDSCAPING TO BE MORE THAN 600mm HIGH FROM FINISH GROUND LEVEL WITHIN VISIBILITY SPLAYS

PA - 6 04.05.18 KZ

- PLOT 098 - BEND RADIUS CHANGED
- PLOT 082/083 - HOUSES MOVED BACK
- PLOT 081/082/083 - BEND RADIUS CHANGED
- PLOT 120 / 121 - PLOTS AND HOUSES REMOVED
- PLOT 027/028 - HOUSES MOVED BACK, BEND RADIUS CHANGED
- PLOT 117 - HOUSE TYPE CHANGED FOR HANDED
- PLOT 117/118/119 - NEW ACCESS FROM REAR ADDED
- PLOT 009 - BEND RADIUS CHANGED
- PLOT 065 / 066 BEND RADIUS CHANGED
- ATTENTION POND CHANGED
- OPEN SPACE BETWEEN PLOT 080 AND 099 - PATH AND BRIDGE REMOVED
- JUNCTIONS BETWEEN 050 & 052, 064 & 072 SMOOTHED
- PLOT 049 - GARAGE ADDED, HOUSE MOVED AND ROTATED
- PLOT 056 - CHANGED FOR PLOT 120
- PLOT 008 - 1No GARAGE AND 1No CAR SPACE OMITTED
- PLOT 005/006 - BOUNDARY MOVED ON GARAGE WALL LINE
- PLOT 009 - 1No CAR SPACE OMITTED AND 1No GARAGE ADDED
- PLOT 005 - HOUSE ROTATED
- PLOT 056 - HOUSE, GARAGE AND CAR SPACE ROTATED, HOUSE TYPE CHANGED FOR HANDED
- HOUSE TYPE W GIA REDUCED

- GARAGE
- CAR PARKING SPACE
- EXISTING TREE AND ROOT PROTECTION ZONE TO BE RETAINED
- PROPOSED NEW TREE
- DRAINAGE CHANNEL
- LAND DRAIN
- DENOTES HANDED HOUSE TYPE



Status
PLANNING

Project
 FORMER COWA SITE
 WISBECH

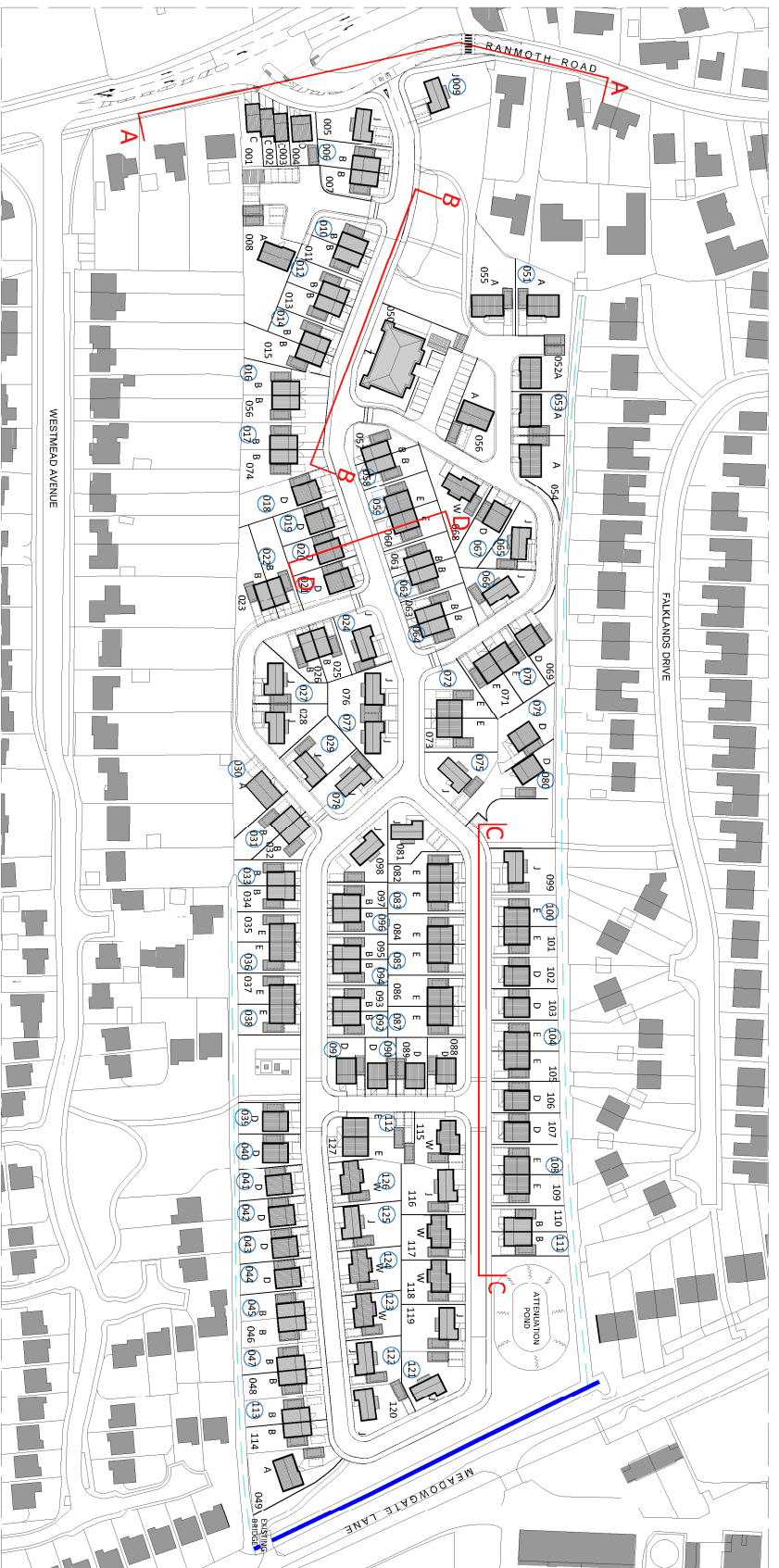
Drawing
Masterplan

Project Ref : 1629
 Scale @ A1 : 1:1000
 Drawing No : 1629-A002

Scale @ A3 : 1:2000
 Revision : PA-6

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 E-mail: mail@bcrarchitects.co.uk

HOUSE TYPE SCHEDULE		
HOUSE TYPE	NO. PROVIDED	APPROX GIA (m ²)
1 BED		
1 BED FLAT (Z)	6	56
2 BED FLAT (Z)	6	76
2 BED		
A	9	72
B	40	80
C	3	80
D	24	103
E	24	103
J	18	112
W	7	114
TOTAL	137	

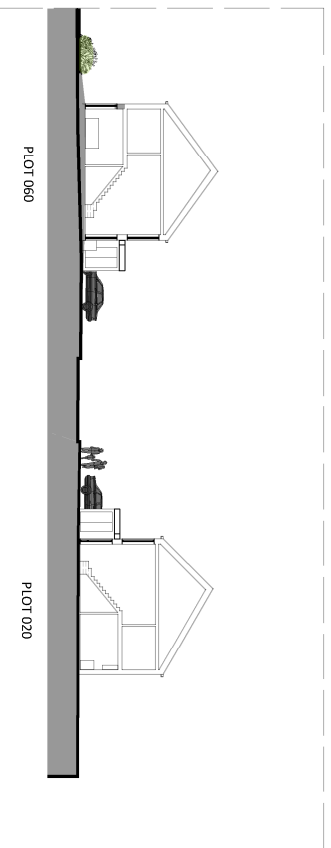


01 LOCATION PLAN (not to scale)



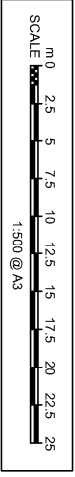
02 STREET SCENE ELEVATION CC

(Note: 1.5m approx. overall existing level drop across site retained)



03 STREET SCENE - STREET SECTION DD

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 Revisions:
 PA 15.07.16 Submission Issue CR
 PA 23.08.16 Scale revised to 1:250/500 CR
 PA 01.09.16 Not a scale note added to location plan title CR
 PA2 26.07.17 UPDATED K2



Status
PLANNING

Project
 FORMER COWA SITE
 WISBECH

Drawing
 Street Scene Elevations

Project Ref : 1629
 Scale @ A1 : 1:250
 Drawing No : 1629-A203
 Scale @ A3 : 1:500
 Revision : PA2

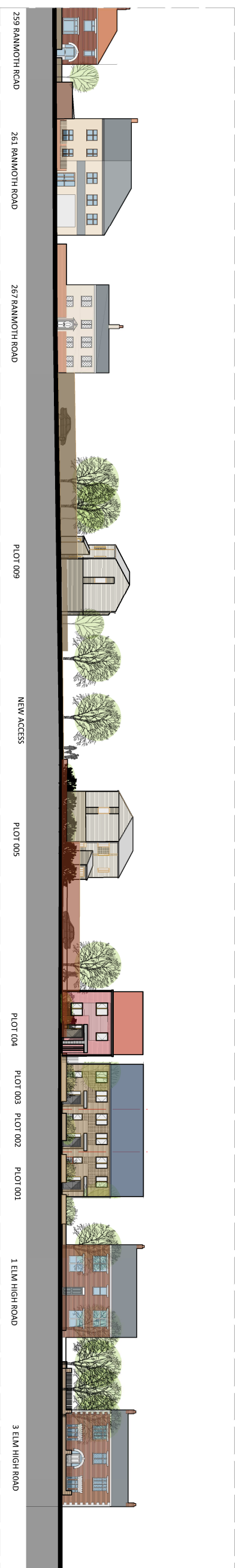
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 1 Wellington Street, Cambridge CB1 1HW
 Telephone: 01223 366717
 Email: mail@barbarchitects.co.uk



01 LOCATION PLAN (not to scale)

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 Revisions:

PA	15.07.16	Submission Issue	CR
PA	23.08.16	Scale revised to 1:250/ 1:500	CR
PA	01.09.16	Not a scale note added to location plan title	CR
PA2	11.07.17	UPDATED	K2



02 STREET SCENE ELEVATION AA (ELM HIGH ROAD)
 (Note: 1.5m approx. overall existing level drop across site retained)



03 STREET SCENE ELEVATION BB



Status
PLANNING

Project
 FORMER COWA SITE
 WISBECH

Drawing
 Street Scene Elevations

Project Ref : 1629
 Scale @ A1 : 1:250
 Drawing No : 1629-A202

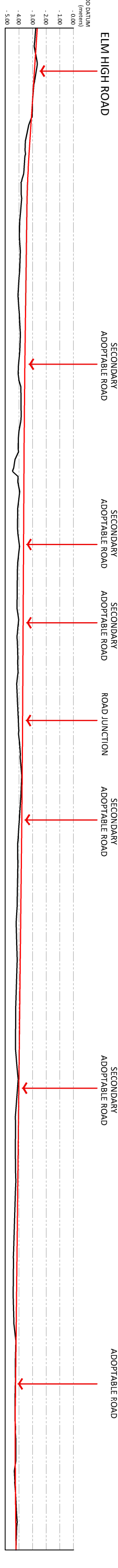
Scale @ A3 : 1:500
 Revision : PA2

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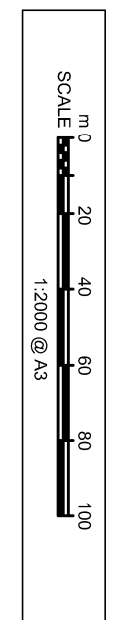
- KEY:**
- 1 STOREY
 - 2 STOREY
 - 3 STOREY
- NOTE:**
NO SOFT LANDSCAPING SHOWN

STOREY HEIGHTS PLAN



- KEY**
- PROPOSED GROUND LEVEL (ROAD SURFACE)
 - EXISTING GROUND LEVEL

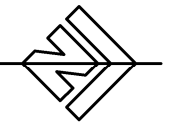
SITE LEVELS SECTION THROUGH SITE - SECTION A-A



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Revisions:

PA	22.07.16	Submission Issue
PA	23.08.16	Scale revised to 1:2000
PA	01.09.16	Scale bar updated
PA2	26.07.17	MISC UPDATES



Project Title
**FORMER COWA SITE
WISBECH**

Purpose of Issue
PLANNING

Drawing Title
STOREY HEIGHT PLAN AND SITE LEVELS SECTION

Project No : 1629
Scale @ A3 : Plan 1:2000/ Section NTS
Drawing No : 1629-A301 Rev: PA2

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Company No. 2376728



NOTES:
ARTIST IMPRESSION FOR GUIDANCE ON
EXTERNAL APPEARANCE ONLY.

Status
PLANNING

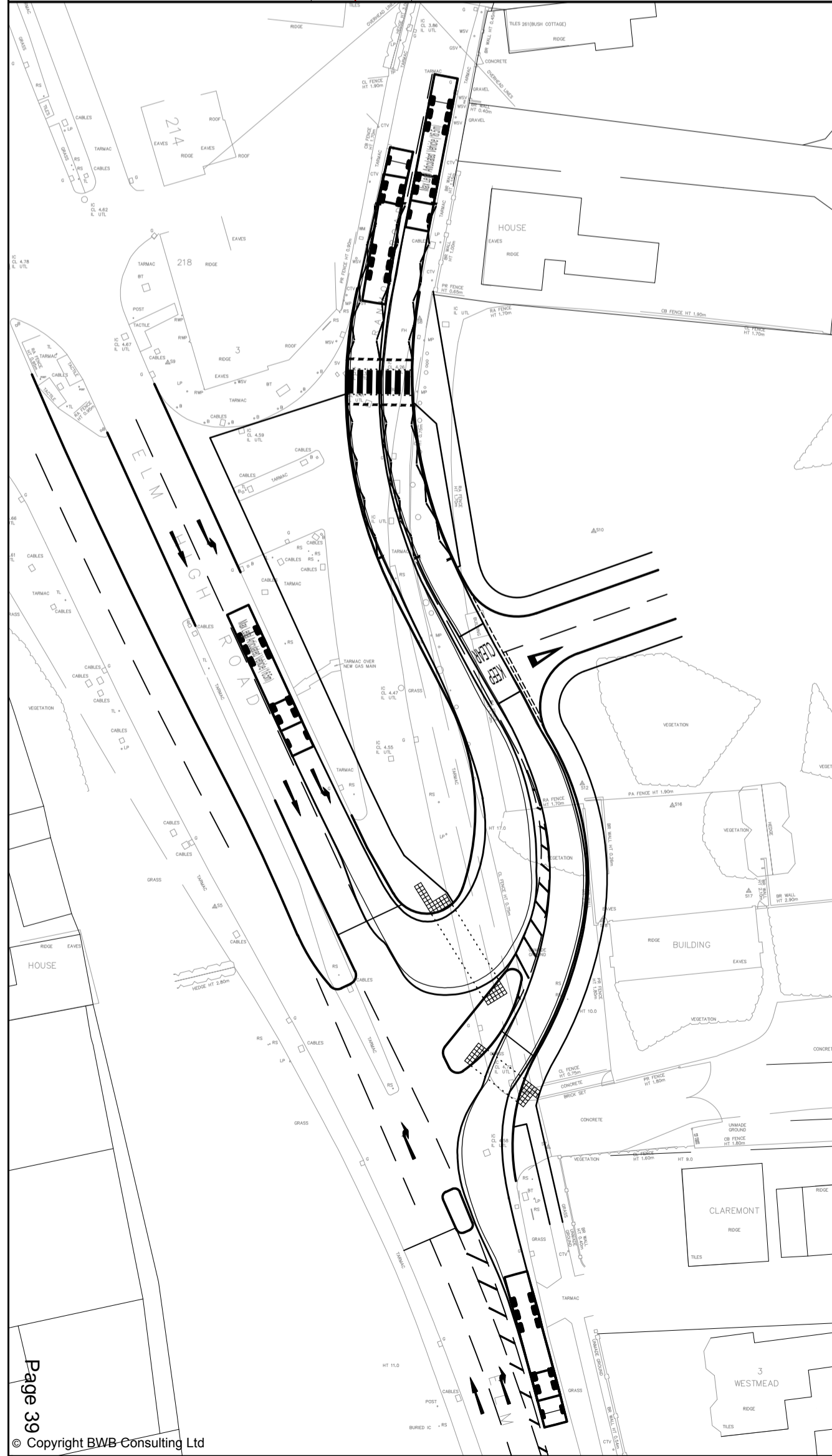
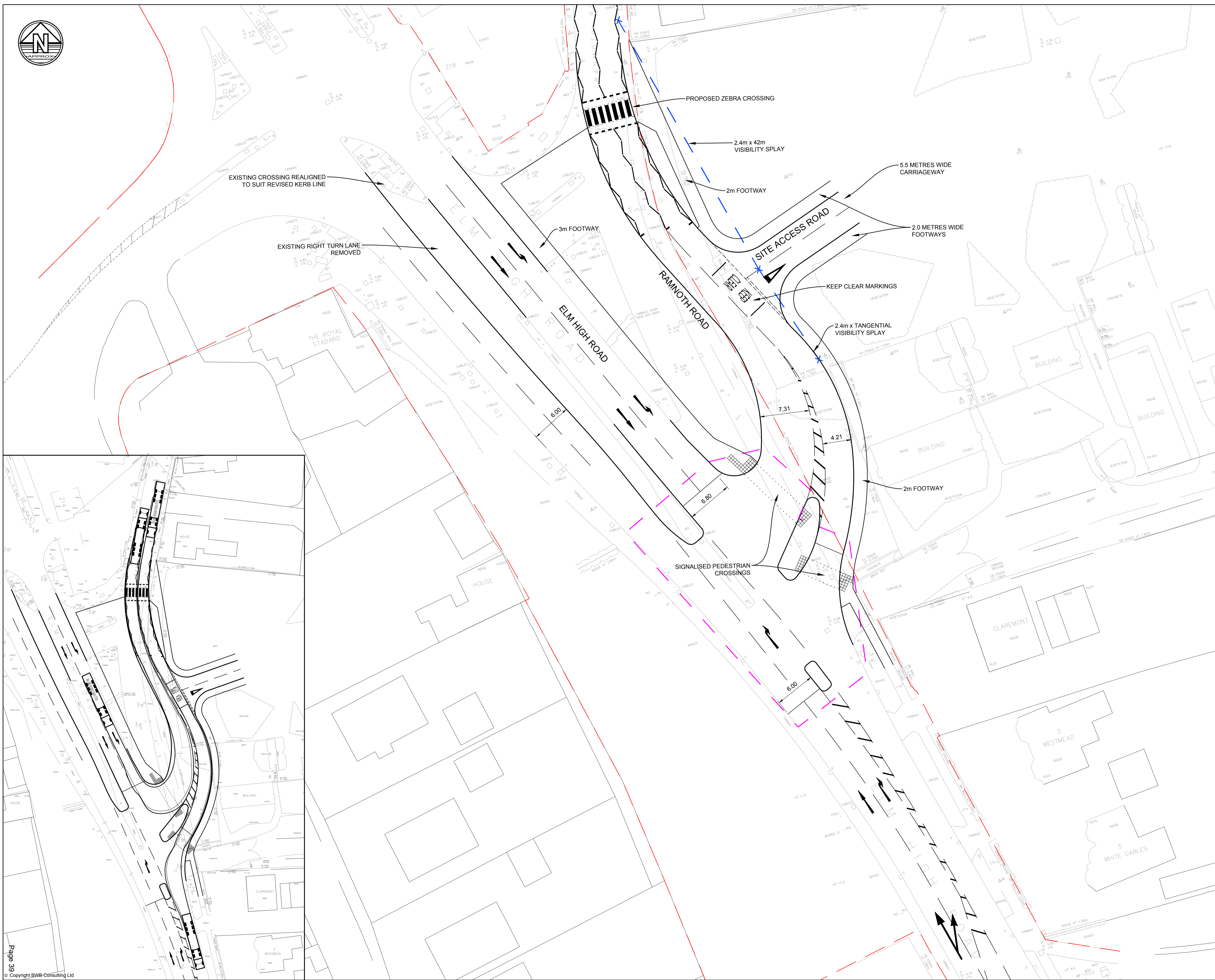
Project
FORMER COWA SITE
WISBECH

Drawing
Type Z - Visualisation

Project Ref : 1629
Scale @ A1 : 1:50
Drawing No : 1629-Z-A501

Scale @ A3 : 1:100
Revision : PA

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 6. Proposed site junction access complies with Manual for Streets 2 requirements
 7. This drawing has been prepared for the Section 278 technical approval of the preliminary design

- Key to Symbol**
- - - Existing Highway Boundary
 - - - Proposed access visibility splay
 - - - Proposed signalised junction intervisibility zone

Rev	Date	Details of issue / revision	Drw	Rev
P3	22.07.16	Site access road width amended	AJO	PW
P2	26.05.16	Title block updated	AJO	PW
P1	07.04.16	Preliminary Issue	AJO	PW

Issues & Revisions

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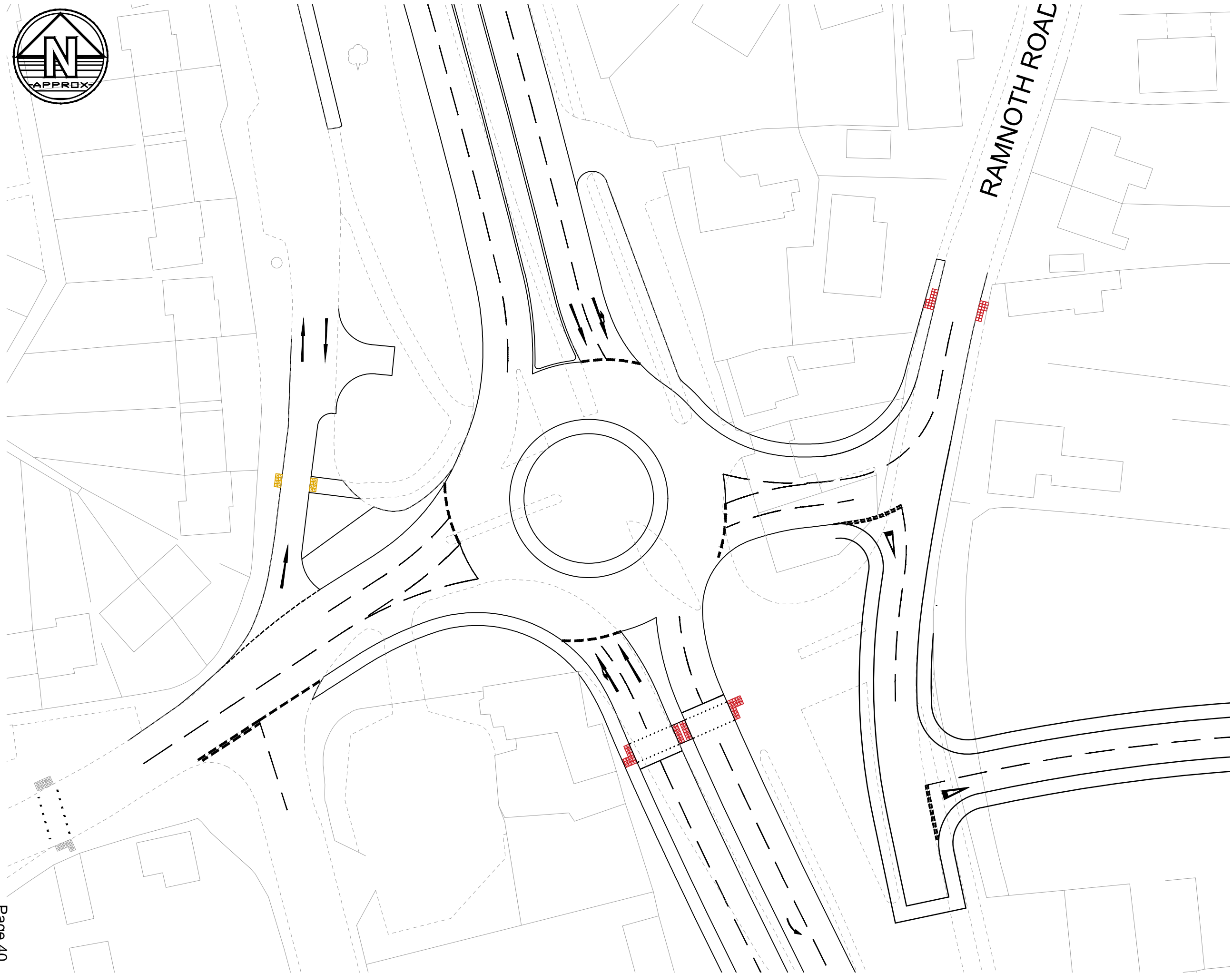
Project Title
LAND AT THE (FORMER) COLLEGE OF WEST ANGLIA HORTICULTURAL COLLEGE, ELM HIGH ROAD, WISBECH, CAMBRIDGESHIRE

Drawing Title
PROPOSED SITE ACCESS ARRANGEMENT AND ELM HIGH ROAD/RAMNOTH ROAD JUNCTION IMPROVEMENTS

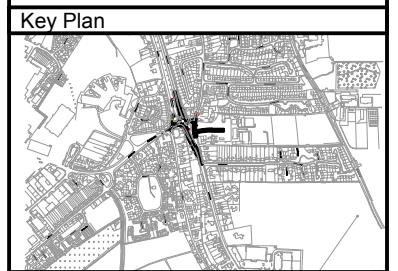
Drawn:	AJ Oakes	Reviewed:	P.Wilson
BWB Ref:	NTT2422	Date:	07.04.16
Scale:	A1: 1:250		

Drawing Status
FOR APPROVAL

Project - Originator - Zone - Level - Type - Role - Number	Status	Rev
COWA-BWB-GEN-01-DR-TR-101	S1	P3



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 4. Any discrepancies noted on site are to be reported to the engineer immediately.



Legend

Rev	Date	Details of issue / revision	Drw	Rev
P1	01.03.18	PRELIMINARY ISSUE	A:O	PW

Issues & Revisions

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Project Title
**FORMER COWA SITE,
RAMNOTH ROAD,
WISBECH,
CAMBRIDGESHIRE**

Drawing Title
**POTENTIAL ACCESS
ARRANGEMENT
ROUNDAABOUT (OPTION 1)**

Drawn: A:Oakes Reviewed: Paul Wilson
BWB Ref: NTT 2422 Date: 28.02.18 Scale@A3: 1:500

Drawing Status
SKETCH

Project - Originator - Zone - Level - Type - Role - Number Status Rev
COWA-BWB-GEN-XX-DR-TR-SK1 S2 1

F/YR17/0507/O

Applicant: S Creedon, N&P Bedford, G Chamberlain, C&J Rust, P&J Wenham
Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited

Land South East Of 208, Coates Road, Coates, Cambridgeshire

Erection of up to 60 x dwellings (Outline with matters committed in respect of access only)

Reason for Committee: Officer's recommendation is at variance to that of the Parish Council, and the level of local objection.

1 EXECUTIVE SUMMARY

The proposal is in outline for up to 60 dwellings with only access being committed at this stage. The site comprises 2.73ha of high grade agricultural land to the south of Coates Road, Coates.

Policy LP3 defines Coates as a 'Limited Growth Village' where a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability and acknowledges that such development may be appropriate as a small village extension. Whilst large in comparison the scale of more recent developments to the west, the overall scale is not considered to conflict with the general core shape and form of the settlement. Having regard to the existing services, facilities and infrastructure serving the settlement the proposal is considered to constitute a small village extension for the purposes of LP3 of the FLP.

The illustrative masterplan satisfactorily indicates how the site could be laid out in order to achieve both the quantum of development and necessary supporting infrastructure.

The proposal would make the required contributions toward Education, Transport, Health, Open Space and would provide a policy compliant level of affordable housing.

Having fully assessed all three dimensions of sustainable development it is concluded that there are no overriding technical objections or material considerations that indicate that permission should not be granted in this instance and the application should therefore be approved subject to the required planning obligations and conditions.

Recommendation - Approve

2 SITE DESCRIPTION

- 2.1 The site comprises 2.73ha of agricultural land to the south of Coates Road, Coates. This part of Coates is generally characterised by linear development on both sides of the road heading west towards Eastrea. Recently however development in depth has been permitted immediately to the west of the site (Lakeside Gardens and Halcyon Drive).

- 2.2 The application site abuts Fieldside at its north-eastern corner, then extends west behind Nos 202-218 Coates Road, before heading south as far as the recently permitted development to the west.
- 2.3 The eastern side of Fieldside also marks the boundary of the Coates Conservation Area (CA) which gradually heads south east resulting in a distance of approximately 220m between the site and the CA at the site's south eastern tip. Three grade II listed buildings are within the vicinity of the site on Fieldside (No 45) and South Green (rear of No 91, and No 98).
- 2.4 The site is part agricultural land, part paddock and part extended garden land. A mature hedgerow is located within the site behind Nos 206 and 208 Coates Road. The southern and eastern boundaries are open, the northern boundary consists of the rear gardens of the properties fronting Coates Road. The western boundary is mature hedgerow.
- 2.5 The site lies within Flood Zone 1 and a Minerals Safeguarding Area for sand and gravel. Public Byway No. 26 runs down Fieldside. The site is within 1.4km of Nene Washes Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site.

3 PROPOSAL

- 3.1 The proposal is in outline for up to 60 dwellings with only access being committed at this stage. Layout, Scale, Appearance and Landscaping are 'Reserved Matters' to be considered at a future date (should outline permission be granted). An illustrative layout has been submitted which has been amended during the processing of the application to take account of statutory consultee's comments. These include: changes to the access; further traffic information; retention of a band of trees within the site; relocation of the public open space and children's play area; amendments to the surface water drainage strategy; and improved ecological features/ protection.
- 3.2 The illustrative layout also provides details of the type of property proposed, although the scale of the dwellings has not been committed, including:
- 12 x single storey (2 and 3 bed) (mainly located directly behind the existing properties);
 - 6 x 2-storey (4 bed); and
 - 42 x 2-storey (2 and 3 bed).

All would have a minimum 2 parking spaces.

The illustrative Masterplan is not necessarily the way the development will be carried out, it is just to demonstrate that up to 60 dwellings could be accommodated on this site; the final layout, appearance, scale and landscaping would be established at the reserved matters stage.

- 3.3 A new vehicular and footpath access into the site will be created between No 212 and No 208 Coates Road, involving the removal of the existing hedge. In addition a footpath will connect to the Byway at Fieldside behind No 218.
- 3.4 The following documents have been submitted to support the application:
Illustrative Site Plan 10 Rev D;

Biodiversity Enhancement Plan 11 Rev A;
 Ecological Impact Assessment and Invertebrate Habitats October 2017;
 Flood Risk Assessment and Drainage Strategy Rev B Jan 2018;
 Heritage Statement November 2017;
 Community Consultation;
 Transport Assessment (TA) and Traffic Statement (TS) Rev A March 2018; and
 Desk Top Study

Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=OQTLPEHE01K00>

- 3.5 The applicant has agreed a draft heads of terms for financial and open space contributions against the proposal and these are set out below at sections 10.56-10.64.

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR15/0397/O	Erection of 4 x dwellings involving the demolition of existing stables Land South Of 206 - 208 Coates Road Coates Cambridgeshire	Withdrawn	09/07/2015
F/YR10/0706/EXT	Erection of a dwelling (renewal of planning permission F/YR07/0782/O) Land North East Of 208 Coates Road Coates Whittlesey Camb	Granted	11/11/2010
F/YR07/0782/O	Erection of a dwelling (renewal of planning permission F/YR04/3691/O) Land North East Of 208 Coates Road Coates Whittlesey Peter	Granted	20/09/2007
F/YR04/3819/F	Erection of a 4-bed detached bungalow with detached double garage Land West Of Electricity Sub Station Fieldside Coates Whittles	Refused	01/10/2004
F/YR04/3691/O	Erection of a dwelling Land North East Of, 208 Coates Road, Coates, Whittlesey, Pet	Granted	08/09/2004
F/YR01/0681/O	Erection of a dwelling Land North East Of, 208 Coates Road, Coates, Whittlesey, Pet	Approved	04/09/2001
F/YR00/0352/F	Erection of a detached garage 208 Coates Road Coates Cambs	Refused	28/06/2000
F/98/0197/O	Erection of a dwelling Land North East Of, 208 Coates Road, Coates, Whittlesey, Pet	Approved	29/07/1998
F/95/0002/O	Erection of a dwelling Land North East Of, 208 Coates Road, Coates, Whittlesey, Pet	Approved	20/06/1995
F/91/0806/O	Erection of a dwelling Land North East Of, 208 Coates Road, Coates, Whittlesey, Pet	Approved	08/04/1992
F/90/0896/F	Erection of a flank extension to bungalow and formation of dormer bedroom in roof space 212 Coates Road Coates Cambs PE7 2BE	Granted	06/03/1991

5 CONSULTATIONS (summarised responses)

5.1 Whittlesey Town Council:

04.07.2017: OBJECTS: Does not meet LP3 or LP12

- Coates is a limited growth village as detailed in LP3, small village dwellings are encouraged.

- Coates is now over the threshold this development would put them 100% over the threshold.
- Coates village school cannot cope with any additional pupils.
- Cllr Bristow suggested a highways study between 7.30 and 9.00 in the morning and between 3.30 and 5.30 in the afternoon.
- Education facilities within the village cannot cope with a large extension of houses.
- Highways issues – traffic congestion at times during the day
- The Conservation Officer requires a detailed heritage statement for the design and access and this has not been completed.
- The residents supported / objected there is insufficient information to say it has been fully supported by the village.

09.02.2018: The Town Council recommend refusal as per their previous response Plus the following additional comment - A new Zebra crossing will be inappropriate.

18.07.2018: Repeats all objections as detailed above.

5.2 **CCC Transport Assessment Team:**

18.07.2017: Raised a holding objection and requested the following further information as part of the TA;

- Details of relevant national and local transport policies;
- The site location showing the relationship between the site and road, public transport, pedestrian and cycle networks including consideration of key desire lines with which the development will interact including any issues related to local cycle and car parking;
- Identification of walk and cycle catchments (based on real available routes and not crow-fly distances) and key origins within these catchments.
- Description of the quality of the pedestrian and cycle links to key facilities and areas for improvement identified;
- An audit setting out the suitability of the pedestrian and cycle routes to the school and village facilities from the site, identifying any limitations and where improvements can be made. Particular focus on footway along the A605 and what improvements, such as crossing facilities need to be made to ensure safe routes to the local village facilities;
- Analysis of bus stop locations accessible to the site including facilities at those bus stops and any existing constraints in terms of walking to these stops;
- Any upgrades such as RTPI or shelters should be proposed at the local stops.
- Description of relevant existing local bus services, destinations served and their frequency. Where limited public transport is available alternatives such as community transport should be considered as part of the TS;
- Description of nearest railway stations accessible to the site and any existing constraints regarding access to the site from these railway stations;
- Summary of railway services and destinations served at nearest railway stations;
- Details of how the destinations served by relevant bus and rail services compare to the work origins of the population of the local census ward.
- Details of any existing daily trip generation of the site.
- Detail of the proposed daily trip generation of the site along with the mode share.
- An assessment of the latest 60 months' accident record together with an analysis of any trends or clusters.
- Identification of suitable measures to mitigate the impact of the development on the surrounding highway network including any improvements for pedestrians and cyclists to access local facilities and connect local villages and towns.
- Upgrades to local bus stops to be included within the mitigation measures along with any service provision improvements.

- A travel plan containing the welcome pack for future residents with any measures to be included.

17.04.2018: maintained holding objection but made comments on revised Transport Statement as follows;

- *Walking Routes*
Further information requested regarding the proposed zebra crossing and how pedestrians would cross back over to the southern side of Coates Road having regard to the pinch point.
- *Local Public Transport Services*
Real Time Passenger Information (RTPI) is required as part of infrastructure improvements associated with this site.
- *Existing Traffic Conditions*
Requested alternative source of accident data is considered (Crashmap is not accepted as a valid source of accident data)
- *Parking*
CCC noted that parking levels are above the parking minimum levels set by Fenland District Council. Requested applicant referred to local car ownership data to ensure that proposed levels are appropriate for this area.
- *Forecast Trip Generation and Distribution*
Requested details of typical trip distribution patterns which could affect the wider highway network within the stated peak periods.
Further information required re: Mode share which is required to make a sound assessment on the impacts of the site.
- *Proposed Measures*
Consideration required of measures to accommodate school trips to New Road Primary School, Whittlesey when Coates Primary School reaches capacity.
- *Mitigation*
Information is required on free home-to-school transport; where are the pick-up/drop-off points of this service? Frequency of the service, eligibility of users, financing of service.
- *Travel Plans*
Noted that a full Travel Plan is not required in this instance due to the size of the proposed development. However, due to the high mode share being predicted, Welcome Travel Packs are essential for the first 60 units to promote increase awareness of sustainable modes, namely bus, within the local area. This pack should include discounts for local transport links, information on local walking and cycling routes, public transport timetables and any relevant and local car sharing schemes.

10.07.2018: comments on latest revisions to Transport Statement

- CCC accepts the applicant's additional information regarding the crossing of Coates Road.
- CCC considers that a bus service running during term time with two services a day is adequate.
- CCC accepts the data and agrees with the applicant in that there are no significant safety issues on the highway network.

Conclusions

The letter provided by MTC Engineering on 21st May 2018 included additional information required for CCC to make an informed decision. As such, CCC raises has no objection to the proposed development from a transport perspective subject to the following mitigation measures being secured:

- Pedestrian Crossing on Coates Road adjacent to The Carpenters Arm;
- Real Time Passenger Information at the bus stop on Coates Road; and
- Residential Travel Plan - including a Welcome Pack.

5.3 **CCC Highways (development management):**

06.08.2018: Requested the following amendments to the access detail;

- Move access to reduce kink in the alignment and to enable a smoother curve into the spine road.
- Replace the 7.5m radius kerbs with 8m radius kerbs

13.02.2018: Further to the Agent's amended plans raises no highway objections subject to conditions controlling;

- Layout details of roads, footpath, cycleways, buildings, parking and drainage
- Construction details of roads, footpath, cycleways, buildings, parking and drainage.
- Provision of access to Coates Road prior to occupation
- Details of the proposed arrangements for future management and maintenance of the proposed streets within the development until adopted.
- Provision of the road(s), footway(s) and cycleway(s) to at least binder course surfacing level prior to first occupation.

5.4 **FDC Conservation Officer:**

04.07.2017: Requests further information and comments as follows;

Identifies that the development site is within very close proximity to the boundary of the Conservation Area and would also result in a dense area of development in currently open agricultural fields that contribute to the setting of the Conservation Area.

The Design and Access statement fails to identify or indeed explore the potential impact the proposed development. Identifies a lack of detailed heritage statement to fully explore the impact upon the significance of the determined Heritage Assets and the wider impact upon the historic land form, land usage and the character of this part of the Conservation Area.

01.03.2018. Further comment is provided in relation to the revised submission and expanded Heritage Statement.

Acknowledges the details provided welcome additional clarity in relation to the significance of the site, its interest and historic evolution in line with the NPPF. Acknowledges revisions are made to the scheme to allow for a greater degree of buffered landscaping to the site boundary facing Fieldside.

However considers the principle of development of the proposed scale on this site, extending back into agricultural land, cannot be supported from the Conservation Perspective due to an envisaged unacceptable level of harm resulting to the setting of designated Heritage Assets. Whilst the proposed revised scheme aims to mitigate harm through softened landscaping, it is not considered that clear and convincing justification (NPPF 132) has been provided justifying the level of harm that could be caused to the setting of the Conservation Area, its special interest and overlapping significance of other designated heritage assets (Listed Buildings).

5.5 **FDC Environmental Health (Waste & Refuse Collection):**

23.06.2017: No objection in principal. However, request that the following issues are addressed:

- Bin collection points are not clear on the plan provided and the extent of the adopted highway.
- Refuse and recycling bins will be required to be provided as an integral part of the development.
- New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.
- The junctions as planned look tight for large vehicles and with parking could create access issues.
- Should the access road not be adopted and remain privately maintained then either a shared bin collection point within 10 m of the highway will be required or in order to access the site an indemnity would be required.
- The provision of litter and dog waste bins for planned public open spaces and play areas in a design that allows for the litter to be suitably contained.

5.6 **FDC Housing Strategy Officer:**

11.07.2017: Raises no objection. Identifies the following affordable housing requirements;

- Policy LP5 of the Fenland Local Plan seeks 25% affordable housing on all development sites on which 10 or more dwellings are proposed. Therefore on this development where 60 dwellings are proposed I would anticipate the provision of 15 affordable dwellings on site subject to viability.
- In accordance with Local Plan Policy LP5, the mix of affordable tenures should be informed by and compatible with the latest government guidance and an up to date local Strategic Housing Market Assessment (SHMA). An affordable tenure mix of 70% affordable rented and 30% intermediate tenure is considered appropriate for this development. Therefore for this application, 11 dwellings should be for affordable rent and 4 dwellings for an intermediate tenure.
- Analysis of the Fenland housing register and the Cambridgeshire Strategic Housing Market Assessment indicates significant demand for one and two bedroom dwellings and a lower demand for three bedroom dwellings. I suggest 4 x 1 bed houses, 6 x 2 bed houses and 1 x 3 bed houses for the affordable rented dwellings. For the 4 intermediate tenure dwellings I would propose the following mix: 2 x 2 bed houses and 2 x 3 bed houses.
- In accordance with Policy LP5 of the Local Plan, all units should meet the lifetime homes standard where appropriate and viable (Part M4 (2) of Building Regulations from October 2015).

5.7 **CCC Lead Local Flood Authority:**

13.02.2018: Raises no objection in principle to the proposed development. Considers the applicant has demonstrated that surface water can be dealt with on site by using infiltration basin and permeable paving, where surface water is proposed to discharge into the ground. Requests the following conditions

- Submission of an agreed surface water drainage scheme for the site based on sustainable drainage principles prior to commencement of development.
- 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.

5.8 **FDC Tree Officer:**

04.07.2017: Raises no objection. Notes the proposed development site has a mature hedge running north to south that is likely to provide foraging and nesting

opportunities for wildlife. To the west of the site is a belt of trees around a body of water and there may be ecological factors that require investigation. Also notes that the proposed development is close to the adjacent belt of trees and may create pressure on the tree owner to carry out unnecessary pruning to alleviate overhanging/shading/the fear of trees close to a property as they mature.

5.9 **Natural England (NE):**

11.07.2018: Identifies that the application could have potential adverse effect on the integrity of the Nene Washes Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. The planning application does not include any assessment of the effects of the proposed development on this internationally designated site. Requests the following information:

- Assessment of the potential impacts of development, particularly through changes in water resources and water quality, on the qualifying interest features of the Nene Washes SPA, SAC and Ramsar site;
- Details of mitigation measures to adequately address any adverse effects.

09.02.2018: Additional information

Natural England acknowledges the Flood Risk Assessment and Sustainable Drainage Strategy prepared by MTC Engineering (January 2018). NE are satisfied that the report provides sufficient information to demonstrate that the proposed development will not have any adverse impact, through changes in water resources and water quality, on the qualifying interest features of the Nene Washes SPA, SAC and Ramsar site, as requested in their previous response.

Statutory nature conservation sites

Natural England advises that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Nene Washes SAC, SPA and Ramsar has been classified. In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Nene Washes SSSI. NE therefore advises the LPA that this SSSI does not represent a constraint in determining this application.

Protected species

Natural England have not assessed this application and associated documents for impacts on protected species.

5.10 **PCC Wildlife Officer:**

20.07.2017. Objects to the application.

Notes that no professional ecological assessment of the application site has been carried out given the proposed removal of a mature hedgerow which may support protected species. Recommends that a Preliminary Ecological Appraisal/ Phase 1 Habitat Survey is carried out. The survey should be carried out and a report provided in advance of determination of this application.

In addition, opportunities to enhance the proposal for biodiversity should be considered, for example by designing the open space and SuDS scheme using native plants, and providing a range of bird nesting and bat roosting features throughout the development.

08.02.2018: Raises no objection following submission of an Ecological Impact Assessment Report (Oct 2017) as well as a separate report in relation to impacts to the Nene Washes:

- *Designated Sites:*

The Report to Inform a Habitat Regs Assessment (Aug 2017) in relation to the Nene Washes SSSI, SPA, SAC & Ramsar site concludes that the development would not have an adverse effect on the washes in terms of impacts on water resources and water quality, subject to appropriate management of the attenuation system. Considers that the report appears acceptable in terms of enabling the LPA to complete a Habitats Regulations Assessment should this be required by Natural England.

- *Protected Species:*

Bats: No evidence of any bat roosts were found during the survey, but recommends the following measures in relation to bats:

- a) Provision of a range of bat boxes and bat tiles to be incorporated into the new dwellings
- b) External lighting to be designed to be baffled downwards away from the retained section of hedgerow and boundary habitat features

Reptiles: The reptile presence/ absence survey found no evidence of their presence. Requests that a suitably worded condition is imposed requiring that site clearance works are carried out under an ecological watching brief.

Nesting Birds: The Report identifies habitats and features within the site which is likely to support nesting birds. Recommends the following conditions;

- a) Avoidance of site clearance works during breeding/ nesting season, or that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds.
- b) Details regarding numbers, designs and locations for a range of bird nest boxes to be installed that cater for a number of different species such as House Sparrow, Starling & Swift to be provided.

Hedgehogs: Suitable habitat is present within the application site to support hedgehogs. Recommend that as a precaution, all construction trenches are covered overnight or a means of escape provided for any hedgehogs (or other mammals or reptiles) that may have become trapped.

In addition it is recommended that impenetrable barriers are avoided by allowing adequate gaps to be retained under any new fencing.

Site design & landscaping:

The Proposed Site Plan has been revised and now proposes to retain the majority of the existing hedgerow. The plans do not include full landscaping and biodiversity details, therefore these details should be provided via a suitably worded condition.

5.11 **Anglian Water: 11.07.2018**

Advises that there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water requests that an informative be included within any decision notice should permission be granted to notify the developer of this.

Wastewater Treatment: Advises that the foul drainage from this development is in the catchment of Whittlesey Water Recycling Centre that will have available capacity for these flows.

Foul Sewerage Network: Advises that the sewerage system at present has available capacity for these flows via a gravity connection. If the developer wishes to connect to AW sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. AW will then advise them of the most suitable point of connection.

Surface Water Disposal: Advises that the proposed method of surface water management does not relate to Anglian Water operated assets. Advises the LPA should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

5.12 **Environment Agency:** Advises they have no comment to make on this application

5.13 **CCC S106 Officer:**

22.11.2017 Identifies that financial contributions are sought to mitigate the development for Early Years, Primary and Secondary education and libraries and lifelong learning

11.07.2018 Advises that whilst contributions are still required for education, no libraries and lifelong learning contribution is now being sought.

5.14 **CCC Archaeology:** Advises their records indicate that the site lies in an area of high archaeological potential, with Archaeological investigations to the west revealing evidence of Bronze Age and Iron Age occupation, including a human burial dating to the late Iron Age- Roman period. In addition, opposite the application area are cropmarks and evidence of Roman occupation, with further enclosure and ring ditch cropmark evidence to the east.

Raises no objection to development subject to condition securing a programme of archaeological investigation prior to commencement.

5.15 **Cambs Constabulary Designing out Crime Officer:** Note the contents of the Design and Access Statement that security has been considered and it is the intention to submit a Secured by Design application for this development. Confirms no further comments, objections or recommendations to make at this stage.

5.16 **NHS England:**

05.07.2017 Advised that there is not an intention to seek Primary Healthcare mitigation on this occasion.

03.07.2018: Further comments received further to a review of the applicants' submission. Confirms that the proposed development is likely to have an impact on the services of 1 main GP practice and 1 branch surgery operating within the vicinity of the application site. These GP practices appear to have physical capacity but would require internal reconfiguration to create additional clinical space to sustain the additional growth resulting from this development. Requests a developer contribution to mitigate the impacts of the proposal.

5.17 **Cambs Fire and Rescue:** Requests the provision of fire hydrants is secured via s106 or planning condition.

5.18 **FDC Environmental Health:** Raises no objections to the principle of the proposed development noting that the proposal is unlikely to have a detrimental effect on local air quality and it is noted that the development will be connected to the main sewer.

Due to the number of dwellings and the proximity of the proposed access road to existing residential dwellings some consideration should be given to whether or not noise from vehicle movements will have an effect on existing residential properties.

The effects of construction noise upon existing dwellings will also be needed and any measures to control or mitigate any issues. It is recommended that a construction management plan is produced that assesses any potential issues from noise and dust and provides sufficient mitigation.

The contaminated land desk study is noted and accepted but it is recommended that a standard condition covering unsuspected contamination is secured.

5.19 **CCC Rights of Way:** Raises no objection. Advises that Public Byway No. 26, Whittlesey runs along Fieldside. Requests that informatives are included in any approval covering;

- Obstruction of Public Rights of Way
- Alterations to the Byway's surface
- Landowners responsibility to maintain boundaries
- The granting of planning permission does not entitle a developer to obstruct a Public Right of Way

5.20 Local Residents/Interested Parties

Objectors

37 x residents objected to the proposal through the planning application process.

Concerns include (summarised):

- Over development of site and village in general
- Village threshold under LP3 exceeded
- Design/Appearance
- Devaluing property/ loss of sale
- Local services e.g. schools, healthcare – at capacity
- Children having to travel outside village to Primary School
- Loss of views/Outlook
- Noise and dust through construction and then occupation
- Out of character/not in keep with village
- Overlooking/loss of privacy
- Proximity to properties
- Loss of Agricultural land
- Environmental/ Wildlife Concerns
- Traffic and Highways impacts: increased congestion and accidents
- Existing speeding through the village
- Safety of children accessing services e.g. school/ parks
- Visual Impact
- Would set a precedent
- Skew the mix of residents within the village
- Anti-social behaviour

- Light Pollution
- Waste/Litter increase
- Sewerage capacity issues
- Poor public transport
- Impact of access on No 212
- Footpaths on south of A605 inadequate
- Road crossing dangerous
- Decreased morale of community
- More appropriate land exists to build on
- Should be a farm or a park
- Walkthrough to Fieldside inadequate: increased ASB
- Precedent for future development: reference to land south in ownership of applicant
- S106 will not benefit the village and will be used elsewhere
- No need for housing
- Community consultation undertaken incorrectly

Supporters

4 x residents supported the proposal through the planning application process.

Comments include (summarised):

- Would be a great asset to the village
- Would allow retention of local businesses
- Would deliver affordable houses to allow people to stay in the village.
- Would encourage better public transport (more frequent buses).
- Would provide bungalows

Other representations

1 comment received raising concerns over the notification procedure noting that some residents were not notified of the application. Recommends that the whole village is notified.

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 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework, 2018 (NPPF)

Paragraph 2 & 47: Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise;

Paragraph 8: The three dimensions to sustainable development.

Paragraph 11: Presumption in favour of sustainable development.

Paragraph 127: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 102-107: Promoting sustainable transport

Chapter 5: Housing land supply

Paragraphs 124-132: Requiring good design

Paragraphs 170, 175-177: Conserving and enhancing the natural environment

Paragraph 189-202: Conserving and enhancing the historic environment

Paragraphs 34, 54-57: Planning conditions and obligations.

7.2 **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

LP4 - Housing

LP5 – Meeting Housing Need

LP6 – Employment, tourism, community facilities & retail

LP12 – Rural Area Development Policy

LP13 – Supporting and Mitigating the Impact of a Growing District

LP14 – Climate Change and Flood Risk

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP18 – The Historic Environment

LP19 – The Natural Environment

7.3 **Supplementary Planning Documents/Guidance:**

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- FDC Developer Contributions SPD (2015)
- Resource Use & Renewable Energy SPD (2014)
- Cambridgeshire Flood & water SPD (2016)
- 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**
- **Historic Environment**
- **Biodiversity & Ecology**
- **Loss of Agricultural land**
- **Access, Highways and Transport**
- **Flood Risk & Drainage**
- **Planning Obligations**
- **Resident Comments**

9 **BACKGROUND**

- 9.1 Pre-application discussions were undertaken in July 2016. It was confirmed with the Head of Planning that the principle of the development is acceptable with the depth of the development to be no further south than the recent approvals to the west of the site: Lakeside Gardens and Halcyon Drive. The pre-application concluded that the quantum and location of the development could be considered as a 'small village extension' for the purposes of Policy LP3 of the FLP.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 defines Coates as a 'Limited Growth Village' where a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability and acknowledges that such development may be appropriate as a small village extension.
- 10.2 *Small Village Extension*
The FLP does not provide any strict parameters for what constitutes a 'small village extension' and this is therefore a matter to be determined on a case by case basis. In each case, the nature, scale, location and general arrangement of the proposal should be considered against the general character and appearance of the area and settlement pattern and the overall sustainability of that settlement i.e. the existing services, facilities and supporting infrastructure and how the development would impact or respond to this.
- 10.3 Coates comprises approximately 570 dwellings (based on 506 dwellings in existence as at 2011 - plus 69 dwellings committed or built since this time) and a local village shop, 2 public houses, primary school, and take away. The proposed development would result in an overall increase in housing for Coates of approximately 10% in addition to dwellings committed or built since 2011.
- 10.4 The site is considered to be adjacent to the existing built footprint of the village being located behind the linear development fronting onto Coates Road. It would "infill" part of the gap between Fieldside, Lakeside Gardens and Halcyon Drive, but not result in any coalescence with Eastrea, or extend the linear features of the settlement. Whilst large in comparison the scale of more recent developments to the west, the overall scale is not considered to conflict with the general core shape and form of the settlement which sees a majority of the built form towards the centre of the settlement. Furthermore, having regard to the existing services, facilities and infrastructure serving the settlement the proposal is considered to constitute a small village extension for the purposes of LP3 of the FLP. Naturally such extensions would need to be sustainable and subject to suitable mitigation in respect of demands placed on local infrastructure. This is considered below.
- 10.5 Policy LP12 (Part A) supports development which contributes to the sustainability of the settlement and does not harm the wide, open character of the countryside and satisfies all of criteria (a) to (k) covering matters such as; relationship and scale to the settlement and neighbouring settlements, retention and respect of; natural boundaries, heritage assets, ecology and biodiversity features, loss of agricultural land, exposure to identified risks and infrastructure provision. These are considered below in greater detail and form the general assessment of the policies. The site comprises open countryside and as such, any development of this land will result in some landscape harm. This level of harm needs to be balanced with the public benefits of the scheme.
- Indicative layout and scale parameters*
- 10.6 Whilst the application is in outline only, to allow full evaluation and consideration of the development to determine whether the proposed amount of development can be satisfactorily accommodated on the site, an indicative layout plan is required detailing the potential location of buildings, routes and open spaces, and scale parameters for upper and lower limits for the dimensions of the buildings and detail on the use of development.

- 10.7 The submitted illustrative masterplan indicates how the site could be laid out in order to achieve both the quantum of development and necessary supporting infrastructure e.g. roads, open space, drainage. Although only indicative at this time, the masterplan shows a mix of detached and semi-detached single and 2-storey properties accessed mainly via adopted roads. Private roads generally serve small pockets of units at the perimeters of the site. As mentioned, a large area of landscape buffer is proposed along the eastern edge of the site which incorporates a footpath linking to the byway and an attenuation pond to facilitate surface water drainage of the site.
- 10.8 The indicative layout provides approximately 600m² of children's play area. The FDC Developer Contributions SPD requires development of sites over 2Ha (as in this case) to secure 0.4Ha of land per 10Ha of development site. This would equate to approximately 1000m² of play area which would be required to be equipped. Whilst the indicative layout provided denotes a smaller area of land, it is recognised that a large area of amenity greenspace (approximately 2,500m²) is proposed along the eastern edge. In considering the site as a whole, particularly those areas of land left undeveloped, officers consider that the policy compliant level of equipped play area could be provided alongside the proposed quantum of development with some slight amendments to the overall layout which would be secured at reserved matters stages. Furthermore, biodiversity enhancements could also be secured within the open space and around the perimeter of the site utilising the existing hedgerows and trees.
- 10.9 As such, whilst the layout is only indicative at this time, officers consider that the proposed quantum of development could be delivered within the site area along with the policy compliant level of open space including the equipped play area and supporting infrastructure.
- 10.11 In conclusion, having regard to the location of the development, the existing settlement pattern and the indicative layout provided officers consider that criteria (a), (b), (d) and (e) of policy LP12 (Part A) are satisfied.

Community Consultation

- 10.12 LP12 also requires demonstrable evidence of local support where the development threshold set at the time of adopting the FLP has been exceeded. This demonstration is required to be evidenced through a community consultation exercise proportionate to the scale of the development as directed by LP12.
- 10.13 At the time of this report, Coates is identified as having exceeding the 10% development threshold set, with 69 dwellings committed or built since April 2011 against a threshold of 51 (based on 506 dwellings in existence as at 2011). Therefore, the requirement to undertake the community consultation stages as detailed under LP12 and to demonstrate local support would apply to any proposed residential development in Coates.
- 10.14 In effect this means that subject to demonstration of 'clear local community support' following a consultation exercise, policy LP3 enables sustainable development beyond the initial village threshold limits set under LP3.
- 10.15 The applicant undertook a public consultation exercise at Coates Village Hall on Friday 13th January 2017 at 4pm to 8pm and on Saturday 14th January 2017 between 9am and 1pm. A leaflet was delivered to 500 households in Coates by the applicants advising of the opportunity to view and comment on the residential

development at the public consultation events. The applicant reports that of the responses, 1 (0.48%) was neutral, 46 (22.12%) were objections, 161 (77.4%) were in support.

- 10.16 Officers have examined the process and are satisfied that this was fit for purpose and in accordance with the guidelines set out in LP12 and as subsequently published on the Council's website. However, Officers having assessed the results disqualified 105 responses which were in favour of the development. The main reason being the respondents lived out of the catchment area. The amended result is 56 (55%) in favour, 46 (45%) against the proposal.
- 10.17 Whilst it is arguable that 'clear local community support' has been demonstrated, with such a close result, the policy is not prescriptive (in percentage terms) as to what defines clear support. Regard is also had to a recent appeal decision (APP/D0515/W/17/3182366 – application F/YR14/0838/O) against the refusal of 32 dwellings in Manea on the lack of 'clear local community support'. In respect of Policy LP12 the Inspectorate opined that;

"it is highly unusual for any new housing scheme to be supported by the local community particularly where it would involve the loss of open land.... planning is concerned with land use in the public interest and that the level of local objection is not in itself a reason to withhold planning permission."(para. 10)

The Inspectorate went on to state;

"I have serious misgivings with the Council's very literal and rigid interpretation of Policy LP12. Even if there would be conflict with the wording of the policy, its underlying aim is to ensure that new development contributes to the sustainability of the settlement and does not harm the character of the countryside. The Council does not allege any harm in these areas and I see no reason to take a contrary view. In my view, it is not sufficient simply for a development proposal to be in conflict with the wording of a development plan policy for it to be necessarily objectionable. For example if there would be no actual manifestation of harm then there would be no sensible purpose served by rejecting a development."
(para. 11)

- 10.18 Having regard to the community consultation exercise undertaken and the results produced, it is considered that the pre-application consultation exercise generally demonstrates community support in-line with the requirements of LP12 and notwithstanding this, with regard to the Planning Inspectorate's conclusions to this element of LP12 (which is a material planning consideration), if a contrary view were taken officers would be unlikely to be able to robustly defend refusal of the application purely on this basis.
- 10.19 In respect of establishing the principle of development therefore, it is considered that, subject to all of the criteria of LP12 (Part A) being met and overall compliance with other policies of the FLP as considered below, the principle of development can be supported having regard to policy LP3 and LP12 of the FLP.

Historic Environment

- 10.20 Policy LP12 (Part A)(g) and LP18 of the FLP seek to protect and conserve the historic environment. Paragraph 193 of NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 10.21 Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.22 A development of this size will impact on the openness and character of the area in this location, including the Conservation Area (CA) as its edge is in the vicinity of the application boundary to the east. Changes have been made to the eastern edge of the illustrative layout to allow for a greater degree of buffered landscaping to the site boundary facing Fieldside - to provide a softer edge and reduce the impact of the loss of the current openness on the setting of the CA and general rural feel to the area.
- 10.23 The line of the CA boundary has been drawn tightly around the built historic core, but it is accepted that the surviving parcels of adjacent historic farmland make an important contribution to the significance, historic interest and special character and appearance of the CA and setting of the grade II listed buildings on Fieldside. Views in and out of the CA across this open farmland are also considered to be key components contributing to the significance and historic interest of the heritage assets. However, the existing built form retreats away from the application site boundary to the south of the settlement. Consequently, some parcels of adjacent farmland which form important spaces will continue to contribute to the significance of the CA and setting of the listed buildings on Fieldside and South Green. In this regard, it is considered that less than substantial harm will arise to the significance of the assets. In accordance with 196 of the NPPF therefore this harm should be weighed against the public benefits of the proposal.
- 10.24 The applicant, in their Heritage Statement concludes that "It is considered that the potential harm caused to the significance of the assets by the proposal will be less than substantial. This less than substantial harm can be clearly justified and outweighed by the considerable public benefits that the provision of this new housing and public open space will bring to the area."
- 10.25 Having regard to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in considering the impact of the proposal on the historic environment and the proposed mitigation, Officers concur with the conclusions of the heritage statement. It is considered that the public benefits of

the scheme which will provide a range of market homes and a policy-compliant level of affordable homes in a sustainable location, supported by appropriate infrastructure outweighs the less than substantial harm that the development would have on the significance of the CA and the heritage assets therein.

- 10.26 The development therefore does not conflict with policy LP12 (g), LP16 and LP18 of the FLP.

Biodiversity & Ecology

- 10.27 The application site is within close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. The Nene Washes European site is located approximately 1.4km north of the proposed development. The site supports important populations of breeding and wintering wildfowl and waders. The site also supports a rich and important flora, including several nationally scarce species. Moreton's Leam, a large drainage channel running along the eastern flank of the site is designated as the Nene Washes SAC, and there may also be thriving populations of this freshwater fish species in the smaller ditches of the Washes.
- 10.28 The Report to Inform a Habitat Regs Assessment (Aug 2017) in relation to the Nene Washes SSSI, SPA, SAC & Ramsar site concludes that the development would not have an adverse effect on the washes in terms of impacts on water resources and water quality, subject to appropriate management of the attenuation system. Natural England and the Council's Wildlife Officer consider the report is acceptable. Furthermore, the Flood Risk Assessment and Sustainable Drainage Strategy submitted satisfies NE that the proposed development will not have any adverse impact, through changes in water resources and water quality, on the qualifying interest features of the Nene Washes SPA, SAC and Ramsar site
- 10.29 Notwithstanding the wider impacts, the proposal seeks to retain trees and ditches in and around the site where possible in-line with criteria (f) of policy LP12, LP16 and LP19 notwithstanding the introduction of enhanced landscaping, particularly along the eastern boundary. Therefore, subject to conditions securing the provision of bat boxes, clearance work being carried out under an ecological watching brief in respect of birds and reptiles and construction methods preventing harm to protected species the proposal is anticipated to result in no net loss to biodiversity.

Loss of Agricultural Land

- 10.30 Criteria (i) of Policy LP12 (Part A) seeks to resist the loss of high grade agricultural land unless supporting evidence is provided to justify the loss.
- 10.31 The site comprises 2.7ha of Grade 2 agricultural land (data taken from DEFRA 'magic' mapping, 2018). The applicant states that due to the size of the land, this has become uneconomical to farm due to the size of modern farm machinery.
- 10.32 The NPPF, paragraph 171(footnote 53) advises that the economic and other benefits of best and most versatile agricultural land (BMV land) should be taken into account and that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred

to those of a higher quality. Annex 2 of the NPPF defines BMV land to be land in Grades 1, 2 and 3a of the Agricultural Land Classification.

- 10.33 Therefore, the site is identified as comprising 'high grade' (BMV) agricultural land. Having regard to the wider DEFRA mapping site, it is notable that a significant majority of Fenland District falls within the BMV land with only the main Market towns, the Kings Delph and Morton's Leam areas and the north of March including the prison area falling within the lower grades (3b and below). As such, it is recognised that there are very few areas of poorer quality agricultural land and it would not be possible therefore for Fenland to achieve its housing targets without developing areas of BMV land. It is also important to note that the Council's housing target is not a ceiling and opportunities to deliver housing in places outside of those allocated through the development plan should be favourably considered where they comply with the development plan when taken as a whole.
- 10.34 Notwithstanding this, the site area is not considered to be 'significant' having regard to para 171 of the NPPF and the extent of BMV land which would remain were the site developed. In this regard, it is considered that there is no conflict with criteria (i) of LP12.

Access, Highways and Transport

- 10.35 Policies LP12 Part A (j and k), LP15 and LP16 of the FLP seek to ensure that development can be served by adequate highways infrastructure – avoiding identified risks, maximises accessibility and helps to increase the use of non-car modes by giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. Paragraph 108 of the NPPF requires development to take account of opportunities for sustainable transport modes, provide safe and suitable access for all people and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 10.36 The scheme is proposed to be served by 1 main vehicular access leading off Coates Road (A605) and this detail is committed as part of this application, the main detail is provided within the Transport Statement. The access is located between No's 208 and 212 Coates Road and comprises a 5.5m wide sealed surface with 1.8m wide footpaths on either side connecting the existing infrastructure. Drop kerb crossing points either side of the access mouth are proposed along with a new zebra crossing point – east of the access.
- 10.37 The LHA has confirmed their acceptance of the scheme having regard to the scale of the development, proposed access arrangement and the supporting Transport Statement and addendums provided.
- 10.38 Although illustrative at this time, the internal road configuration comprises mainly of standard gauge road and footways indicating that this could be adoptable subject to final specification and approved construction design. The current arrangement comprises runs of straight roads which may result in speed issues and therefore this detail may require attention e.g. introducing some bends or speed reducing measures, however this detail would be determined via future Reserved Matters for layout. A small number of properties are accessed via tertiary private drives and again the exact detail would be considered at reserved

matters stage. Notwithstanding this, the general indicative layout is considered to demonstrate that adequate access could be provided within the site to serve the quantum of development proposed.

10.39 The proposal also indicates a pedestrian link to the existing Right of Way at the east of the site, utilising the existing agricultural field access which will assist with permeability from the site into the main core of the village and also into the countryside via the Rights of Way network encouraging walking and cycling.

10.40 The applicant has provided additional details to their initial Transport Statement (provided 21 May 2018) following comments from the County Council's Transport Team in respect of school transport, pedestrian crossings and accident record data.

School Transport

10.41 It is noted that Coates Primary School is at capacity and unable to expand further. As such the school would be physically unable to accommodate children from this development having regard to current pupil subscriptions to this school. The next nearest Primary School is New Road, Whittlesey and the County Council has identified a project to expand this by an additional Form of entry (210 pupils)

10.42 The applicant has noted in their updated transport statement that Whittlesey is outside of the statutory 2 mile walking distance from the application site and therefore free home-to school transport for primary school pupils would need to be provided by the County Council in line with its statutory duties.

10.43 Paragraph 4.11 of the Transport Statement advises that the bus service would be provided from the existing bus stops on Coates Road, which are within the 400m desirable walking distance from the development. The service will operate during term time only, with two services per day, one timed to arrive at the beginning of the school day and the second departing at the end of the school day.

10.44 Paragraph 4.11 also acknowledges that contributions will be made via S106 to toward the identified project to expand New Road Primary School as requested by Cambridgeshire County Council.

10.45 The County's Transport team has consulted with their Education team in respect of school transport provision and advised that they are satisfied that the scheme could mitigate its impact appropriately as follows;

- "With a proposed New Road Primary School expansion, the students currently travelling from Whittlesey to Coates (to Coates Primary School) will then be able to travel within the town to the new expanded school;
- The expansion leaves capacity at Coates Primary School for the new students (as a result of the proposed development).
- It is proposed that new students will not require to travel beyond the threshold for free school travel."

10.46 As such, officers consider that the proposal would constitute sustainable development and that, based on County council's comments children from their respective settlements will be able to access their local school without the need to travel via bus.

Pedestrian Crossings;

- 10.47 The applicant in their update to the Transport Statement has reviewed the existing crossing points having regard to how these would relate to the proposed Zebra crossing. The update identifies a dropped kerb crossing present immediately east of the pinch point opposite to the Carpenters Arms for access to the southern side of Coates Road. Secondly there is a dropped kerb crossing at the traffic calming feature adjacent to The Vine. Thirdly, there is a pelican crossing just west of the junction with The Fold. The applicant considers that there are adequate crossing points existing and proposed and that no additional mitigation is required.
- 10.48 The County Council Transport Team has concurred with these findings and it is therefore considered that the development can be served by adequate, safe access to existing services and infrastructure within the settlement. In respect of the proposed Zebra crossing, the County Council's preference is to provide this further west, adjacent to the Carpenter's Arms public house to encourage more effective use of this infrastructure. A scheme securing its final location and design and implementation could be reasonably secured via planning condition.

Accident record data

- 10.49 The applicant in their update provided accident data from Cambridgeshire County Council which shows three accidents have occurred in the past five years – all of which were slight and occurring east of the central area of Coates and did not involve cyclists or pedestrians i.e. motor vehicles only. The data suggests that the incidents were down to driver error and no significant hazard area has been identified on the local road network. Another 2 further accidents were identified to have occurred more than 5 years ago in 2012 and again neither involved pedestrians nor vulnerable road users and again indicated to be caused by driver error rather than a hazard area on the road network.
- 10.50 The County Council's Transport team concur with the findings that no significant safety issues on the local highway network that give rise for concern or require any remedial action. They conclude that the development is acceptable subject to securing S106 contributions or direct delivery by the developer for a Real Time Passenger Information system (RTPI) at the bus stops east of the site, provision of a travel plan including travel packs for new residents and provision of the proposed Zebra crossing – specific location to be confirmed by the LHA at design stage. The latter two could reasonably be secured via planning condition.
- 10.51 Whilst residents' comments which raise concerns in respect of congestion, speeding and safety of pedestrians have been noted, officers have been provided no clear evidence to substantiate this and therefore would be unable to robustly defend a refusal on this basis. As such it is concluded that the development as proposed would not give rise to any severe, cumulative transport impacts, that safe and suitable access can be delivered and that encouraging sustainable modes of transport can be secured through the development thereby satisfying policy LP12 (Part A) (j and k), LP15 and LP16 of the FLP.

Flood Risk & Drainage

- 10.52 Policies LP12(Part A) (j and k), LP14 and LP16 of the FLP seek to ensure that development can be served by adequate surface and waste water infrastructure, avoids identified risk e.g. flooding, and uses sustainable drainage systems which

should be designed to contribute to improvement in water quality in the receiving water course.

- 10.53 The site lies in Flood Zone 1 and therefore at the lowest risk of flooding. Given the scale of the development with a site area of over 1Ha, a site specific flood risk assessment (FRA) and drainage strategy has been provided which indicates that Sustainable Drainage Systems (SuDS) can be used at the proposed development to successfully restrict discharge rates in line with the local flood authority's requirements. The surface water is proposed to eventually discharge into the adjacent Internal Drainage Board controlled assets.

Surface water

- 10.54 The County Council's Lead Local Flood Authority has considered the FRA and is supportive of the scheme subject to conditions securing a detailed surface water drainage scheme for the site, based on sustainable drainage principles and using infiltration where ground conditions are conducive to this and/or attenuation. Furthermore, the LLFA require details for the long term maintenance arrangements of the surface water drainage system (including all SuDS features). This could also be reasonably secured via planning condition.

Waste Water

- 10.55 The applicant proposes to discharge foul water into the existing mains sewer Anglian Water has reviewed the application and advised that there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Therefore, the future site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991.

The applicant's Design and Access statement advises that;

"With regards to the ongoing problems with the existing foul water sewer in the area we will be required to make the improvements required by Anglian Water so that the system is capable of taking not only the current foul water but also the foul water from the proposed residential development. This again emphasises the planning gain this development will bring to the neighbouring properties and village as a whole."

- 10.56 Anglian Water advises that the foul drainage from this development is in the catchment of Whittlesey Water Recycling Centre that will have available capacity for these flows and that the sewerage system at present has available capacity for these flows via a gravity connection. Anglian Water raises no concerns over any existing problems and indicates that the development could be suitably accommodated with no advice on any improvements that would be required to existing infrastructure.
- 10.57 Notwithstanding this, the development would be required to provide adequate waste water infrastructure under part H of the Building Regulations 2010 and this would need to be satisfied and 'signed off' through Building Control/ Approved Inspector prior to occupation of the development. The applicant would need to liaise with Anglian Water in agreeing this infrastructure and connection methods.

10.58 In conclusion, the development lies in an area at lowest risk of flooding and could be served by sustainable surface water and waste water drainage systems which would avoid any potential increase in flood and pollution risk from the development in accordance with Policies LP12(Part A) (j and k), LP14 and LP16 of the FLP.

Planning Obligations

10.59 Policy LP5 of the FLP seeks to secure appropriate housing to meet the needs of the district including affordable housing as well as meeting the particular needs of all sectors of the community. Policy LP13 sets out the Council's approach to securing appropriate infrastructure to mitigate the impact of development and a growing district. LP15 seeks to ensure that all development contributes to the delivery of transport related infrastructure. LP16(g) seeks to ensure that development provides publicly accessible open space and access to nature.

10.60 Officers have carried out consultation with Cambridgeshire County Council's Education, Waste and Transport teams, NHS England, the Council's Housing team and the Developer Contributions SPD; which amongst other things sets out open space and outdoor sports contributions. Following this, a draft S106 Heads of Terms has been generated and shared with the applicant who has subsequently agreed with the contributions and obligations sought which are as follows;

Affordable housing

10.62 LP5 sets out that developments of 10 or more dwellings would require 25% of housing within that development to comprise affordable housing – therefore affordable housing **15 units** for this development of 60 dwellings. Furthermore, the Council's housing team has advised that based on the Strategic Housing Market Assessment (SHMA) an affordable tenure mix of 70% affordable rented and 30% intermediate tenure is considered appropriate for this development. Therefore for this application, 11 dwellings should be for affordable rent and 4 dwellings for an intermediate tenure.

Education

10.63 Cambridgeshire County Council has identified that mitigation is required for the development in respect of Early Years, Primary and Secondary education where all are at capacity and projects have been identified. They have confirmed that a contribution towards Libraries and Lifelong learning and a waste contribution will not be sought in this instance due to there already being 5 x S106 contributions pooled against identified projects. The education contributions are as follows;

Early Years

Project: Expand New Road Primary School in Whittlesey by 52 additional places. The total cost of the project is £905,000 and contributions will be sought on the basis of £17,404 per place (£905,000/52 places).

Therefore a contribution of **£261,060** is sought as the development is expected to generate 15 places.

Primary Education

Project: Refurbish internal space at New Road Primary School (Whittlesey) and increase the capacity by 70 places towards primary provision. The total cost of the project is £150,000 and contributions will be sought on a basis of £2,143 per place (£150,000/70 places).

Therefore a total contribution of **£45,003** is sought as the development is expected to generate 21 places.

Secondary Education

Project: Expand Sir Harry Smith Community College by 150 places towards secondary provision. The total cost of the project is £3,500,000 and contributions will be sought on a basis of £23,333 per place (£3,500,000/150 places).

Therefore a total contribution of **£349,995** is sought as the development is expected to generate 15 places.

Transport

- 10.64 Provision of 1No. Real Time Passenger Information system (RTPI) at the existing bus stops east of the site. Cost **£27,000**.

The terms of the S106 would also enable direct delivery of this infrastructure by the developer, rather than a financial contribution if preferred and agreed with CCC Transport.

Healthcare

- 10.65 NHS England has carried out a health impact assessment and advised that the proposed development is likely to have an impact on the services of 1 main GP practice and 1 branch surgery operating within the vicinity of the application site. These GP practices appear to have physical capacity but would require internal reconfiguration to create additional clinical space to sustain the additional growth resulting from this development.

Project: Reconfigure New Queen Street Surgery to provide additional 9.46m² of floor space – cost: **£21,765**.

Open Space & Sports

- 10.66 In accordance with Developer Contributions SPD 2015 the open spaces and sports obligations can be broken down as follows: (site area is 2.73 hectares)

- Neighbourhood Park – **£ 10,920** off site contribution
- Natural greenspace – **£ 13,650** off site contribution
- Allotments – **£ 2,730** off site contribution
- Outdoor Sports contribution – **£ 21,840** off site contribution
- *Children's Play – **£11,000** off site contribution

- 10.67 *In respect of Children's Play, the SPD would usually require play equipment to be provided on-site for a development of this scale. However, the Council's Head of Leisure Services has advised that in this instance due to the size of the site and general expense of maintaining multiple, small play spaces the preference would instead be to secure an off-site contribution to go towards improving/ enhancing the existing play equipment at North and/ or South Green. The development would still be expected to provide an area of amenity greenspace to enable free-play which would be considered at reserved matters stages. As such an off-site contribution is being sought.

- 10.68 These above contributions/ obligations are all considered to meet the statutory tests under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 as they are required to mitigate the impacts of this development i.e. to make the development acceptable.

Resident Comments

10.69 Whilst it is considered that most comments and concerns raised have been addressed in this report the following matters require consideration;

Noise and Pollution

10.70 Concerns have been raised by residents that the development would give rise to amenity harm through the construction process in respect of noise dirt and dust. The Town council has also recommended that wheel wash facilities are secured should planning permission be granted.

It is recommended that a Construction Management Plan (CMP) is secured detailing;

- Working days/times
- Noise levels of any mechanical plant e.g. piling machines.
- Estimated duration of use mechanical plant.
- Techniques proposed to reduce noise from the site.
- Techniques proposed to reduce dust from the site and around any access roads.

A wheel wash (or other facility) could also be secured through this scheme to ensure that mud is not tracked onto the highway in the interests of highway safety.

It is considered that the use of appropriate conditions would ensure that the construction of the development would not result in adverse impacts on noise and air quality, notwithstanding the developers requirements to comply with health and safety law.

Residential Amenity

10.71 Notwithstanding the requirement for a CMP to control noise and pollution from the development of the site, the indicative layout demonstrates suitable separation for existing dwellings adjacent on the Bellway/ Persimmon site with retained hedgerow to act as a buffer. Future reserved matters would secure appropriate scale, layout and appearance to ensure that residential amenity of existing and future occupiers would be carefully considered, for example overlooking, overshadowing and overbearing impacts.

10.72 Comments from the Council's Environmental Health team and residents are noted regarding potential noise, dust and light from the future residential use of the site with regard to proximity of existing properties to the access. Whilst it is likely that the acoustic environment will change through the introduction of this development, the detailed matters of layout, and landscaping (which would need to include boundary treatments, hard surfacing and lighting) would need to consider the impact of the development on neighbouring properties and how this could be managed e.g. acoustic boundary treatments, bound surfaces rather than loose gravel and the locations of internal roadways and footpaths and respective lighting. At this time therefore, there is no evidence to suggest that such impacts which could arise as a result of the development, couldn't otherwise be mitigated through detailed design.

10.73 It is considered therefore that subject to appropriate detailed design secured through future reserved matters, residential amenity would not be significantly compromised through the development.

Increase in ASB

- 10.74 The Police have been consulted on the application and has raised no objection to the proposals. The Police would be consulted on future reserved matters submissions with an approach to designing out crime. Residents comments are noted, in particular reference to the proposed access to Fieldside and ASB already experienced. This pedestrian/ cycle access detail would be subject to detailed design where the Police would be invited to provide input.

Loss of view/Outlook

- 10.75 The planning system operates in the public interest and there is no right to a private view within planning legislation. However matters of outlook are a material consideration but are not considered as part of this outline application. They would instead be considered at design submission stage under reserved matters.

10.76 *Devaluing property/ loss of sale*

The planning system does not exist to protect private interests such as value of land or property and as such no weight can be afforded to this concern.

Would set a precedent

- 10.77 All applications are to be considered against the development plan as required by law. As such should any future development proposals come forward, these would be dealt with on a case by case basis in accordance with the development plan having regard to the overall sustainability of the proposal.

Village is turning into a suburb of Peterborough

- 10.78 This development would not lead to coalescence with Peterborough City or any adjacent settlements.

Would skew the mix of residents within the village

- 10.79 There is no further information to support this claim or the meaning of it and as such no weight can be afforded to this concern. Notwithstanding this, the development proposes a mixture of housing.

10.80 *Decreased morale of community*

There is no further information to support this claim or the meaning of it and as such no weight can be afforded to this concern.

Waste/ Litter

- 10.81 Waste produced and removed off-site during the construction of the development would be controlled under license through the Environment Agency. The County Council confirms that a contribution towards strategic waste infrastructure will not be sought through this development. Furthermore, the district council has a statutory duty to collect household waste and already operates in the Coates area. The future layout reserved matters detail would be expected to provide details of adequate household waste collection arrangements.

10.82 *No need for housing*

The district has an identified need to deliver housing through the plan period up to 2031 which is achieved through larger allocated sites and unallocated (windfall) sites such as this and as set out through Spatial strategy policy of the Fenland Local Plan. This development would assist with meeting that need.

- 10.83 *S106 will not benefit the village and will be used elsewhere*

All contributions sought through S106 agreements must meet the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 which requires that contributions can only be sought where they are;

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

As such all contributions sought must be directly related to the impact of the development which automatically controls how and where they are used.

10.84 *Notification of the application to residents*

A review of the planning case file indicates that the application was advertised in the following ways;

- By Site notice displayed on 27th June 2017 for 21 days
- By newspaper (Fenland Citizen) on 28th June 2017 for 14 days
- By letter to 42 residents adjoining or opposite the site on 20th June 2017 (addresses detailed on public access)

The site notice and newspaper notification advised that the application affected a Public Right of Way and a Conservation Area which includes the aforementioned Listed Buildings, the settings of which are not considered to be affected.

As such it is considered that the LPA has fully complied with its statutory requirements of Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015.

11 Summary and Conclusions

11.1 Paragraph 11 of the NPPF states that a presumption in favour of sustainable development lies at the heart of the Framework. Where the development plan is out of date, permission should be granted unless the adverse impacts of doing so would be significantly and demonstrably outweighed by the benefits when assessed against the policies of the NPPF taken as a whole.

11.2 The policies in the NPPF when taken as a whole constitute the Government's view of what sustainable development means. Paragraph 8 of the NPPF lists the three dimensions to sustainable development; the economic, social and environment dimensions, and says how these roles should not be undertaken in isolation, and therefore to achieve sustainable development a proposed development should jointly and simultaneously deliver gains that are economic, social and environmental.

11.3 In respect of the application site and its suitability for housing development, the site has a number of factors in its favour in terms of potential suitability for residential development as it:

- is in flood zone 1, the lowest risk category for fluvial flooding and that to which the NPPF directs residential development in preference,
- can be served by safe and effective access,
- is accessible to natural green space play space and a public byway thereby promoting leisure and health opportunities,
- is remote enough from heritage assets above ground so as not to result in substantial harm,
- is in suitable proximity of local services which can be accessed on foot and via public transport,

- is of sufficient scale to incorporate affordable housing within the site.
- 11.4 In terms of constraints to the potential suitability of the site for development (especially for residential purposes), it is:
- located in an area of archaeological potential which may limit the quantum of or locations of development dependant on subsequent findings at investigation stage,
 - the proposed development of the site will encroach into open countryside and will therefore have some landscape implications,
 - the site currently comprises 2.73ha of grade 2 agricultural land which is defined as good to moderate land by Natural England and BMV land as per the NPPF.
- 11.5 In terms of sustainability, the proposal would contribute towards economic growth, including job creation both during the construction phase and in the longer term through the additional population assisting the local economy through spending on local services/facilities. Furthermore, the scale of the development (as opposed to smaller sites of less than 11 dwellings) would yield financial contributions e.g. towards securing an expansion of New Road Primary School thereby enabling children to access their local school. Environmentally, the proposal offers potential for the incorporation of additional planting and habitat enhancement and the visual impacts of the development are considered to be acceptable given the limited harm and net benefits arising from additional landscaping. Finally, it would increase the supply of housing - including a policy compliant provision of affordable housing homes to aid in addressing the identified shortfall which has social benefits.
- 11.6 Having fully assessed all three dimensions of sustainable development and in applying the planning balance it is concluded that the benefits of the proposal outweigh the identified harm which is considered to be; limited landscape impact, loss of BMV land and potential constraint through archaeological findings. In summary, there are no overriding technical objections that indicate that permission should not be granted, the application should be approved subject to the recommended obligations as set out in 10.62 to 10.67 above and the conditions as listed below.

12 RECOMMENDATION

1. That the Committee delegates authority to finalise the planning conditions and terms of the S.106 agreement to the Head of Development, and
2. Following completion of the S106 obligation to secure the necessary education and health contributions, policy compliant levels of affordable housing and open space as detailed in this report, application F/YR17/0507/O be approved subject to conditions listed below.

OR

3. Refuse the application in the event that the obligation referred to above has not been completed and the applicant is unwilling to agree to an extended period of determination of 4 months, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

13 Proposed Conditions

13.1 From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

13.2 The applicant has been consulted on the proposed conditions and has confirmed their agreement to them in writing. Therefore, should the application be approved and the consent granted with the proposed conditions after 1st October 2018, it is considered that the requirements of section 100ZA(5) have been met.

13.3 The proposed conditions are as follows;

1.	<p>Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.</p>
2.	<p>Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development to which this permission relates shall be begun no later than the expiration of two years from the final approval of the reserved matters.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.</p>
3.	<p>The development hereby permitted shall be carried out in accordance with the approved plans listed in the table below insofar as they relate to site access.</p> <p>Reason: For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans.</p>
4.	<p>The residential elements of the development shall not exceed 60 dwellings (Use Class C3).</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5.	<p>No demolition/development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:</p> <ol style="list-style-type: none"> 1. The statement of significance and research objectives; 2. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works 3. The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

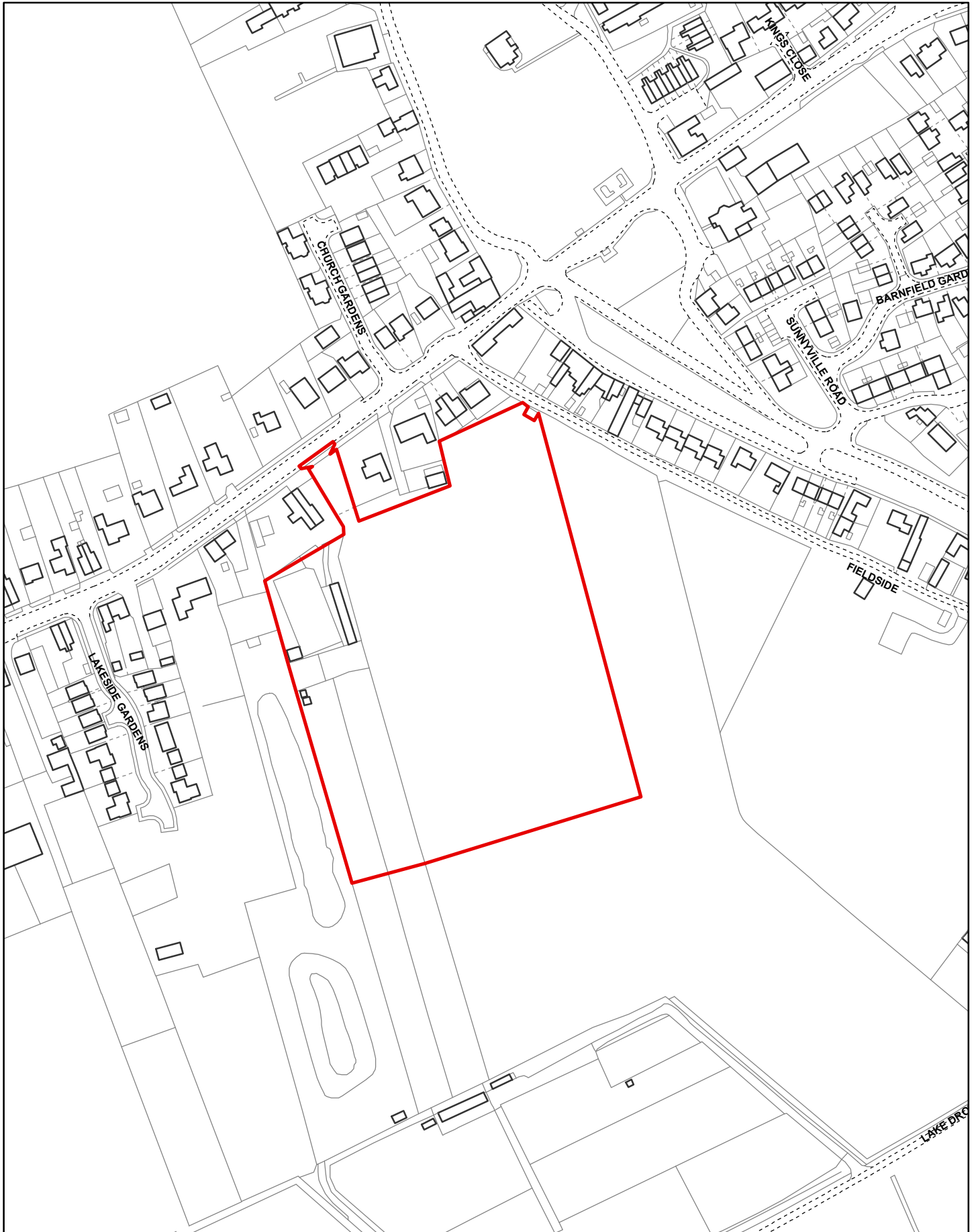
	<p>No demolition/ development shall take place until a written archaeological scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:</p> <ul style="list-style-type: none"> i) The statement of significance and research objectives; ii) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; iii) The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI. <p>Reason: In order to ensure the preservation of the historic environment in accordance with policy LP12 (Part A)(g) and LP18 of the Fenland Local Plan, 2014. A pre-commencement condition is necessary in order to ensure irreversible loss to the historic environment is avoided.</p>
6.	<p>Prior to the commencement of development, a Construction Environmental Management Plan (CEMP), shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with and give effect to the waste management principles set out in the adopted Cambridgeshire & Peterborough Minerals and Waste Core Strategy (2011) and Waste Hierarchy when completed. The CEMP shall include the consideration of the following aspects of construction:</p> <ul style="list-style-type: none"> a) Site wide construction programme. b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers, c) Construction hours d) Delivery times for construction purposes e) Soil Management Strategy including a method statement for the stripping of top soil for reuse; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883:2007 f) Noise monitoring method including location, duration, frequency and reporting of results to the LPA in accordance with the provisions of BS:5228 (1997) g) Maximum noise mitigation levels for construction equipment, plant and vehicles h) Vibration monitoring method including location, duration, frequency and reporting of results to the LPA in accordance with the provisions of BS:5228 (1997) i) Setting maximum vibration levels at sensitive receptors j) Dust suppression management and wheel washing measures to prevent the deposition of debris on the highway and the general environment k) Site lighting l) Drainage control measures including the use of settling tanks, oil interceptors and bunds m) Screening and hoarding details n) Liaison, consultation and publicity arrangements including dedicated points of contact o) Location of Contractors compound and method of moving materials, plant and equipment around the site. <p>The Construction Environmental Management Plan shall be implemented in accordance with the agreed details, unless minor variations are otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of safe operation of the highway and protection of general residential amenity in accordance with policy LP15 and LP16 of the Fenland Local</p>

	Plan, 2014. A pre-commencement condition is required in order to ensure that any operational development does not cause harm to the amenity of the area of users of the adjoining highway.
7.	<p>No development excluding enabling or site-wide infrastructure works shall begin until details of the finished floor level of all buildings in that plot or phase and associated external ground levels have been submitted to and approved in writing by the Local Planning Authority.</p> <p>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>
8.	<p>Prior to or concurrently with the submission of the reserved matters layout application the following detail shall be submitted;</p> <p>(i) a plan showing the extent of the road and cycle network which is to be adopted by the local highway authority, and</p> <p>(ii) a scheme for the construction and long term management of any development roads, parking courts and footpaths/ cyclepaths within that phase which are not to be publicly adopted has been submitted to and approved in writing by the local planning authority.</p> <p>The scheme shall include:</p> <ul style="list-style-type: none"> - road and footway cross-sections showing their levels and construction; - details of lighting (identify illumination levels within those areas and the style of any lighting columns and luminaires to be used); - the provision to be made for access to these roads by local authority refuse collection vehicles or alternative arrangements for collection. <p>All roads and footways linking the dwellings to the adopted highway shall be constructed to at least binder course level prior to the first occupation of any dwelling unless an alternative timetable and scheme has been approved in writing by the local planning authority.</p> <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of highway safety and to ensure that roads are managed and maintained thereafter to a suitable and safe standard with adequate highway infrastructure provided in accordance with policy LP13, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
9.	<p>Prior to or concurrently with the submission of the reserved matters layout and landscape applications a site wide surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1% plus climate change allowance critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:</p> <ul style="list-style-type: none"> -Appropriate mitigation arrangements in the event the surface water drainage system is flood locked when Whittlesey Washes are in use and avoidance of pumping at other times -Consideration of overland flow routes ("Designing for Exceedance") -Accommodation of the existing network of drains and ditches on the site to ensure that existing development continues to drain effectively -Details of how the scheme shall be maintained and managed after completion.

	<p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with LP14 of the Fenland Local Plan 2014.</p>
10.	<p>Prior to or concurrently with the submission of the landscape and layout reserved matters applications a scheme detailing the biodiversity enhancements and protection measures commensurate to the recommendations as laid out within the submitted Ecological Impact Assessment (Greenwillows Associates Ltd dated 19/10/17) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following;</p> <ol style="list-style-type: none"> 1. How site clearance and construction works will be undertaken having regard to the protection of reptiles, birds, hedgehogs and other mammals which may be present 2. Details regarding numbers, designs and locations for a range of bat boxes/ bat tiles to be incorporated into the new dwellings 3. Avoidance of site clearance works during breeding/ nesting season, or that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds. 4. Details regarding numbers, designs and locations for a range of bird nest boxes to be installed that cater for a number of different species such as House Sparrow, Starling & Swift. 5. Details of fencing to incorporate hedgehog gaps. <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: In order to ensure that biodiversity and ecology in and around the site is preserved and where possible enhanced in accordance with policy LP16 and LP19 of the Fenland Local Plan, 2014.</p>
11.	<p>Prior to or concurrently with the submission of the landscape and layout reserved matters application a scheme, including dimensioned plans for the protection of retained trees, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:</p> <ol style="list-style-type: none"> (a) a layout plan which shows the position, crown spread and Root Protection Area (section 4.6 of BS5837:2012) of all trees to be retained and which also shows those proposed to be removed; (b) a Tree Constraints Plan showing the Root Protection Area/s (RPA) and the crown radius in relation to the proposed development layout; (c) a schedule of tree works for those trees to be retained, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons; (d) the location, alignment and specification of tree protective barriers, the extent and type of ground protection, and any other physical tree protection measures. The Tree Protection must be erected/installed prior to work commencing with that plot or phase and shall remain in place for the duration of construction works; (e) details of the alignment and positions of underground service runs; (f) any proposed alteration to existing ground levels, and of the position of any proposed excavations, that occurs within the root protection area of any retained tree. <p>The development shall be undertaken in accordance with the approved details.</p> <p>Reason: In the interests of visual amenity and environmental quality in accordance with policy LP16 and LP19 of the Fenland Local Plan, 2014.</p>
12.	<p>Prior to the first occupation 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</p>

	<p>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>
13.	<p>Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) are 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 unadopted drainage systems in accordance with LP14 of the Fenland Local Plan 2014.</p>
14.	<p>Prior to the first occupation of the development, details of a Travel Pack to be provided to each dwelling of the development shall be submitted to and approved in writing by the Local Planning Authority. The Travel pack should include the following elements:</p> <p>The Travel Pack must include up-to-date information on the following:</p> <ul style="list-style-type: none"> • Local amenities that are in walking and cycling distance; • Up-to-date bus timetable and links to relevant websites; • Up-to-date railway timetable from Whittlesey station and links to relevant websites; and • Information on local car share schemes. <p>The Travel Packs shall be provided to each dwelling within 1 month following occupation of each respective dwelling.</p> <p>Reason: To promote increase awareness of sustainable modes, namely bus, within the local area in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
15.	<p>Prior to the first occupation of the development, the zebra crossing as shown in principle on Site Access drawing 1889-05 Rev A, proposed to be located along the A605 shall be provided and completed in full.</p> <p>Reason: In the interests of highway safety in accordance with policy LP13, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
16.	<p>The access to Coates Road as detailed on plan ref: Site Access drawing 1889-05 Rev A shall be provided and completed to Cambridgeshire County Council Highways construction specification prior to the first occupation of the development.</p> <p>Reason: In the interests of highway safety in accordance with policy LP13 and LP15 of the Fenland Local Plan 2014.</p>
17.	<p>Prior to the first use of the access hereby permitted, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted site access plan ref: 1889-05 Rev A. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.</p> <p>Reason: In the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.</p>

18.	<p>If, during development, contamination not previously identified is found to be present at the site:</p> <ul style="list-style-type: none"> (i) it shall be reported to the local planning authority within 1 working day; (ii) no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until site investigations have been carried out and a remediation strategy has been submitted to and approved in writing by the local planning authority detailing how this unsuspected contamination will be dealt with; (iii) the remediation strategy shall be implemented as approved; (iv) no occupation of any part of the development identified in the remediation strategy as being affected by the previously unidentified contamination shall take place until: <ul style="list-style-type: none"> a. the approved scheme has been implemented in full and any verification report required by the scheme has been submitted to and approved in writing by the local planning authority; b. if required by the local planning authority, any proposals for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action have been submitted to and approved in writing by the local planning authority. (v) the long-term monitoring and maintenance plan shall be implemented as approved. <p>Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with LP2 and LP16 of the Fenland Local Plan 2014.</p>
19.	<p>Approved Plans:</p> <p>Location Plan Site Access plan – 1189-05 Rev A</p>



Created on: 20/06/2017

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F/YR17/0507/O

Scale = 1:2,500



General Notes
 1. This drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are shown in 'metres' 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.



Location Plan
 Scale: 1:2500

SITE PLAN KEY

- Indicates proposed dwellings
- Indicates new adoptable road and footpath entrance
- Indicates existing neighbouring dwellings taken from OS map
- Indicates proposed adoptable road and footpath
- Indicates proposed trees and planting
- Indicates proposed parking spaces
- Indicates proposed 2.4 x 43.0m vision splays
- Indicates Attenuation dyke
- Indicates trees and hedges to remain and be protected during construction

DWELLING TYPE KEY

- Indicates 2 Bed Bungalow
- Indicates 3 Bed Bungalow
- Indicates 2 Bed Semi-Detached Houses
- Indicates 3 Bed Semi-Detached Houses
- Indicates 3 Bed Detached Houses
- Indicates 4 Bed Detached Houses

House Type Schedule						
Plot Number	Beds	Garage	Parking	Unit Type	Dwelling Type	
1	3	1	1	Bungalow	Detached	
2	3	1	1	Bungalow	Detached	
3	3	1	1	Bungalow	Detached	
4	3	1	1	Bungalow	Detached	
5	3	1	1	Bungalow	Detached	
6	3	1	1	Bungalow	Detached	
7	2	1	1	Bungalow	Detached	
8	2	1	1	Bungalow	Detached	
9	2	1	1	Bungalow	Detached	
10	2	1	1	Bungalow	Detached	
11	3	1	1	House	Detached	
12	3	1	1	House	Detached	
13	2	0	2	House	Semi-Detached	
14	2	0	2	House	Semi-Detached	
15	3	1	1	House	Detached	
16	3	1	1	House	Semi-Detached	
17	3	0	2	House	Semi-Detached	
18	3	1	1	House	Semi-Detached	
19	3	1	1	House	Semi-Detached	
20	3	1	1	House	Detached	
21	3	0	2	House	Detached	
22	3	0	2	House	Semi-Detached	
23	3	0	2	House	Semi-Detached	
24	3	0	2	House	Detached	
25	3	0	2	House	Semi-Detached	
26	3	0	2	House	Semi-Detached	
27	3	1	1	House	Detached	
28	3	1	2	House	Detached	
29	3	1	2	House	Detached	
30	3	1	2	House	Detached	
31	3	1	2	House	Detached	
32	3	1	1	Bungalow	Detached	
33	3	1	1	Bungalow	Detached	
34	4	2	2	House	Detached	
35	3	1	1	House	Semi-Detached	
36	3	1	1	House	Semi-Detached	
37	3	1	1	House	Semi-Detached	
38	2	0	2	House	Semi-Detached	
39	2	0	2	House	Semi-Detached	
40	2	0	2	House	Semi-Detached	
41	2	0	2	House	Semi-Detached	
42	4	2	2	House	Detached	
43	4	2	2	House	Detached	
44	4	2	2	House	Detached	
45	3	1	1	House	Semi-Detached	
46	4	1	1	House	Semi-Detached	
47	3	1	2	House	Detached	
48	3	1	2	House	Detached	
49	3	1	2	House	Detached	
50	4	1	2	House	Detached	
51	3	1	1	House	Detached	
52	2	0	2	House	Semi-Detached	
53	2	0	2	House	Semi-Detached	
54	3	1	2	House	Detached	
55	3	1	2	House	Detached	
56	3	1	1	House	Semi-Detached	
57	2	0	2	House	Semi-Detached	
58	2	0	2	House	Semi-Detached	
59	3	0	2	House	Semi-Detached	
60	3	0	2	House	Semi-Detached	


Site Plan
 Scale: 1:500

Revisions		
A	April 2017	Drawing revised for planning application
B	Nov 2017	Drawing revised for planning application
C	Dec 2017	Drawing revised for planning application
D	Feb 2018	Access and radii amended

Status
FOR APPROVAL

SWANN EDWARDS
 ARCHITECTURE
 Swann Edwards Architecture Limited, Elvedon House, Gull Road, Guyhirn, Wisbech, Cambs. PE13 4ER
 01954 450544 e info@swannedwards.co.uk w www.swannedwards.co.uk

Proposed Residential Development		Date	Scale
Land North East of 208 Coates Road, Coates, for Clients of Swann Edwards		November 2016	As Shown
Drawing Title		SE-526	Sheet Size
Site and Location Plan		Dwg No. 10	A0
Drawing By		G.E.	Drawn by
Site and Location Plan		D	Revision

A	31-07-18	UPDATED KERB RADII	MJB
REV	DATE	DESCRIPTION/REASON FOR ISSUE	APPR
 ENGINEERING MTC Engineering (Cambridge) Ltd. Ground Floor, 24 High Street Whittlesford, Cambridgeshire, CB22 4LT Tel (01223) 837270, fax (01223) 835648 E-mail office@mtcengineering.co.uk			
TITLE COATES ROAD, COATES PROPOSED SITE ACCESS, GEOMETRY, VIS SPLAYS AND ZEBRA CROSSING			
ORIG	M.J.B	DATE	23-01-18
CHKD		SCALE	1:200
APPR		DRAWING NO	1889-05
		REV	A
<small>This drawing and the works depicted are the copyright of MTC Engineering (Cambridge) Ltd and may not be reproduced or amended except by written permission. No liability will be accepted for amendments made by other persons.</small>			

Approx. 25m spacing from Zebra crossing to adjacent side roads exceeds absolute minimum of 5m (LTN 2/95). Exact location of crossing to be finalised at the detailed design phase once planning permission has been granted and when access locations on northwestern side of Coates Road have been surveyed

If requested by the Local Highway Authority a raised hump will be provided. This will be determined at the detailed design phase only.

1.8m wide footways tied into existing footway on southeastern side of Coates Road. Dropped kerb crossing of access road with tactile paving to be provided. Location indicative at present and to be finalised at detailed design stage.

Tactile paving extended to rear of footway and dropped kerbs

Zebra crossing beacon
Road markings diag. 1001

Road markings diag. 1001.3

Road markings diag. 1001.3

Road markings diag. 1001

Zebra crossing markings
Road markings diag. 1055.1

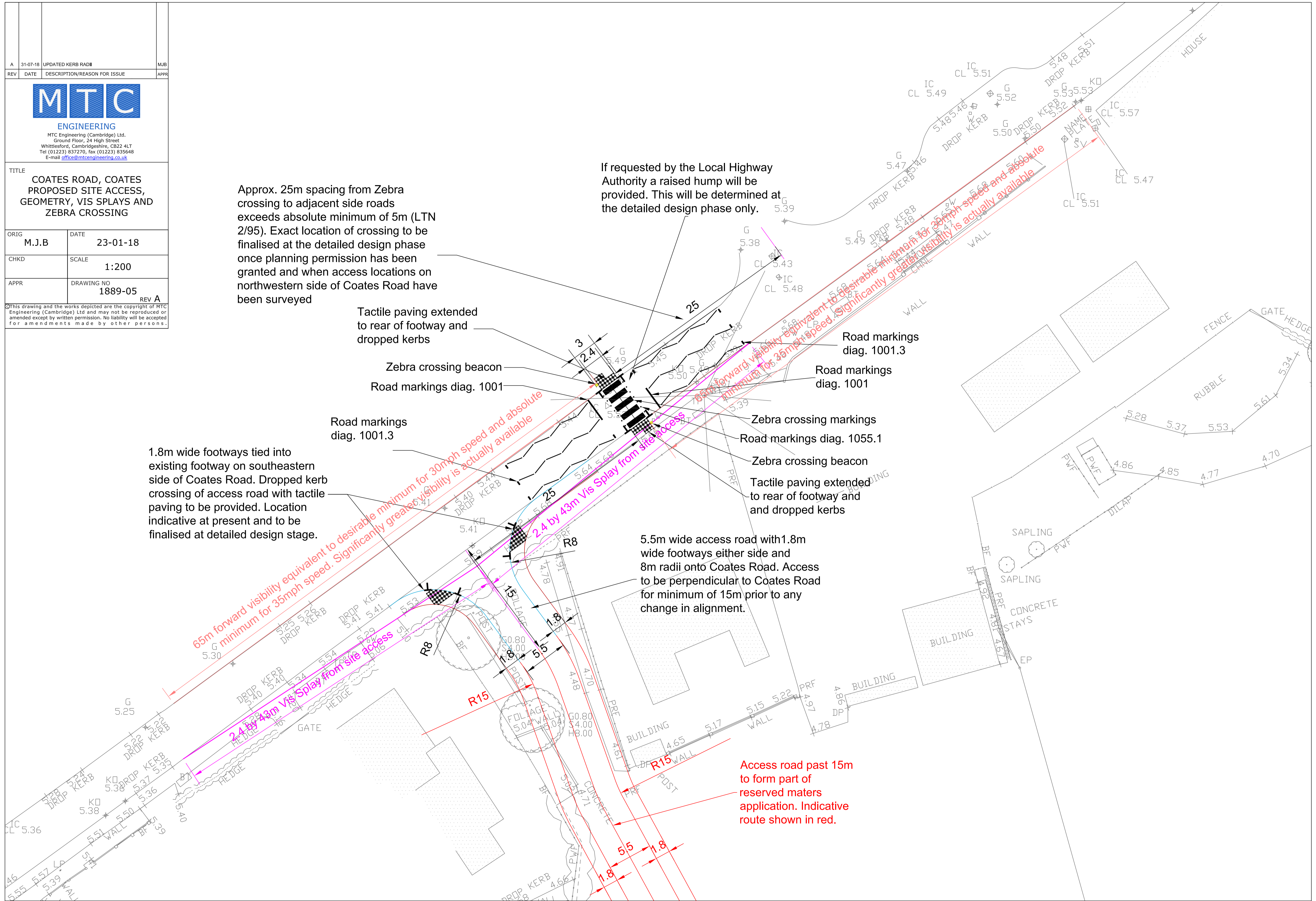
Zebra crossing beacon
Tactile paving extended to rear of footway and dropped kerbs

5.5m wide access road with 1.8m wide footways either side and 8m radii onto Coates Road. Access to be perpendicular to Coates Road for minimum of 15m prior to any change in alignment.

Access road past 15m to form part of reserved maters application. Indicative route shown in red.

65m forward visibility equivalent to desirable minimum for 30mph speed and absolute minimum for 35mph speed. Significantly greater visibility is actually available

2.4 by 43m Vis Splay from site access



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F/YR17/1217/F

**Applicant: Mr M Mitchell
Queensbridge Homes Ltd**

**Agent : Mr R Briscoe
Peter Humphrey Associates Ltd**

Land North Of Orchard House, High Road, Wisbech St Mary, Cambridgeshire

Erection of 76 dwellings: comprising 29 x 2-storey 4-bed, 6 x 3-storey 4-bed, 29 x 2-storey 3-bed and 2 x blocks of flats (4 x 1-bed and 8 x 2-bed) with associated garages, parking, play area and landscaping involving the formation of a new access road.

Reason for Committee: Given the level of objection and Parish Council objection being at variance with the Officer recommendation.

1 EXECUTIVE SUMMARY

This scheme proposes 76 dwellings within the growth village of Wisbech St Mary; it follows on from an earlier outline planning permission which allowed for a maximum of 50 dwellings on the same site.

In respect of the earlier scheme it was accepted that there would be some encroachment into the open countryside; however this was balanced against the significant benefits afforded by the development as it would provide for sustainable development resulting from the Section 106 contributions of affordable homes, public open space, education and waste contributions and contributions to the NHS. It was felt that the contributions resulting from the development outweighed the impact of the development on the open countryside and that the development would result in benefits to the sustainability of the area through these contributions.

The current proposal is accompanied by a viability assessment which demonstrates that the scheme is not able to support S106 contributions in respect of Affordable Housing, Education, Libraries and off-site green space provision. This is regrettable however a clear case has been made in this regard.

However against the backdrop of the earlier approval it is considered that in real terms the incursion into the open countryside will not be worsened by the delivery of additional units. Similarly having considered the design, layout and residential amenity impacts accruing from this revised scheme it is not considered that the LPA could substantiate a refusal on these grounds.

It is disappointing that the scheme has proven unviable, even when factoring additional units, and that it will not bring forward the necessary S106 benefits which a proposal of this nature would normally attract. However having given due regard to the likely harm arising from this proposal officers are not convinced that a refusal could be substantiated against the backdrop of the earlier outline approval and as such a very much 'on-balance' recommendation is forthcoming.

2 SITE DESCRIPTION

- 2.1 The site is currently in agricultural use, and is situated to the north of High Road, Wisbech St Mary. The proposed access utilises the existing field access and lies between two detached two-storey dwellings which form part of the frontage development on the north-west side of High Road. The rear boundaries of these properties form the southern extent of the main area of the application site. The site is 3.82 hectares in total and it is bounded to the west, north-west and north-east by drainage ditches.
- 2.2 To the east of the site is a development of bungalows and to the west and north are open agricultural fields.
- 2.3 The north-western swathe of the site lies within flood zones 2 and 3.

3 PROPOSAL

- 3.1 Originally the scheme came forward as a proposal for 80 dwellings; concern was raised regarding the amount of development and the layout recognising that this was an edge of settlement scheme. The application was subsequently revised and as a consequence of the changes in layout the scheme was reduced to 76 units.
- 3.2 The development largely follows the layout of the illustrative scheme submitted, yet not committed under the earlier outline planning submission. The access road, which has previously been committed runs between Hillcrest and Orchard House, these being detached properties that front High Road, the road then sweeps in a meandering northerly direction with a secondary spur road situated to its east which then links at its north-western end to the main estate road. Turning provision is made to the end of this road to the north-eastern section of the site.
- 3.3 There are 6 individual house types featuring within the site along with 2 blocks of flats. The properties are predominately two-storey units delivered in a mix of detached, semi-detached and terraced form. Whilst the scheme does include 6 three-storey town houses, with a ridge height of 9 metres, these are sited within the site confines rather on the periphery of the site and as such they are absorbed into the estate rather than forming a strident edge to the development.
- 3.4 A mix of ridge heights exist across the development with the lowest being those of the blocks of flats at 7.75 metres to ridge, the two-storey dwellings range in height from 8.4 – 8.7 metre ridge height. Garaging will feature a ridge height of circa 4.75 metres with the parking barns being circa 4 metres in height.

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/YR15/0502/O	Erection of 50 dwellings	Granted 18/08/2017
F/YR15/1109/F	Erection of 4 x 2-storey 4-bed dwellings with double garages and paddock facilities including stable blocks	Refused 12/01/2017

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F/YR11/0703/F	Erection 5no x 2-storey 5-bed 3no x 2-storey 4-bed with detached garages and 3no x 2 storey 2-bed dwellings involving the demolition of existing building.	Granted 24.04.2014
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Land to east

F/YR13/0252/O	Residential Development (1.35 ha) 20 dwellings Land North Of 19 To 29 Chapel Avenue	Refused 06/05/2015
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5 CONSULTATIONS

- 5.1 **Parish Council:** Recommend Refusal - Greenfield development, drainage problems, highway safety - existing highways cannot cope safely with the additional traffic generated, section 106 - a development of this size should make a substantial contribution to the local community.
- 5.2 **Ward Councillors Booth and Bligh:** Wisbech St. Mary is a village characterised by modest dwellings with an architectural style reflective of the rural village setting.

The proposal includes two large blocks of flats located towards the north of the site. These buildings have large footprints with large sections of brick and tiles which creates a bulky appearance. The flats are not therefore appropriate in a rural setting as they have an appearance which is more suited to an urban location where they would be more typical. It is felt that the flats would appear out of keeping within the rural village setting. This would be harmful to the character and appearance of the area. They would fail to fit into the local character of buildings in the village which would be to the detriment of the local visual amenity, it is also worth noting that the site is on one of the highest areas of the village, increasing the prominence of the flats. The development would therefore be contrary to policy LP16 of the Fenland Local Plan and paragraph 58 of the NPPF.

We have significant concerns with regards to surface water drainage particularly as High Road floods on a regular basis. The lead local Flood Authority has objected to the proposal noting that there is insufficient information provided to fully assess the application. They also confirm our concerns with regards to the surface water flooding of existing properties along High Road. A petition submitted from neighbouring residents demonstrates the 'real life' situation of surface water flooding along High Road.

The existing situation demonstrates that the site is not safe from surface water drainage and by allowing the proposal it would exacerbate the current situation, putting existing people and properties at greater risk of flooding. This would go against policy LP2 and LP14 of the Fenland Local Plan and section 10 of the NPPF.

A development of this scale should have 20 affordable housing units as per Policy LP5 of the Local Plan.

Policy LP12 of the Local Plan states that if a proposal in a village would, in combination with other development built since April 2011, increase the number of dwellings in the village by more than 10% or 15% if a Growth Village, then the proposal should be supported demonstrable evidence of community support for

Agenda Item 7

the development. The latest figures on FDC website shows that Wisbech St. Mary, as a Growth Village, has a development threshold of 85 dwellings however 116 dwellings are committed at this time. This major application would result in a significant breach of the village threshold and therefore the pre-community consultation requirements of policy LP12 are required. The revised application does not include a community consultation. There is clearly no community support for the application as demonstrated in all the neighbour letters received and the Parish Council, all of whom strongly oppose the application. We note the application makes reference to presenting the revised plans to the Parish Council, which we understand has not taken place as part of a community engagement exercise. Therefore, a significant extension to the village such as this would be contrary to policy LP12 of the Fenland Local Plan.

We note that application states that there is a 30-mph speed limit agreed for this area. At this point the extent of a reduced speed limit along High Road has not been determined. Therefore, the speed limit is 40-mph at this location, contrary to what the applicant states. The successful Local Minor Highways (LMH) application by Wisbech St Mary Parish Council to reduce speed limit along High Road, near the school has yet to be designed fully. Therefore, there is no guarantee that the speed limit will be reduced at the site access point. The LMH application was intended to reduce the speed limits near the entrance to the School and the village shops. As the speed limit is 40 mph is present at this time, we believe this will result in the requirement for increased visibility splays at the entrance, which the application has not accounted for.

The transport statement stipulates that the development will result in 454 trip movements, 365 of which will be from cars. The access road is less than 2 m away from Hillcrest and Orchard House and the length of their rear gardens will be bound by the highway. The number of vehicle movements in and out of the site will result in a significant and harmful impact on the residential amenities to these properties due to the noise and disturbance caused. Therefore, will also be a loss of privacy to these properties. The need for acoustic fencing on the boundary with the access road demonstrates that there will be harmful noise generated by the vehicle movements.

The position of the dwelling at plot 60 and the garage serving plot one will dominate the rear of the existing dwellings at Hawthorn House and Hillcrest respectively, resulting in a loss of amenity to these existing dwellings at Hawthorn House and Hillcrest respectively, resulting in a loss of amenity to these properties. This is therefore contrary to policies LP2 (Point 5) and LP16 (e) of the Fenland Local Plan which seek to protect residential amenities in the interests of promoting the health and wellbeing of Fenland residents.

The site already has planning permission for 50 dwellings however the proposal is for a 60% increase on this, which we feel would create undue harm to existing properties due to noise and disturbance, reduced levels of residential amenity due to a loss of outlook and severe increased risk of surface water flooding. The nature and design of the flat buildings are inappropriate to the rural village setting of Wisbech St Mary and there is no community support for this application as previously stated.

In summary the application is therefore contrary to policies LP2, LP12, LP14 and LP16 of the Fenland Local Plan and paragraph 58 and Section 10 of the NPPF. We therefore respectfully request that this application is refused.

We understand that as this is a major application with over 6 objections, if officers are minded to approve it would need to be determined by the Planning Committee. If this is the case please can you ensure when this is likely to take place so representations can be made at the committee.

- 5.3 **Cambridgeshire County Council Highways Authority:** Originally raised issue with the basis on which the earlier outline consent was granted noting that the relocation of the bus stop should not be dealt with via condition, also requested evidence regarding mode share and a PICADY assessment of the junction, together with a trip distribution table. Also requested plan revisions. Following receipt of revised details updated comments have been received which accept and agree the location of the proposed bus stop; considering that it gives good visibility away from the proposed junction and doesn't appear to impede upon any existing accesses. Also accepts *the points in relation to the sustainable modal split and the comments in relation to the PICADY assessment.*

There do however remain a number of issues with the proposal relating to the detailed layout of the site; these issues have been raised with the agent and amended plans are anticipated.

- 5.4 **FDC Scientific Officer (Land Contamination):** The Environmental Health Team note and accept the submitted information and have 'No Objections' in principle to the proposed development. The proposal is unlikely to have a detrimental effect on local air quality. The effects of construction noise upon existing dwellings will need to be considered and any measures to control or mitigate any issues will therefore be required. Given that a small section of the development is adjacent to an existing workshop the unsuspected contamination condition should be imposed. Following reconsultation *confirm that our previous consultation response dated 23rd January 2018 be retained. In addition, I would recommend the applicant to submit a Construction/Environmental Management Plan (CEMP) to be approved prior to commencement of the development. The CEMP should address all measures to control dusts noise, odour including hours of work, site deliveries and wheel washing facilities to minimise the effect of construction on the environment.*

- 5.5 **Designing Out Crime Officers:** A crime and incident search for the Wisbech St Mary policing area covering the last 12 months identifies the area as low risk in terms of vulnerability of crime. *This appears to be an acceptable layout in relation to crime and disorder and the fear of crime. I note that there is no specific mention of crime prevention or security measures within the documents. My main concern at this time would be the footpaths giving access to the rear gardens of mainly type D properties. These would need to be gated as close to the front building line as possible with self-closing and lockable gates. I would like to see that there is sufficient lighting in all adopted, un-adopted roads and parking areas to BS5489:2013 - perhaps this could be conditioned.*

This office would be happy to discuss Secured by Design and measures to mitigate against crime and disorder as the application progresses. In respect of the revised layout notes that they are happy to support the revised proposals and have no other comments but would wish to remind the Applicant that we would welcome an application for a Secured by Design approach to this development should they wish to make contact.

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- 5.6 **Housing Strategy (FDC):** Originally provided comments on the 80 dwelling scheme, which were subsequently updated following re-consultation as follows:

Our current Local Plan, Policy LP5, outlines the requirement of 25% Affordable Housing dwellings on sites of 11 or more dwellings (rounded to the nearest whole dwelling). On a scheme of this size, I would expect to see 19 affordable dwellings in accordance with the policy.

The FLP indicates that the affordable housing tenure mix should be informed by and be compatible with the latest SHMA and on this basis I would expect 30% intermediate tenure properties (such as shared ownership) and 70% affordable rented properties. Therefore in this instance, I would expect a tenure mix of 6 intermediate homes and 13 affordable rented homes. I would be happy to be consulted on the finalised tenure mix for the affordable housing element at a later date, however I have outlined a potential split below:

Affordable rented: 1 x 3 bed dwelling, 8 x 2 bed flats and 4 x 1 bed flats
Intermediate tenure: 6 x 3 bed dwellings

In the event that it is proven to not be viable for 25% affordable housing to be provided by the developer, I would still like to secure up to 25% of the homes as affordable housing. Prior to commencement on site I would expect the developer to approach the Council re the availability of grant funding to facilitate the delivery of up to 25% affordable housing at no financial detriment

- 5.7 **Environment Agency:** *The site is located within Flood Zone 3 in accordance with the National Planning Policy Framework paragraph 101; development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the LPA to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the National Planning Policy Framework. Our flood risk standing advice reminds you of this and provides advice on how to do this. Please be aware that although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test.*

Review of Flood Risk Assessment: We have no objection to this application, but strongly recommend that the mitigation measures proposed in the Flood Risk Assessment (FRA) submitted for this development north of Orchard House, High Road, Wisbech St Mary by Geoff Beel Consultancy dated June 2017 ref: GCB/Humphrey are adhered to.

Advice also given to both LPA and applicant regarding emergency planning, flood warning procedures and flood resilience.

No further comments made regarding the amended scheme proposals.

- 5.8 **CCC (Lead Local Flood Authority):** Originally were unable to support the proposed development as the surface water strategy was continued inadequate; following the submission of further information made the following comments:

We have reviewed the submitted Sustainable Drainage Strategy prepared by MTC Engineering (ref: 1669-DS-RevB-Jan 2018) and can confirm we are satisfied with

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the proposals. Surface water will discharge via a SuDS system (incorporating permeable paving and a swale) into the North Level IDB watercourse to the north of the site (Sayers Field Drain) at a maximum rate of 2.6 l/s.

Recommend conditions regarding the submission of a detailed surface water drainage scheme based on the agreed surface water drainage strategy and a requirement for details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted and agreed. Also recommends an informative regarding details of the adopting body for the suds.

- 5.9 **North Level Internal Drainage Board:** No objection in principle to the above application having been negotiating with the applicant over the byelaws applicable to the Sayers Field Drain forming the northern boundary and the drain forming the eastern boundary. The Board's approval is conditional on my board 'taking over' the maintenance of the riparian drain forming the eastern boundary. This drain provides a vital outfall for properties on High Road and it is imperative that it be maintained to a high standard.

Subsequent to this confirms that the Board has formally taken over the future maintenance liabilities for the drain forming the eastern boundary of the site. Noting that the drain has been improved and the Boards byelaws will now apply with a relaxation of byelaw number 10 from 9 metres to 6 metres from the brink of the drain. The proposed new outfall to the site into the Board's Sayers Field Drain will require formal application and a development levy will be payable.

- 5.10 **NHS Property Services:** The proposed development is likely to have an impact on the services of 1 GP practice operating within the vicinity of the application site. The GP practice does not have capacity for the additional growth resulting from this development and cumulative development growth in the area. A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be **£27,600**.

Assuming the above is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated. The terms set out above are those that NHS England deem appropriate having regard to the formulated needs arising from the development.

- 5.11 **Head Of Environmental Services (Refuse):** *In broad principal we have no objection to this development, however, the following issues should be addressed before the application could be agreed from our perspective:-*

*Properties with shared driveways will require shared collection points
Communal bin storage will be required for the two blocks of flats.*

- 5.12 **Arboricultural Officer (FDC):** *Grant: The application site is currently in agricultural use and the main interest, in arboricultural terms, is the site perimeter particularly the southwest corner and to a lesser degree the west boundary. There is a fairly low value hedge along the west boundary that is intermittent with gaps and of low species diversity.*

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The main interest is the adjacent broadleaved woodland that forms part of the southwest corner boundary, and this is likely to provide opportunities for wildlife as well as providing some amenity value.

The current proposed layout shows the development set back from the perimeters and therefore there is unlikely to be a negative impact from any construction. The proposed layout also show significant planting particularly around the SUDS installation in the northwest corner.

The Ecology report (by Wild Frontier Ecology dated Nov 2017) submitted with the application recommends the inclusion of berry bearing and/or nectar producing native species (Section 9 of the report) and I would expect this aspect to be included in the landscape proposal.

- 5.13 **PCC Wildlife:** *Recommends revisions to the landscaping scheme regarding species selections and bird and bat box details are made **prior to determination**. Notwithstanding the above alterations being satisfactorily made, I would likely have no objection to the proposal subject to the use of appropriate conditions. Highlights that:*

*The revised detailed landscape proposals drawing and proposed maintenance regimes for grassland management appear broadly acceptable, recommend that the proposed species lists are revised prior to determination to remove *Syringa vulgaris* (common lilac) from "native hedge mix" as this is not a native species and therefore unsuitable; and *Ribes sanguineum* (flowering currant) and *Cornus sibirica* from "native shrub mixes" as neither species are native.*

The Report identifies habitats and features within the site which are likely to support nesting (including ground-nesting) birds. Recommends that a standard bird nesting informative be attached should the scheme be approved. Applicant had previously proposed to install 35 bird and 14 bat boxes (as per the Bird Nest Box Installation Plan (Figure 4 of ecology report), however the concept landscaping proposals drawing now indicates provision of just 5 bird and 5 bat boxes which is unacceptable. Landscape drawing should be revised prior to determination to incorporate the original numbers of boxes, along with confirmation of box specifications.

Evidence of water voles was previously found in the wet ditch that forms the northern site boundary. Although no signs were found during the most recent survey, this does not rule out their continued presence, particularly given the time of year when the survey was carried out. Requests that a minimum 10m exclusion buffer along this water course be provided, which should be secured via suitable exclusion fencing during the construction phase to ensure no construction activity takes place within this area.

In addition, should any construction works be required to take place that directly affect this ditch, it should first be checked by a suitably experienced ecologist and if any signs of water voles are found a Water Vole Mitigation Plan should be approved prior to commencement.

Detailed comments re hedgehogs and badgers, requiring a badger survey report to be undertaken prior to any site clearance works and hedgehog safeguarding conditions being appended to any decision

- 5.14 **Senior Archaeologist (CCC):** 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 via condition.

Note that their records indicate that the site lies in an area of high archaeological potential, located on the western side and within a principal roddon (ancient infilled river). In this location, the river channel(s) is roughly 200m wide, its infilling sequence affording a more solid foundation base for former house building than would the deposits infilling the fen basin to either side. The solid silt and marine clay infillings of the former rivers have been found to have afforded 'dry land' opportunities to ancient populations living at that time in an accreting marsh.

It is important to stress that an archaeological evaluation which took place in 2017 on the southern portion of the site covered by earlier application reference F/YR11/0703/F has identified the presence of significant archaeological remains centred on the roddon, including possible roundhouses. Recommended to Fenland DC on 3rd April 2017 that a further programme of archaeological mitigation is required in advance of construction (see attached) in order to secure replacement by record of these significant heritage assets. The client has already been appraised of this by this department. To date, we have not been contacted to prepare the archaeological mitigation brief and we have received no response from the client to our direct enquiries

- 5.15 **Cambridgeshire County Council (Growth & Economy):** *The County Council have identified that the development will place significant additional pressure on early years and primary provision in the Wisbech St Mary catchment area [...] which is already operating at capacity. Furthermore they note that 'If it were not for this development the County Council would not be looking to increase capacity and therefore in terms of the statutory tests the request for contributions are both reasonable and necessary. If the development were to make a meaningful contribution the Council would be in a better position to deliver the above project for the benefit of the local community. However, on the basis of the viability assessment no meaningful contribution is forthcoming and therefore the Council may need to look at alternative solutions. Whilst the Council's preference is to mitigate the impact of new housing developments within the local catchment, the statutory duty is to secure sufficient school places, not to secure places within a local school. As such, if it not possible to secure an expansion in local capacity alternative options need to be considered, which may involve relying on or securing additional capacity at other schools, even if these are not local or through the provision of temporary accommodation at the catchment school. In a remote rural location if places have to be accessed at other schools this will require the Council to incur a considerable revenue cost as it would be required to provide home to school transport for the children concerned. Currently there are no proposals in the 5 year capital programme to expand capacity at Wisbech St Mary, although if this development is granted planning permission the Council will need to plan for the impacts, taking account, amongst other things, the availability of capacity in neighbouring schools.'*

Comments updated in respect of revised scheme proposals: *Following the reduction on the number of dwellings and different housing mix proposed, I have re-calculated the impact of children arising from the development. I understand that this site has viability issues but we still need to reflect what would be the cost for the County Council if the development eventually goes forward.*

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- 5.16 **PCC Viability Officer:** The appraisal has demonstrated that there are viability issues preventing the delivery of Affordable Housing and S106 Contributions. The anticipated revenue for the scheme was established utilising comparable new build evidence with additional information sought from the Agent to justify the values. The assumptions made in respect of Interest Rates, Design and Professional fees are acceptable. Build Costs are in accordance with published RICS BCIS values for the types of properties proposed rebased for Fenland. Evidence has been provided supporting the Abnormal Costs and External works which were benchmarked against similar schemes within Fenland. The submission includes 17.5% profit of the Gross Development Value. 20% profit is considered the minimum amount that a developer would usually require for a site of this nature. Having established that the scheme is not viable the applicant has agreed to make a £27,600 Healthcare contribution and to provide the on-site Public Open Space with suitable maintenance arrangements.
- 5.17 **Cambs Fire and Rescue:** Would ask that adequate provision be made for fire hydrants by way of S106 or planning condition
- 5.18 **Local Residents/Interested Parties:** 6 letters of objection have been received along with a petition from 103 interested parties which specifically relates to flooding and drainage

Access, Traffic or Highways;

- Village traffic will increase, creating hazard
- Do not believe the studies that suggest there will not be a significant increase in traffic as the site has 176 parking spaces
- Roads in a poor state and cars exceed speed limit
- Concerns re pedestrian safety
- Concerned re safety at junction having previously witnessed a near fatal road accident in this location, road is straight in the vicinity of the access and road users exceed the speed limit.

Amount of development/Infrastructure and community benefit

- Initial application was for 8 executive dwellings and then was revised to 25 and subsequently 50. The at the beginning of the year increased to 50 and now amended to 76 with the provision of reducing obligations to support local infrastructure
- it seems unbelievable that such a plan should be considered when the number of dwellings has increased 10-fold and the developer should ask the local community to bear the negative consequences of the development whilst they increase profit without making appropriate restitution for the impact
- Village does not have the infrastructure to deal with the impact of a large influx of residents, school and doctors
- Considers density of development makes it lucrative for landowner with little regard for infrastructure, the nature of the village and the environment
- If the S106 is lifted at the expense of affordable housing a precedent will be created; the developer was aware of the handicaps to developing the site and the local community should not be expected to bear the cost of the developers miscalculations to compensate their losses
- No affordable housing proposed

Biodiversity

- Environmental and wildlife concerns
- Failure to provide a botanical survey
- Site should be surveyed for newts, as newts reside at adjacent sites

Residential amenity

- Housing not in keeping with the housing profile to the east, which is bungalows, will lose privacy with 3-storey town houses overlooking their properties
- Larger houses will dominate outlook
- Concerned re the access running alongside their home and the stability of the land and structure of their home
- Will contravene Article 8 of the Human Rights Act, protection of countryside falls within Article 8 and private and family life encompasses not only the home but surroundings
- Will have a dominating impact on the right to the quiet enjoyment of their property
- If consent is granted hours of construction should be controlled

Flood risk

- Dwellings are on a site recognised as creating a flood risk, although some improvements to surrounding drains have been carried out it is obvious that these will not be adequate to combat the amount of surface and foul water created. During periods of high rainfall existing properties suffer with backfilled soakaways and surface water this problem can only become more acute with an increase in dwellings
- With bungalows unable to be built because of flood risk how are flats with ground floor properties allowed within the plan
- Already suffering flooding issues along the bungalows which is worsening over the years, whilst this will hopefully be resolved by current drainage improvement project 80 dwellings will put immense pressure on the drainage system and there is concern that this will negate the improvements and possibly worsen the situation
- Concern is that any sudden increase of surface water in the immediate vicinity caused by the proposed development will render the current drainage system for our home, and many other affected properties along High Road that border the proposed development site, ineffective, leading to multiple and frequent flooding incidences.
- Understand that there has been issues with the developer and the improvements works, if development goes ahead without agreement between developer and IDB there is the potential for future maintenance/flooding issues

A petition signed by 103 interested parties has been submitted which seeks to address surface water drainage issues following on from the grant of outline planning consent for 50 dwellings the thrust of the petition is that signatories acknowledge that there is a surface water drainage issue in High Road and state that at reserved matters they need a precursor to improve surface water drainage on High Road to the betterment of the village and its residents and that the responsibility and future maintenance of the riparian drain and SUDs system is adopted by a Risk Management Authority before the application is approved fully.

Other issues

- Loss of view/outlook;
- There are much more suitable areas of Wisbech to develop
- Other sites remain unfinished these need to be completed before further development
- Would set a precedent; Development would take place outside the present development line and can see no reason why this should create a precedent
- Development contrary to LP1 as it is development of greenfield land and this is known to be a less sustainable practice
- Dwellings not in keeping with the existing character of the village

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 (July 2018)

Para 2. -applications should be determined in accordance with the development plan, unless material considerations indicate otherwise

Para 10. - presumption in favour of sustainable development

Para 34. - plans should set out the contributions expected from development; including affordable housing along with other infrastructure, education, health, transport, flood and water management, green and digital infrastructure).

Para. 47 – all applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise

Para. 57 - weight to be given to a viability assessment is a matter for the decision maker

Chapter 5. – delivering a sufficient supply of homes

Para, 64 – where major development involving the provision of housing is proposed planning policies and decisions should expect at least 10% of the homes to be affordable homes

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

Chapter 11. Making effective use of land

Para 122-123 achieving appropriate densities

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

Chapter 15. Conserving and enhancing the natural environment

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.

LP5: Meeting Housing Need.

LP12: Rural Areas

LP13: Supporting and Managing the Impact of a Growing District.

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**
- **Village Thresholds**
- **Design, layout and residential amenity**
- **Highways, traffic and parking**
- **Flood risk and drainage**
- **Biodiversity**
- **Viability and community infrastructure**

9 BACKGROUND

9.1 There is an extant outline planning permission for this site for 50 dwellings which was granted on 18th August 2017. This was a committee decision and recognised that Wisbech St Mary was a growth village. Whilst it was accepted that there would be some encroachment into the open countryside this was balanced against the significant benefits by virtue of it providing sustainable development resulting from the Section 106 contributions of affordable homes, public open space, education and waste contributions and contributions to the NHS. It was felt that the contributions resulting from the development outweighed the impact of the development on the open countryside and that the development would result in benefits to the sustainability of the area through these contributions.

9.2 The current application was submitted at a time when the LPA could not demonstrate a 5-year land supply, during the consideration of the scheme the latest Annual Monitoring Report has been released which demonstrates that this is no longer the case.

10 ASSESSMENT

Principle of Development

10.1 The site is located within Wisbech St Mary which is identified by Policy LP3 as being a growth village. In these locations LP3 states that development and new service provision either within the existing urban area or as a small village extension will be appropriate. The current village threshold figures highlights that the built stock of the village at April 2011 stands at 564 dwellings and as such the 15% (growth village threshold) of 85 units has already been delivered, with 116 dwellings having been built or approved since 2011. As such the additional 26 units represents only a small percentage increase in the number of dwellings. As such it is the continued contention that the development remains as a small village extension and therefore complies with Policy LP3 in this regard.

10.2 Furthermore, Policy LP12 (Part A) is relevant to this development due to its village location. Part A of LP12 states that for villages, development will be supported where it contributes to the sustainability of that settlement and does

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not harm the wide open character of the countryside. Policy LP12 includes the criteria to be met and states that the site should be in or adjacent to the developed footprint of the village, and should not result in coalescence with a neighbouring village. Furthermore development should not have an adverse impact on the character of the surrounding countryside and should be of a scale and in a location that is in keeping with the core shape and form of the settlement. This development is on a site that adjoins the existing settlement of Wisbech St Mary and the location has been accepted as policy compliant by virtue of the earlier grant of consent as being broadly in keeping with the existing form and character of the village and thereby in accordance with Policy LP12. As previously it was acknowledged that there would be an incursion into the open countryside but the benefits the development will bring to the village outweighs any potential harm.

- 10.3 The site is currently agricultural land and existing residential development in the area is predominantly located to the south along High Road, with an area of more in depth development to the east comprising Chapel Avenue and Walnut Close; accordingly there is some encroachment into the countryside.
- 10.4 In addition to the above considerations the site has an extant outline planning permission for 50 dwellings which is material to the consideration of this scheme. It is further acknowledged that the development of this site would form a logical extension to the existing village in a sustainable location, as the site is within walking distance of the local shop and school. As such the proposal is considered to be acceptable and in accordance with the provisions of Policy LP3 and whilst there are issues relating to encroachment these, against the backdrop of the existing planning permission, could not be deemed so material as to render the scheme contrary to LP12.

Village Thresholds

- 10.5 The earlier scheme for 50-units did not breach the village threshold and as such there was no requirement for the developer to evidence community support. However the committed development recorded for Wisbech St Mary now breaches the 15% growth village threshold thereby activating this policy requirement; although the scheme does come forward with no evidence of community consultation having been undertaken in respect of this proposal
- 10.6 The agent has sought to justify this by outlining that the application came forward during a period where the LPA could not demonstrate that they held a 5-year land supply and that whilst the applicant has offered to make a direct presentation to Parish at an open meeting, detailing his proposals for the site and to take questions this has not been taken up.
- 10.7 It is clear that the scheme fails to address the requirements of LP12 in so far as they relate to community engagement and this is disappointing. However mindful of the 2017 appeal decision where a Planning Inspector, when considering an appeal which was solely based on the failure of a scheme to achieve support under LP12, found that the failure to achieve community support in accordance with Policy LP12 should not render an otherwise acceptable scheme unacceptable.
- 10.8 Against this backdrop it is not considered that the scheme could be refused on the grounds of LP12 threshold considerations.

Design, layout and residential amenity

- 10.8 The agents for the scheme highlight that the revised numbers of smaller, more varied dwellings included in the proposals reflects the need to offer on the market dwellings which fall within the purchasing range of local families, and the scheme will offer a new residential development of modest density which addresses that local need for family homes.
- 10.9 It is clear that the 'application site' has not increased from the earlier proposal, similarly the layout follows largely the illustrative scheme submitted in support of the 50 unit proposal. Whilst the 'amount' of development has increased by 26 units (52% of the original scheme) in real terms any impact will be neutral at best when viewed from the wider locale.
- 10.10 Whilst local consultation responses have raised issue with the inclusion of flats within the scheme it is noted that these units are housed in blocks that adopt the same proportion, detailing and scale as dwellings elsewhere on the site
- 10.11 The scheme also comes forward with a comprehensive landscaping proposal with particular regard having been given to the north-western and south-western boundaries.
- 10.12 It is further acknowledged that development abutting the south-eastern boundary, with properties in High Road, remains largely as per the illustrative scheme submitted in support of the earlier outline approval with a landscaping buffer incorporated along much of this boundary.
- 10.13 Due consideration has also been given with regard to the likely noise and disturbance accruing to the occupiers of Orchard House and Hill Crest which abut the proposed site access. As per the originally agreed scheme an acoustic fence is proposed along the perimeter of the application site, adjacent to the access road and along the rear boundaries of properties in High Road. This mitigation has previously been accepted and it is not considered that the additional traffic movements generated by the proposal would result in significant harm and as such this would not manifest itself as sufficient reason to resist the scheme.
- 10.14 On balance it is considered that the scheme is acceptable in that there will be no significant adverse impact on the residential amenity of the adjoining occupants and therefore compliance with the provisions of Policy LP16 (e) is achieved.

Highways

- 10.15 The Local Highway Authority originally requested further evidence regarding mode share and a PICADY assessment of the junction, together with a trip distribution table. Following receipt of revised details updated comments were received which accepted and agreed the location of the proposed bus stop; considering that it gives good visibility away from the proposed junction and doesn't appear to impede upon any existing accesses. Also accepted were the *points in relation to the sustainable modal split and the comments in relation to the PICADY assessment.*
- 10.16 Plans to address the observations of the LHA relating to some outstanding issues concerning the detailed layout of the site have recently been submitted and the

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formal consultation response of the LHA is awaited. However it is anticipated that these 'detail' issues have no implications for the principle of the scheme in terms of highway safety and as such are not a barrier to the granting of planning permission, or indeed compliance with LP15.

Flood risk and drainage

- 10.18 The proposal had generated a significant level of local concern relating to flooding, this includes the submission of a 103 signature petition that specifically requests at reserved matters stage the surface water drainage issue in High Road should be addressed through the improvement of surface water drainage on High Road to the betterment of the village and its residents and that the responsibility and future maintenance of the riparian drain and SUDs system is adopted by a Risk Management Authority before the application is approved fully.
- 10.19 This is a stand-alone application and as such issues of drainage have been fully considered as part of the detail relating to the scheme; as before the 'developed' section of the site will be located in the flood zone 1 area of the application site thereby rendering the scheme acceptable in sequential site selection terms and satisfying the requirements of both the NPPF and Policy LP14 of the FLP.
- 10.20 Similarly the statutory consultees raise no objection to the development, subject to suitable conditions these will include the scheme adhering to the mitigation measures put forward in the submitted FRA, relating to finished floor levels, flood resilience and resistance measures and a requirement for the development to be two-storeys.
- 10.21 It is further noted that the LLFA have fully reviewed the Sustainable Drainage Strategy submitted with the application and have confirmed that they are satisfied with the proposals. It is accepted that surface water will discharge via a SuDS system (incorporating permeable paving and a swale) into the North Level IDB watercourse to the north of the site (Sayers Field Drain) at a maximum rate of 2.6 l/s. In support of this the NLDB have confirmed that they have been in negotiation with the applicant over the byelaws applicable to the Sayers Field Drain and they have further confirmed that they have formally taken over the future maintenance liabilities for the drain forming the eastern boundary of the site. Noting that the drain has been improved and the Boards byelaws will now apply with a relaxation of byelaw number 10 from 9 metres to 6 metres from the brink of the drain. The NLDB highlight that the Sayers Field Drain provides a vital outfall for properties on High Road and it is imperative that it be maintained to a high standard, the formal transfer of liabilities should therefore be seen as according with the general aspirations and objectives of local residents and interested parties
- 10.22 By way of further clarification the agent for the scheme highlights that 'the applicant has joined with the North Level IDB to facilitate the major upgrade of the surface water drainage ditch which handles the run off from the properties which has in the past lead to the flooding which has been noted along the North Side of High Road. The existing ditch is to be widened and increased in depth and provided with IDB dedicated maintenance access along the Western side'. The agent further notes that 'the main IDB main system has always been fully capable of handling the surface water discharge, the problems experienced in the past have resulted from drainage link between the High Road and the main drain to the north. The upgrade to the system brings the connection into IDB control to eliminate this issue. We would point out that the proposals are independent of the

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surface water drainage proposals for the site which have been designed and detailed on a SUDS basis, fully within the proposed site boundary.’ The NLDB have confirmed direct to the LPA that they *‘carried out the drain reprofiling ourselves and the soil was left deposited adjacent to the drain back in the Spring. [...] awaiting the formal applications to discharge surface water to the watercourse, but presumably this will not happen until planning permission is granted? The plans submitted indicate that our 6m byelaw distance will be adhered to.*

- 10.23 Based on the above it may be concluded that the scheme is policy compliant in terms of flood risk and subject to conditions regarding the submission of a detailed surface water drainage scheme based on the agreed surface water drainage strategy and a requirement for details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted and agreed there would be no grounds to withhold consent in respect of Local Plan policy LP14 or the NPPF

Biodiversity

- 10.25 Whilst local residents have highlighted that the agent has failed to provide botanical and a newt survey the absence of these does not render the scheme unacceptable; indeed it is acknowledged that the application is accompanied by a detailed ecology assessment which considers both existing habitats and potential ecological enhancement measures. This report satisfies the requirements of Policy LP19 and has been duly considered by the PCC Wildlife Officer. Whilst revisions to the detail have been sought in terms of landscape species and nesting features the submitted information has been found *broadly acceptable and in accordance with Policy LP19*. It is acknowledged that additional information has recently been received to address these outstanding matters.
- 10.26 Subject to confirmation that the details submitted do indeed agree with the advice offered there would be no grounds to resist the scheme on biodiversity grounds; it will however be necessary to impose safeguarding conditions which will (a) secure an exclusion barrier along the water course during construction, (b) secure appropriate survey work, and mitigation as necessary, prior to undertaking any work which would affect the ditch (specifically with reference to water voles). (c) badger survey and (d) a precautionary approach regarding hedgehogs

Viability

- 10.30 This scheme attracts the following S106 contributions:

- Provision of 25% affordable housing on site –**19 units**
- Early years education (26 places); contribution **£295,392**
- Primary education (30 additional places); contribution **£357,000**
- Secondary education; (15 places); contribution **£549,990**
- Libraries; cost per resident (averaging 2.73 residents per household); contribution **£844.56**
- No requirement for strategic waste contribution as pooling reached in terms of S106 funding
- NHS contribution **£27,600**
- Neighbourhood/Town Park: Off-site contribution **£15,280**
- Natural Green Space: Off-site contribution of **£19,100**
- Allotments contribution: Off-site contribution of **£3,820**

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- Outdoor sports contribution: Off-site contribution of **£39,560**
- On-site Play area of 0.15 Ha with one-third (0.05 Ha) designated equipped playing space (*)

- 10.31 A viability assessment accompanies the submission, this having been amended to reflect the reduction in units from 80 to 76. This viability assessment concludes that even when delivering no affordable housing or other S106 contributions, together with accepting a reduced developer's profit level the scheme still shows profit levels less than could reasonably be expected. As such the developer needs to be prepared to deliver the site at a profit level lower than that which would normally be regarded as a competitive return.
- 10.32 The applicant has indicated that notwithstanding the above they would be prepared to offer the sum of £27,600 towards a healthcare contribution and that they will be providing on-site public open space together with play equipment along with suitable maintenance arrangements in place for that POS (*)
- 10.33 The Viability Assessment has been reviewed and it has been confirmed that the assumptions made are acceptable and accord with comparable evidence; it is further noted that the developer has reduced his expected profits below that which could reasonably anticipate/expect in respect of a site of this nature. It is further acknowledged that even accepting the lesser profit the developer is still absorbing the cost of the health care contribution and public open space obligations within their scheme costs; these factors lessening again the profit margins of the development.
- 10.34 It is clear that the anticipated S106 benefits heralded under the 50-unit scheme were afforded considerable weight when supporting this earlier proposal; indeed they 'tipped the balance' in favour of the scheme; acknowledging that the proposal would represent an incursion into the open countryside having due regard for the positioning of the site and how it related to the existing settlement. Accordingly it is disappointing that these benefits can no longer be realised; however a clear case for viability has been made.
- 10.34 It is also apparent that the 50 unit scheme would face greater viability challenges and that the LPA would find it difficult to resist the scheme should a viability assessment come forward in respect of this earlier submission, against this backdrop it is not considered that a refusal could be substantiated on the basis of the additional 26-units being delivered.
- 10.35 It is noted that the FDC Housing Strategy team have recommended that the District Council should be seeking to secure the delivery of up to 25% of the homes as affordable housing; and any related S106 could be utilised to facilitate this; in that the developer may be 'obligated' under the S106 terms to approach the Council re the availability of grant funding prior to commencement of the build programme to facilitate the delivery of up to 25% affordable housing at no financial detriment.
- 10.36 It is clear that this scheme fails to make provision for its infrastructure impacts and this will obviously place a burden on other agencies which is regrettable. However against the viability backdrop outlined in the submission it is clear that a case has been made and accordingly the LPA reluctantly accepts that this scheme will not deliver any education contributions or affordable housing.

Conditions

10.37 From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

10.38 The applicant has been consulted on the proposed conditions and has confirmed their agreement to them in writing. Therefore, should the application be approved and the consent granted with the proposed conditions after 1st October 2018, it is considered that the requirements of section 100ZA(5) have been met.

10.39 The proposed conditions are as follows:

- Construction Management Plan (condition 3 below)
- Levels (condition 4 below)
- Ecological Surveys etc (condition 7 below)
- Archaeology (condition 8 below)

11 CONCLUSIONS

11.1 In real terms the incursion into the open countryside will not be worsened by the delivery of additional units. Similarly having considered the design, layout and residential amenity impacts accruing from this revised scheme it is not considered that the LPA could substantiate a refusal on these grounds.

11.2 It is disappointing that the scheme has proven unviable, even when factoring additional units, and that it will not bring forward the necessary S106 benefits which a proposal of this nature would normally attract. However having given due regard to the likely harm arising from this proposal officers are not convinced that a refusal could be substantiated against the backdrop of the earlier outline approval and as such a very much 'on-balance' recommendation is forthcoming.

12 RECOMMENDATION: Grant, subject to

(i) **S106 agreement in respect of NHS contributions, open space provision and ongoing management/maintenance**

(ii) **Conditions:**

1 The development permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2 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 for, and amendment to the remediation strategy details.

Agenda Item 7

how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved amended remediation strategy.

Reason: To control pollution of land and controlled waters in the interests of the environment and public safety.

- 3 Prior to any work commencing on the site 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. The CEMP shall be adhered to at all times during all phases.

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

- 4 Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details. Reason To ensure that the precise height of the development can be considered in relation to adjoining dwellings.

- 5 Within 6-months of the commencement of development hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.

Reason: In order to ensure that the site meets the crime prevention guidelines

- 6 The scheme shall be delivered in full accordance with the Flood Risk Assessment (FRA) submitted for this development by Geoff Beel Consultancy dated June 2017 ref: GCB/Humphrey and the proposed mitigation measures shall be fully adhered to –

- Finished floor levels of the proposed development will be set no lower than 2.0mAO.
- Flood resilient and resistance measures will be incorporated into the development.
- The development will be two storeys.

Reason: To prevent the increased risk of flooding and take appropriate measures with regard to flood risk management

- 7 The proposal shall be delivered in full accordance with the recommendations of the Ecological Report prepared by Wild Frontier Ecology (November 2017) report, which shall be supplemented by the following additional

Agenda Item 7

information/supporting information which shall be submitted to and approved in writing by the LPA prior to the relevant stages of the build and occupation of the development as specified:

- i) A minimum 10m exclusion buffer along the northern boundary ditch shall be secured by a suitable exclusion fencing remaining in place throughout the construction phase to ensure that no construction activity takes place within this area.
- ii) Prior to any construction works being undertaken within the watercourse along the northern boundary it should first be checked by a suitably experienced ecologist. If any signs of water voles are found a Water Vole Mitigation Plan shall be prepared; the works should then be undertaken strictly in accordance with the agreed details.
- iii) A badger survey report, including details of all badger protection and mitigation measures should be provided by the applicant prior to commencement of any site clearance works; the works should then be undertaken strictly in accordance with the agreed details.
- iv) All construction trenches shall be covered overnight or a means of escape provided for any hedgehogs (or other mammals) that may have become trapped.
- v) Supplementary fencing details shall be provided which highlight suitable gaps for hedgehogs and other mammals, these details shall then be implemented fully in accordance with the agreed details and thereafter retained in perpetuity.

Reason: To protect and enhance biodiversity on site in accordance with Policy LP19 of the Fenland Local Plan, adopted May 2014

- 8 No development 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.

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, adopted May 2014.

- 9 Prior to the first occupation 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.

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.

Agenda Item 7

- 10 Development above slab level shall not begin until a detailed surface water drainage scheme for the site, based on the agreed surface water drainage strategy prepared by MTC Engineering (ref: 1669-DS-RevB) dated January 2018 has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

- 11 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.

Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework

- 12 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 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.

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

- 13 Prior to the commencement of the relevant parts of the work full details of the materials to be used in the development hereby approved for the 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 details and retained in perpetuity thereafter.

Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.

- 14 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

Agenda Item 7

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.

Reason: To ensure a satisfactory means of access in accordance with policies LP15 and LP16 of the Fenland Local Plan.

- 15 Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the approved details.

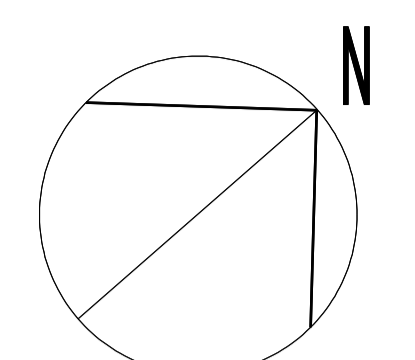
Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

- 16 **Highway conditions to be advised**

- 17 **Approved plans**

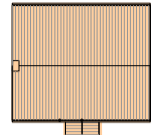
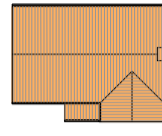

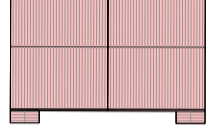
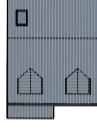
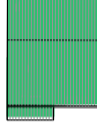
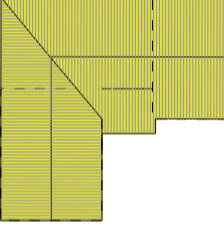


Drain



Key To House Types

Site Total 76 New Dwellings

-  6 No. TYPE A - 4 Bedroom Detached 1200 sq ft
-  3 No. TYPE A2 - 4 Bedroom Detached 1200 sq ft
-  20 No. TYPE B - 4 Bedroom Semi Detached 1100sq ft
-  16 No. Type C - 3 Bedroom Semi detached 900sq ft
-  6 No. Type D3 - 3 Storey 4 Bedroom Town House 1325sq ft
-  13 No. Type D2 - 3 Bedroom Town House 925sq ft
-  12 No. Flats - Block of 6
4 x 2 Bedroom 680sqft
2 x 1 Bedroom 480sqft

Notes
Refer to MTC Highway Design and Setting Out drawings for full details of Road Construction and Arrangement

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
Proposed Residential Development

SITE
Land North West of High Road Wisbech St Mary, Cambs

DRAWING
Site Block Plan

CLIENT
Queensbridge Homes Ltd

DATE Sept 2017 **SCALE** 1:500 @ A1 JOB No: 5755/(P)_10
1:1000 @ A3

REV.	DETAILS	DATE
C	Amended following Planning Discussions	March 2018
D	Type A2 plan added to open space frontage	April 2018
E	Amended to reflect developed site landscape design and LEAP detail plan	May 2018
F	Parking Number updated - coordinate with schedule /11	May 2018
G	Planning arrangements revised following Planning and coordinate with new schedule /11	May 2018
H	Layout updated to confirm points agreed at planning re-consultation	July 2018

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31 OLD MARKET WISBECH CAMBS PE13 1NB

Landscaped and mounded Buffer strip along rear boundary of High Road properties

1.80m high Acoustic Fencing (2A) (see P_15 for spec) constructed along perimeter of application land



Front Elevation



Rear Elevation



Side Elevation



Side Elevation

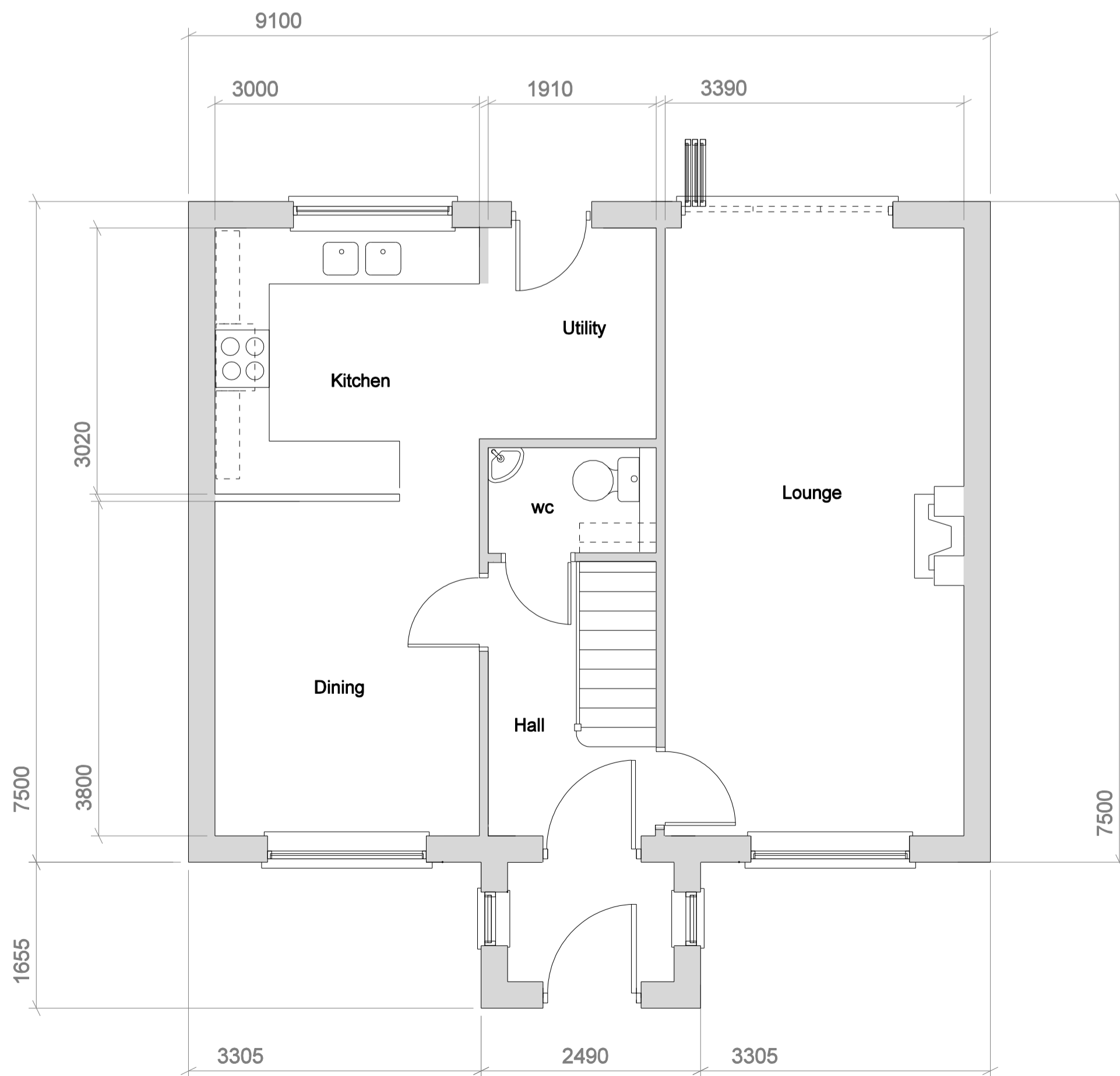
Blue / Black Slate Roofing

White PVCu Casement Windows

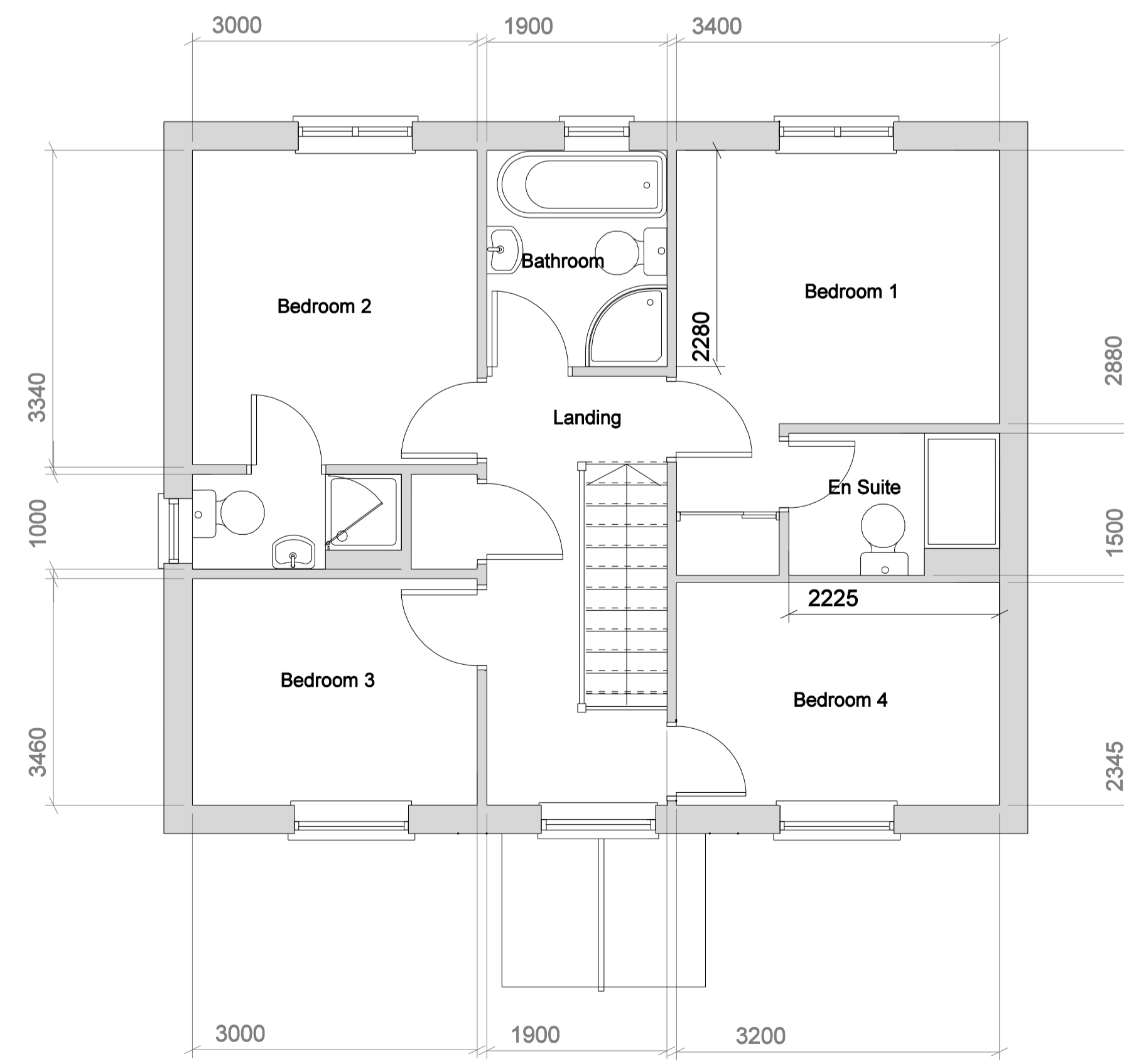
Buff Stock Brick Walls

Soft Red Brick Detailing

Soft Red Lintol Bricks



Ground Floor Plan



First Floor Plan

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
SITE
LAND NORTH OF HIGH ROAD
WISBECH ST MARY, CAMBS

DRAWING
Detached House Type A

CLIENT
Queensbridge

DATE Sept 2017 SCALE 1:50 / 100 @ A1 JOB No. 5755 (P) 34

REV.	DETAILS	DATE
A	Layout updated and roof eaves level raised	Oct 2017

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Front Elevation

Interlocking Slate Blue /Grey Roofing

White PVCu Casement Windows

Yellow buff Stock Brickwork to Walls

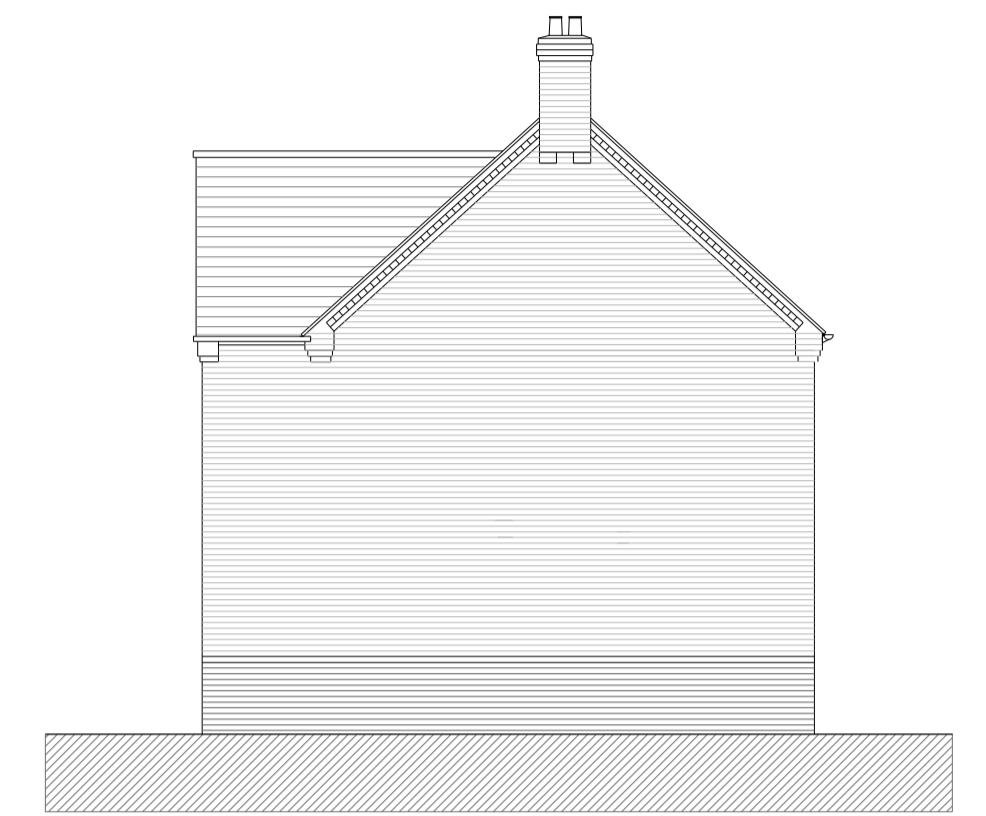
Contrasting brick plinth

Red Brick Detailing

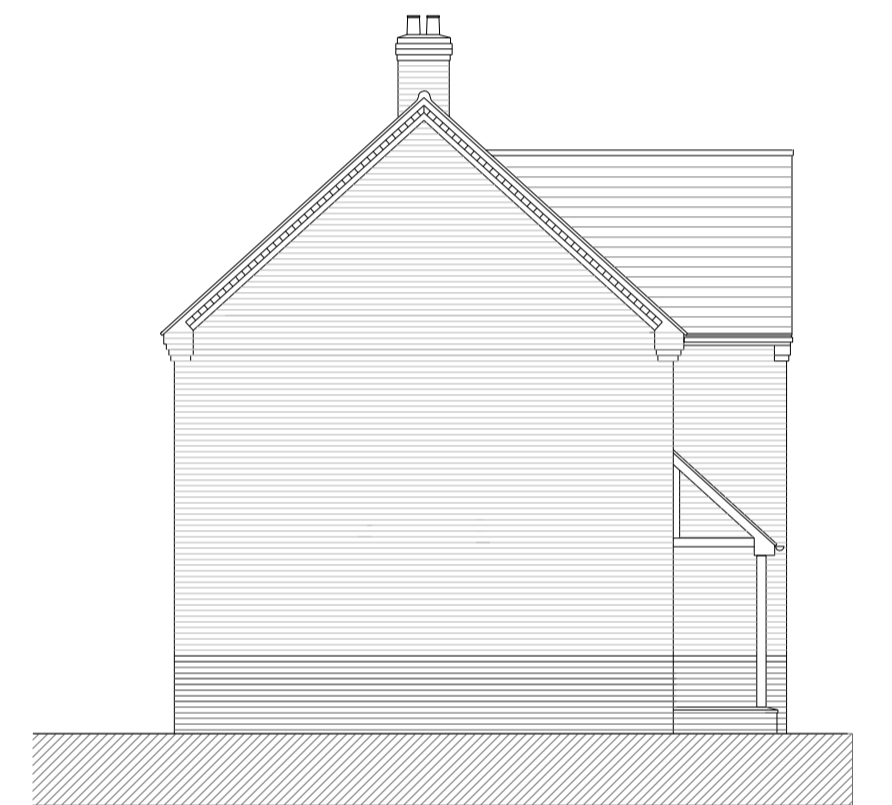
Hardwood Post to Door Canopy



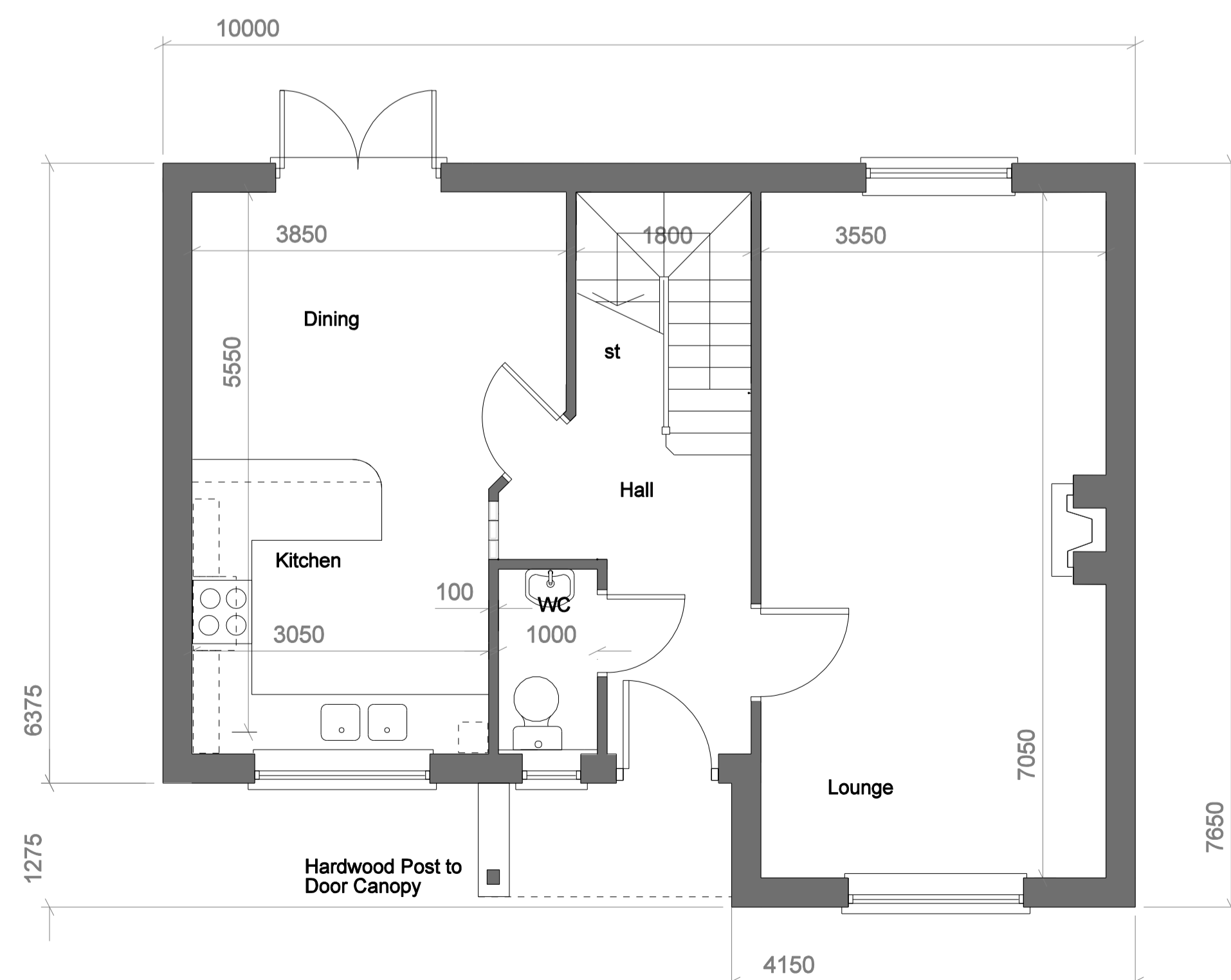
Rear Elevation



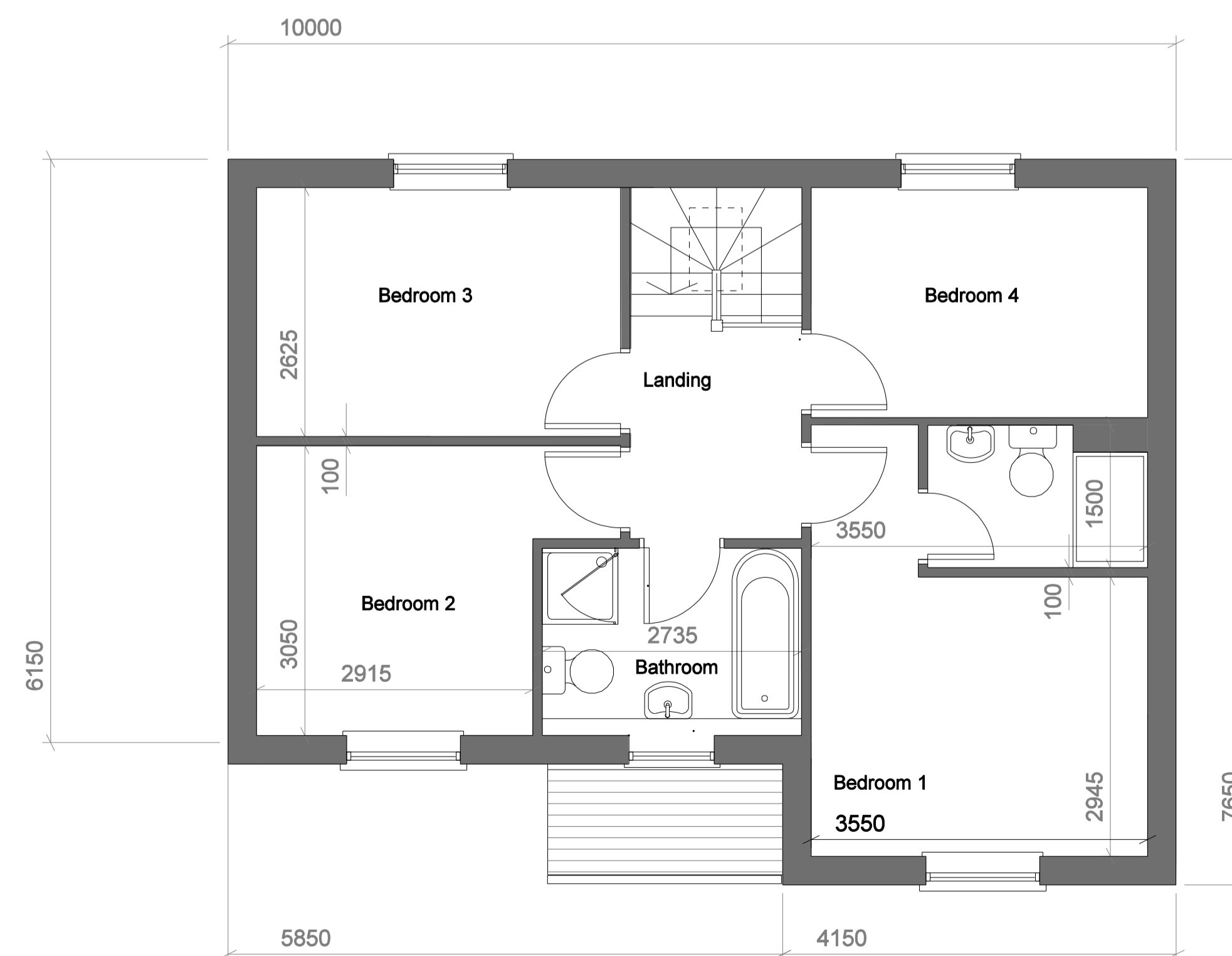
Side Elevation



Side Elevation



Ground Floor Plan



First Floor Plan

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
Proposed Residential Development
SITE
Land North West of High Road Wisbech St Mary, Cambs

DRAWING	Detached House Type A2		
CLIENT	Queensbridge Home Ltd		
DATE	April 2018	SCALE	1:50 / 100
		JOB No.	5755 (P) 40
REV.	DETAILS	DATE	

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Blue / Black Slate Roofing

White PVCu Casement Windows

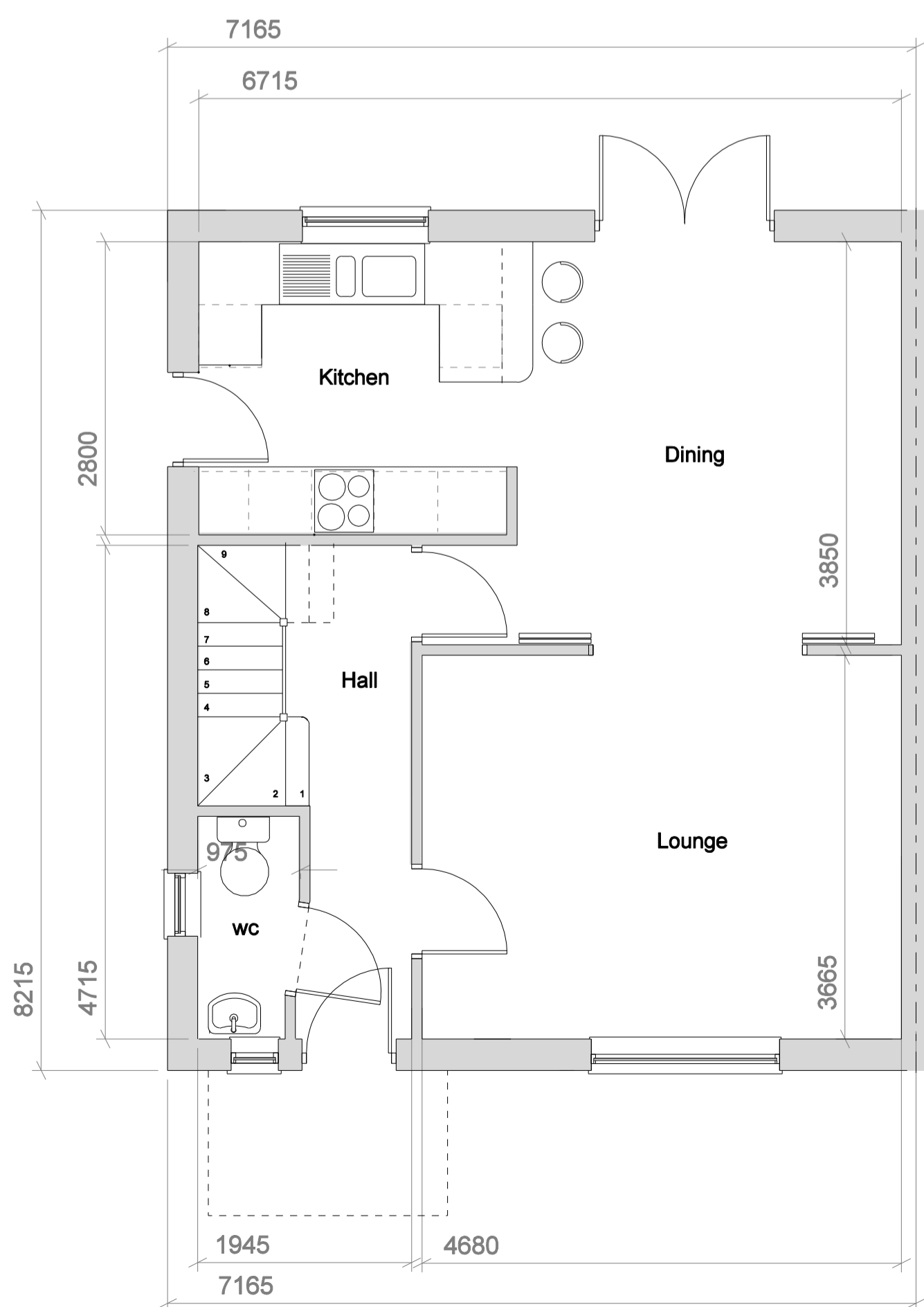
Soft Red Brick Detailing

Buff Stock Brick Walls

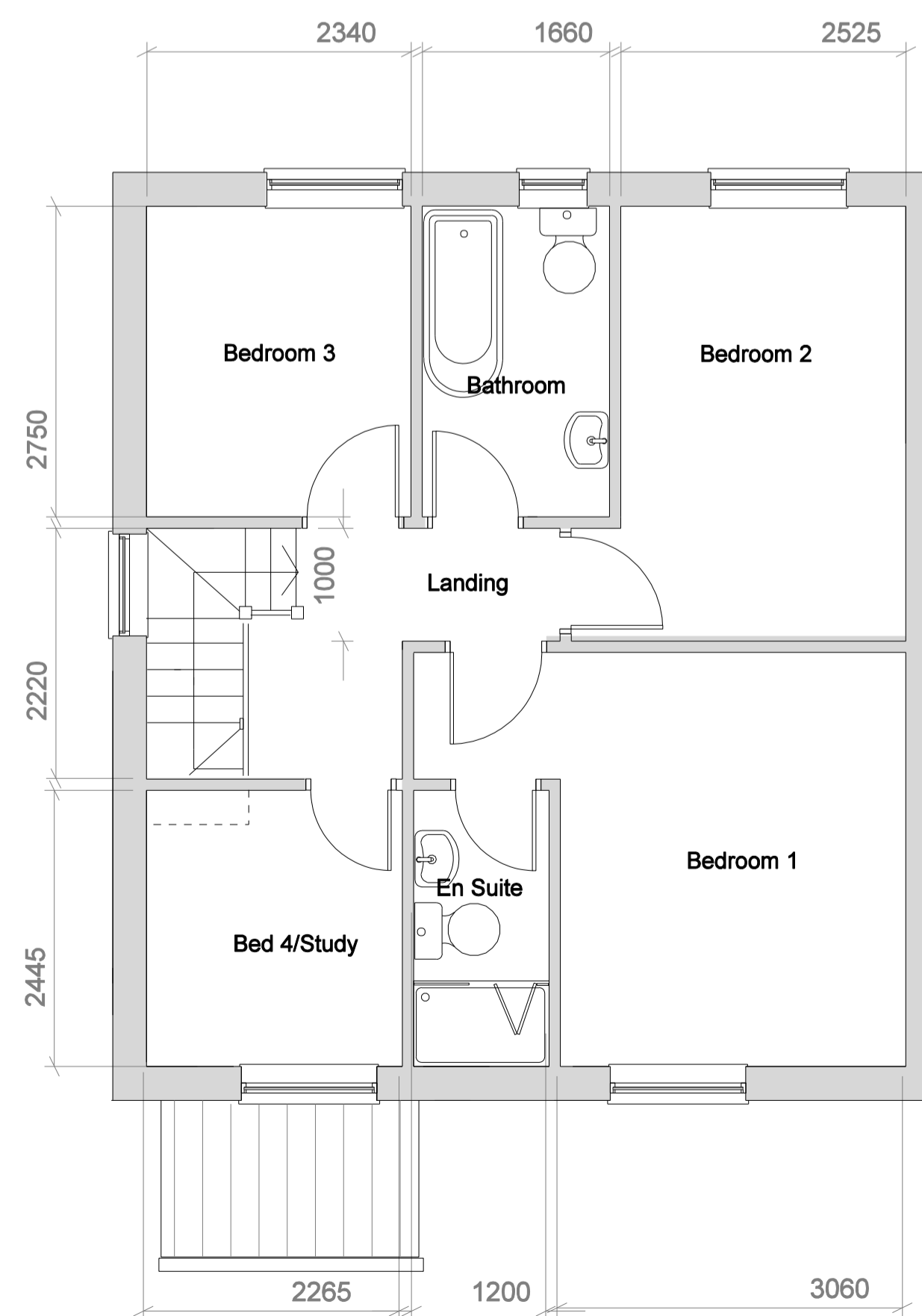


Soft Red Lintol Bricks

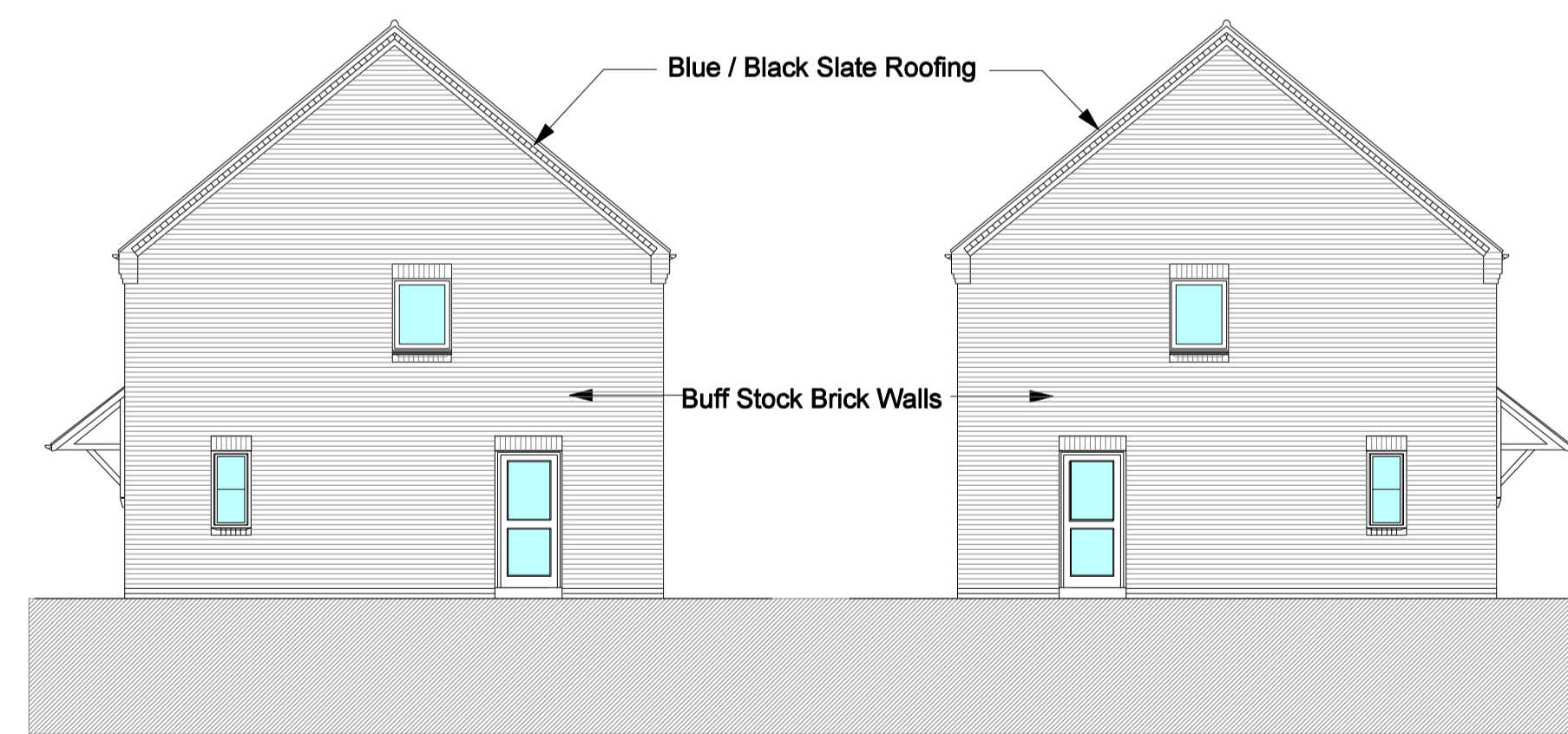
Front Elevation



Ground Floor Plan



First Floor Plan



Blue / Black Slate Roofing

Buff Stock Brick Walls

Side Elevation (1:100)

Side Elevation (1:100)

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
SITE
**LAND NORTH OF HIGH ROAD
WISBECH ST MARY, CAMBS**

DRAWING	Semi - Detached House Type B		
CLIENT	Queensbridge		
DATE	Sept 2017	SCALE	1:50/100 @ A1
		JOB No.	5755 (P) 33
REV.	DETAILS	DATE	
A	Staircase arrangement revised to allow access to loft	Oct 2017	
B	Handed End elevation added and general updates	Nov 2017	

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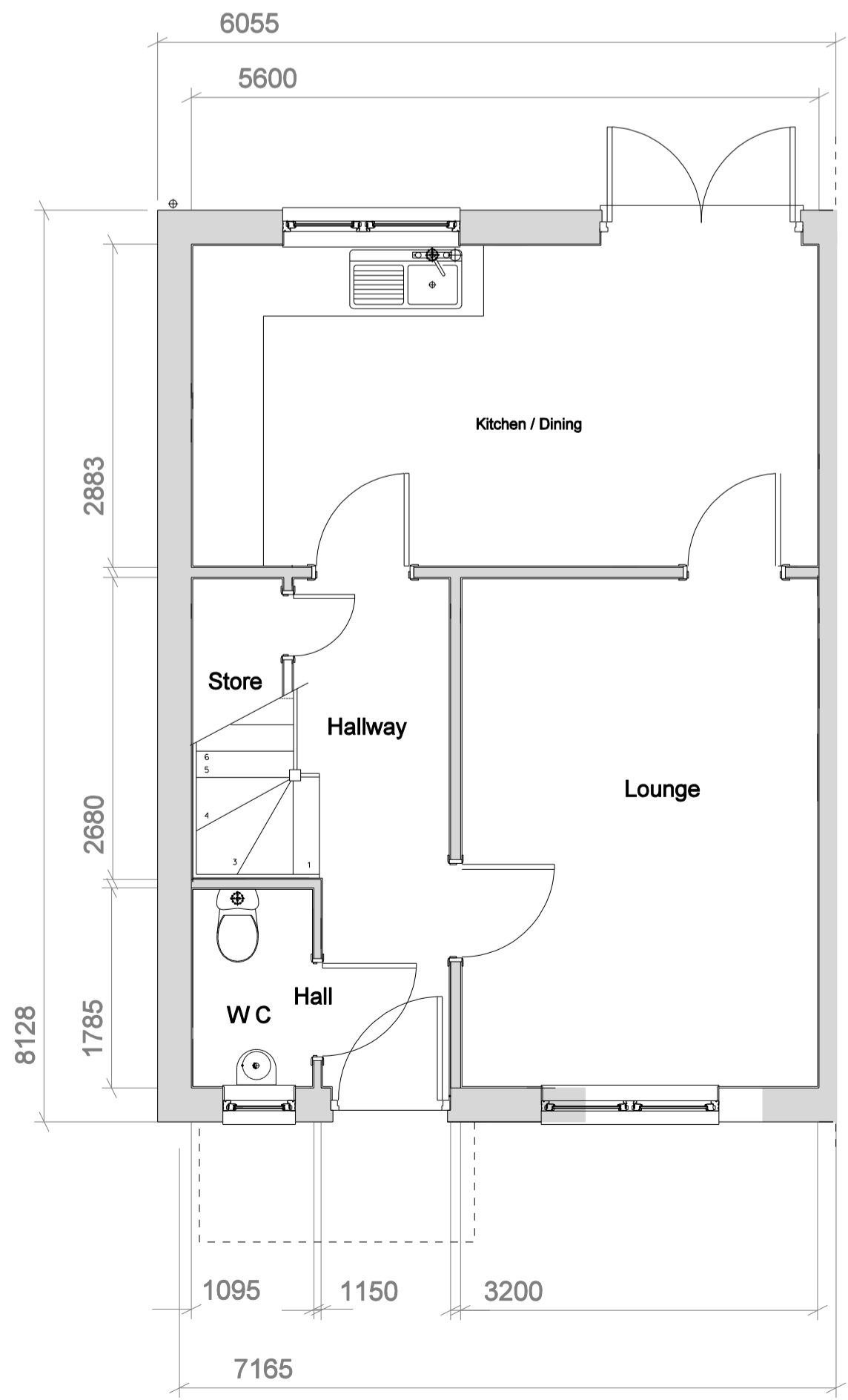
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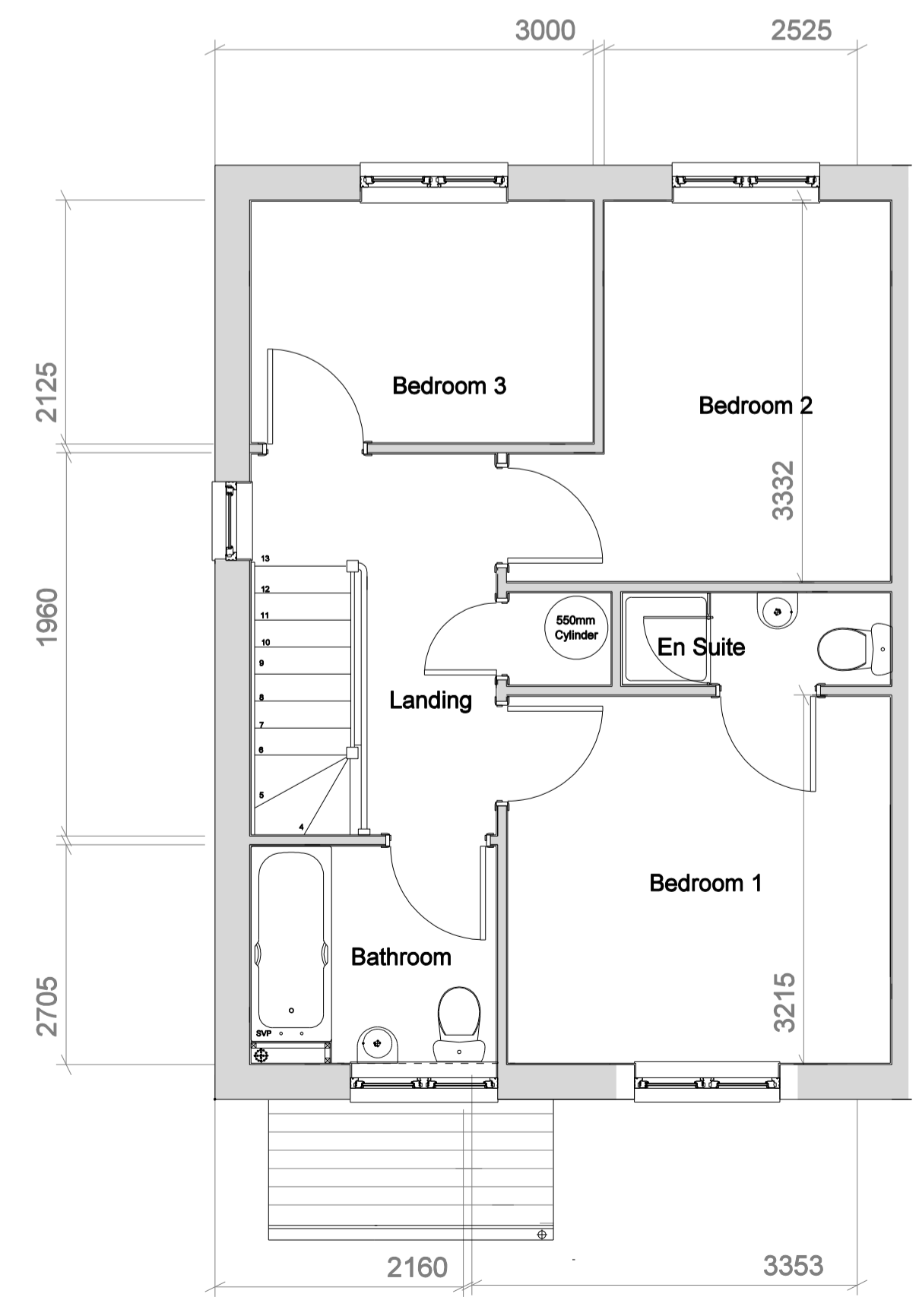
Front Elevation



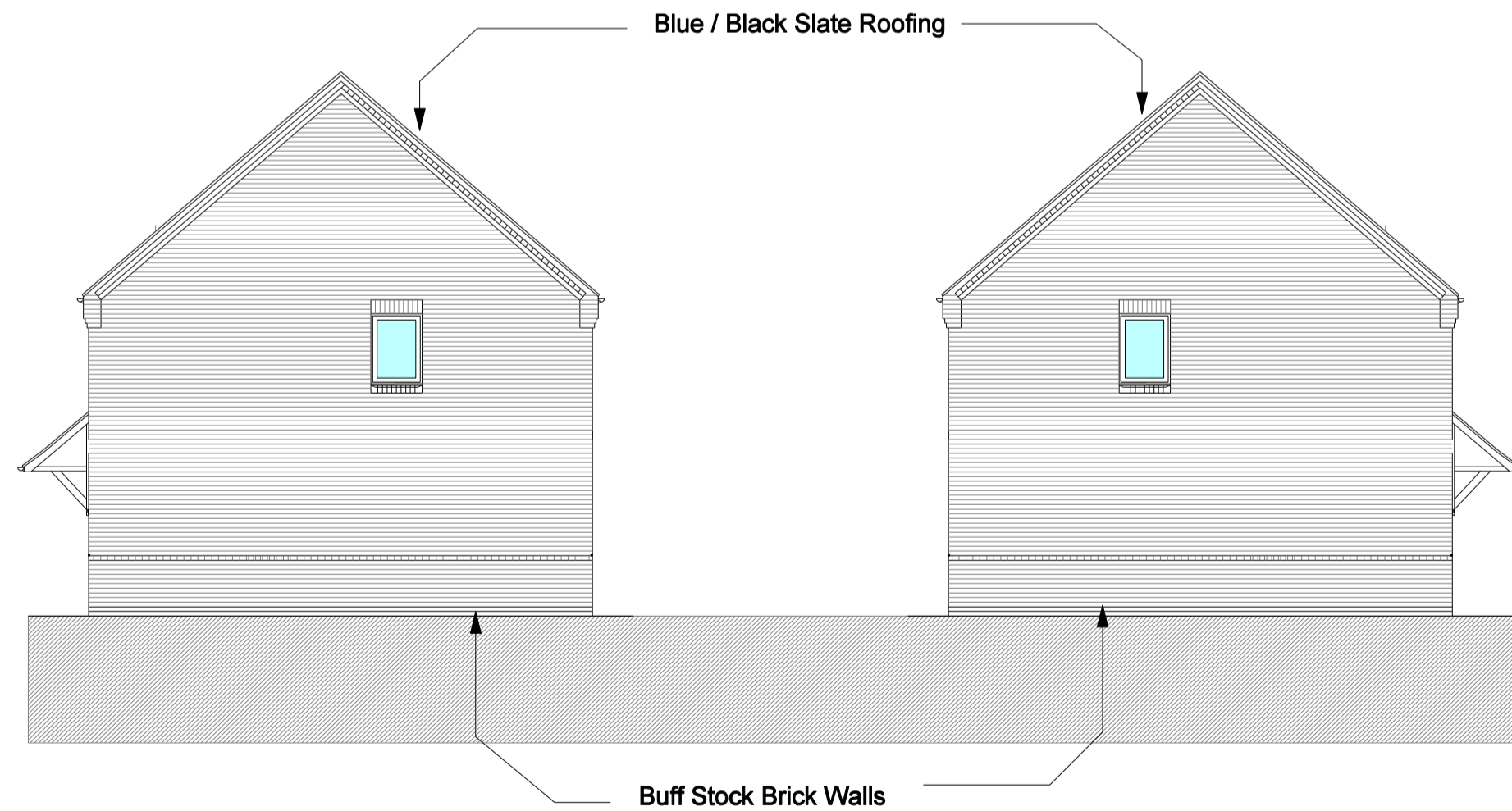
Rear Elevation



Ground Floor Plan



First Floor Plan



Side Elevation (1:100)

Side Elevation (1:100)

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ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
SITE
**LAND NORTH OF HIGH ROAD
WISBECH ST MARY, CAMBS**

DRAWING
Semi-detached House Type C

CLIENT
Queensbridge

DATE Sept 2017 SCALE 1:50 / 100 @ A1 JOB No. 5755 (P) 31

REV.	DETAILS	DATE
A	Revised Sheet arrangement to show additional elevation details	Nov 2017

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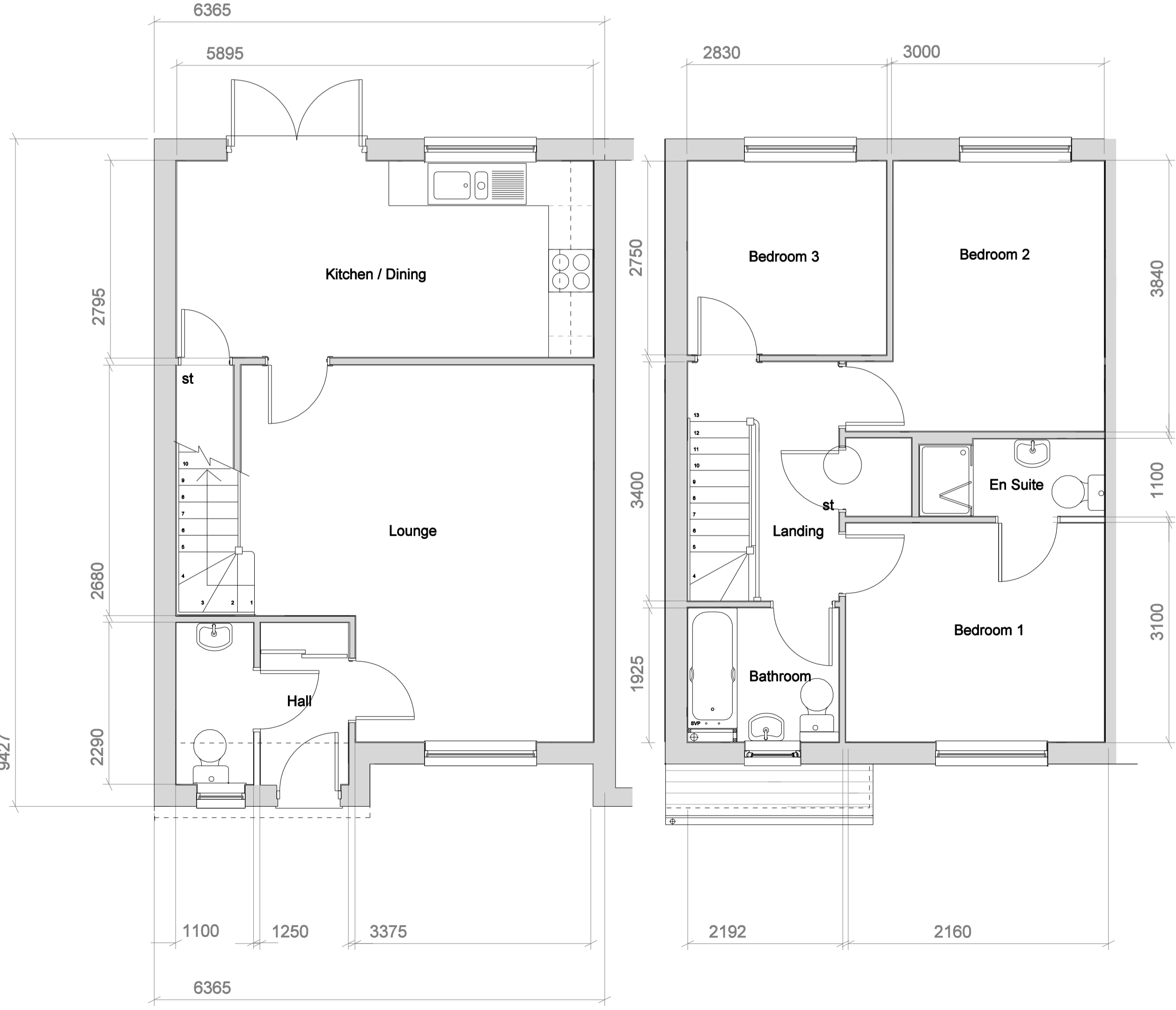
Town House Type D3 - 4 Bedroom terrace 1325sq ft (gross internal area)



Front Elevation scale 1:50

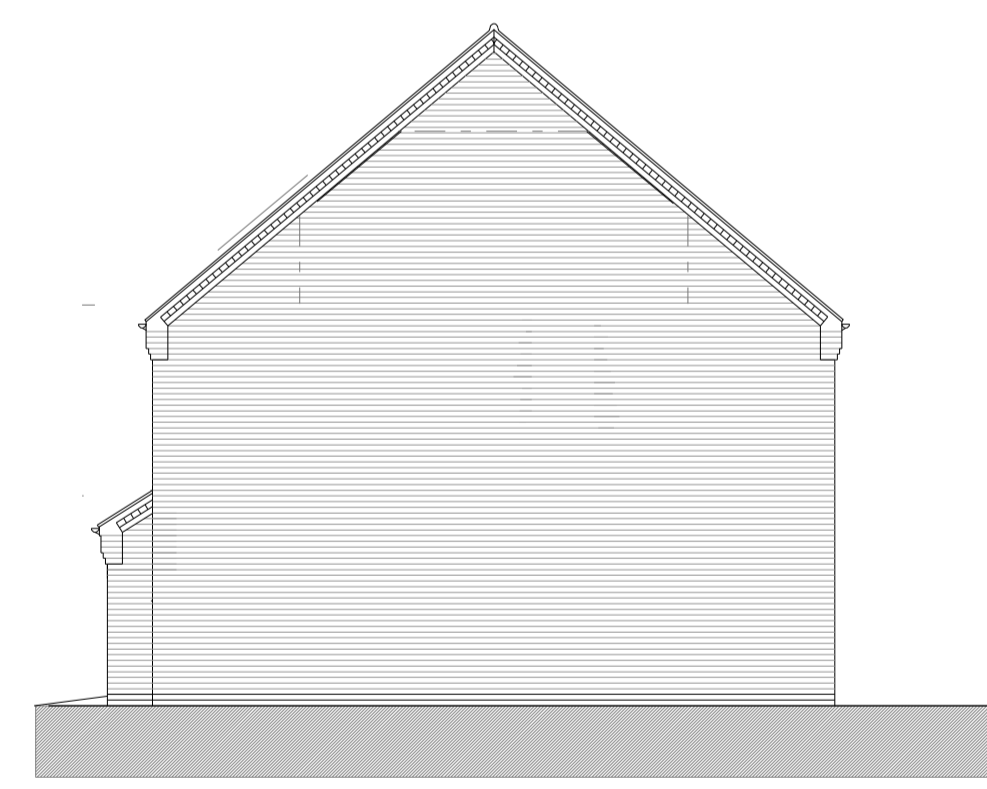


Rear Elevation scale 1:50

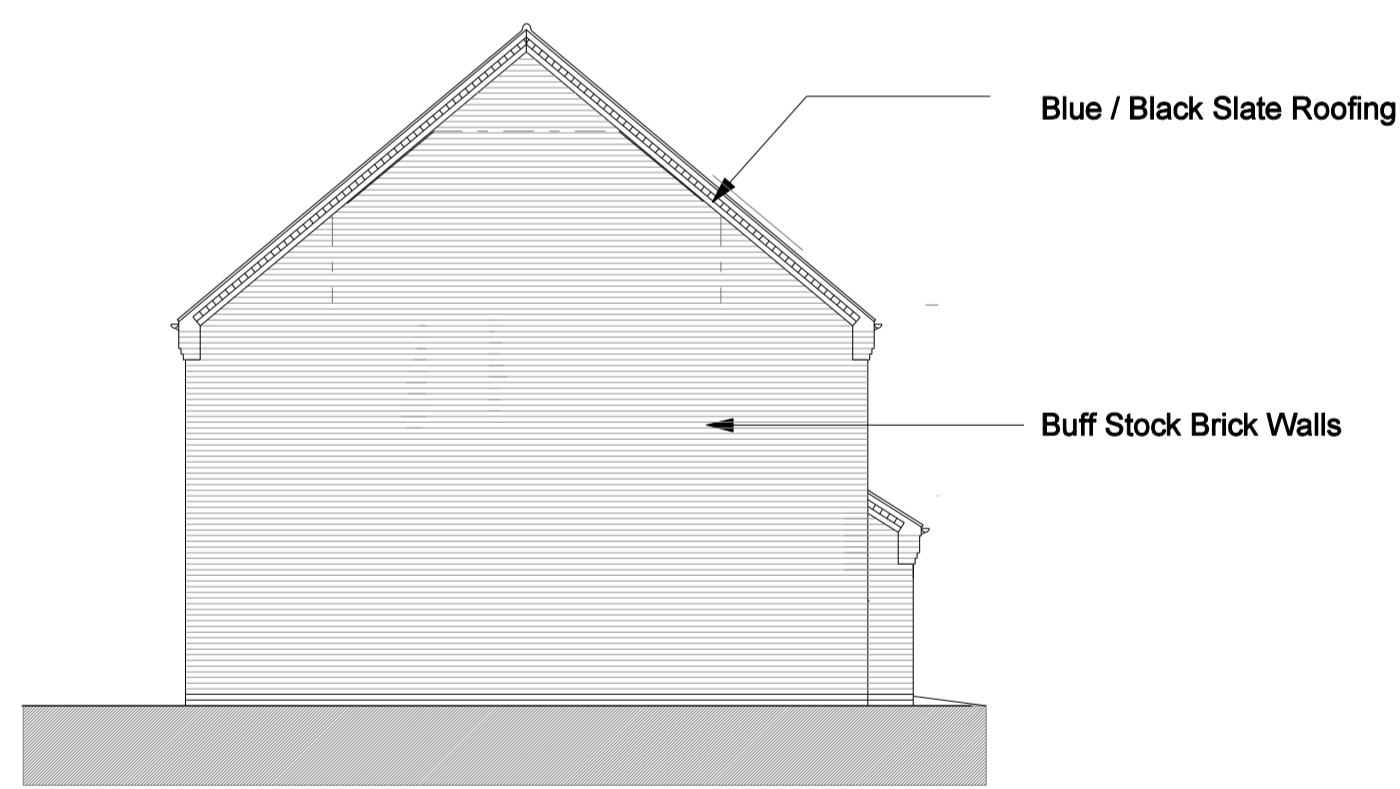


Ground Floor Plan scale 1:50

First Floor Plan scale 1:50



End Terrace Elevation scale 1:100



End Terrace Elevation scale 1:100

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ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
SITE
LAND NORTH OF HIGH ROAD
WISBECH ST MARY, CAMBS

DRAWING	Town House Type D2 - 2 Storey		
CLIENT	Queensbridge		
DATE	Sept 2017	SCALE	1:50 / 100 @ A1
		JOB No.	5755 (P) 42
REV.	DETAILS	DATE	

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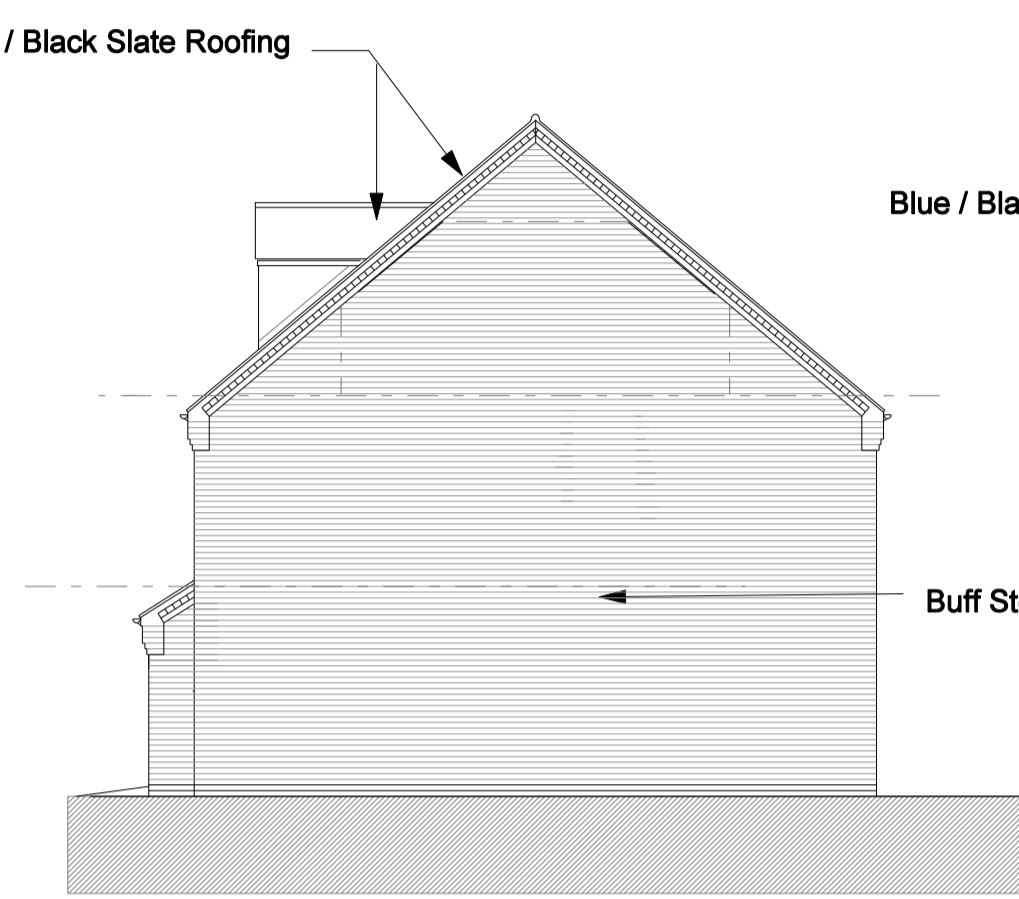
Town House Type D - 4 Bedroom terrace 1325sq ft (gross internal area)



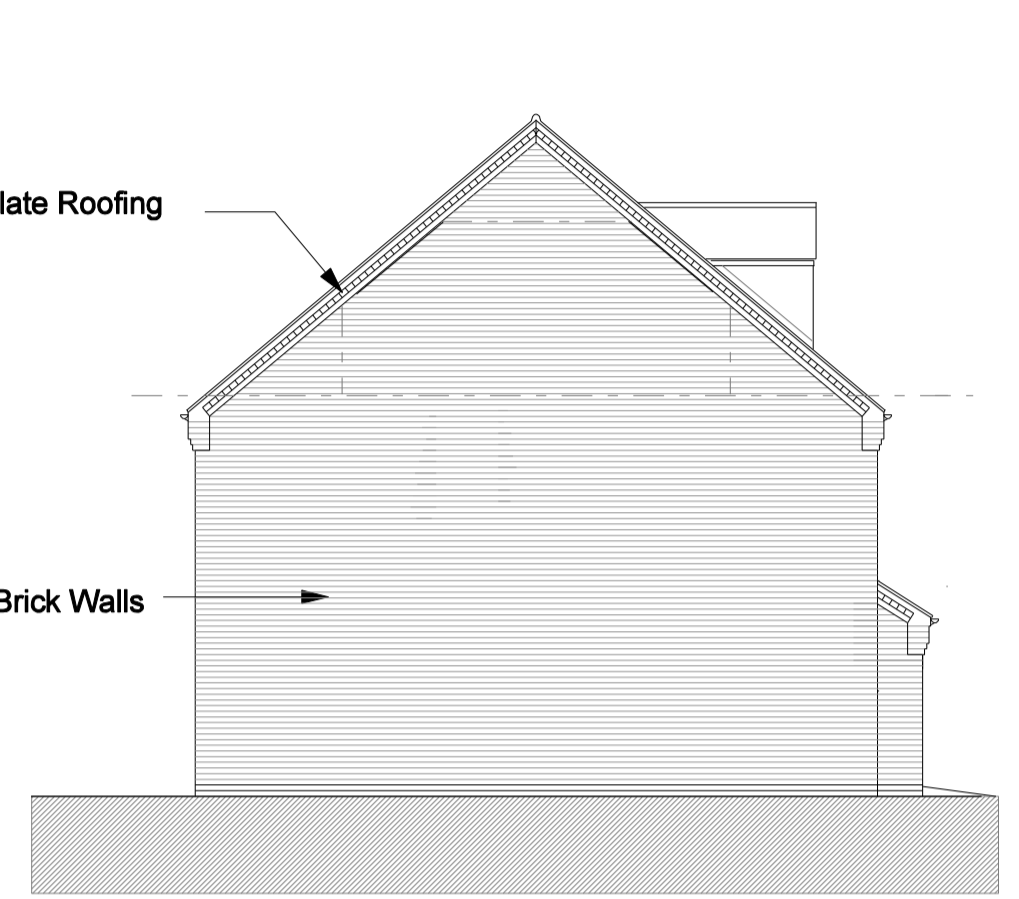
Front Elevation



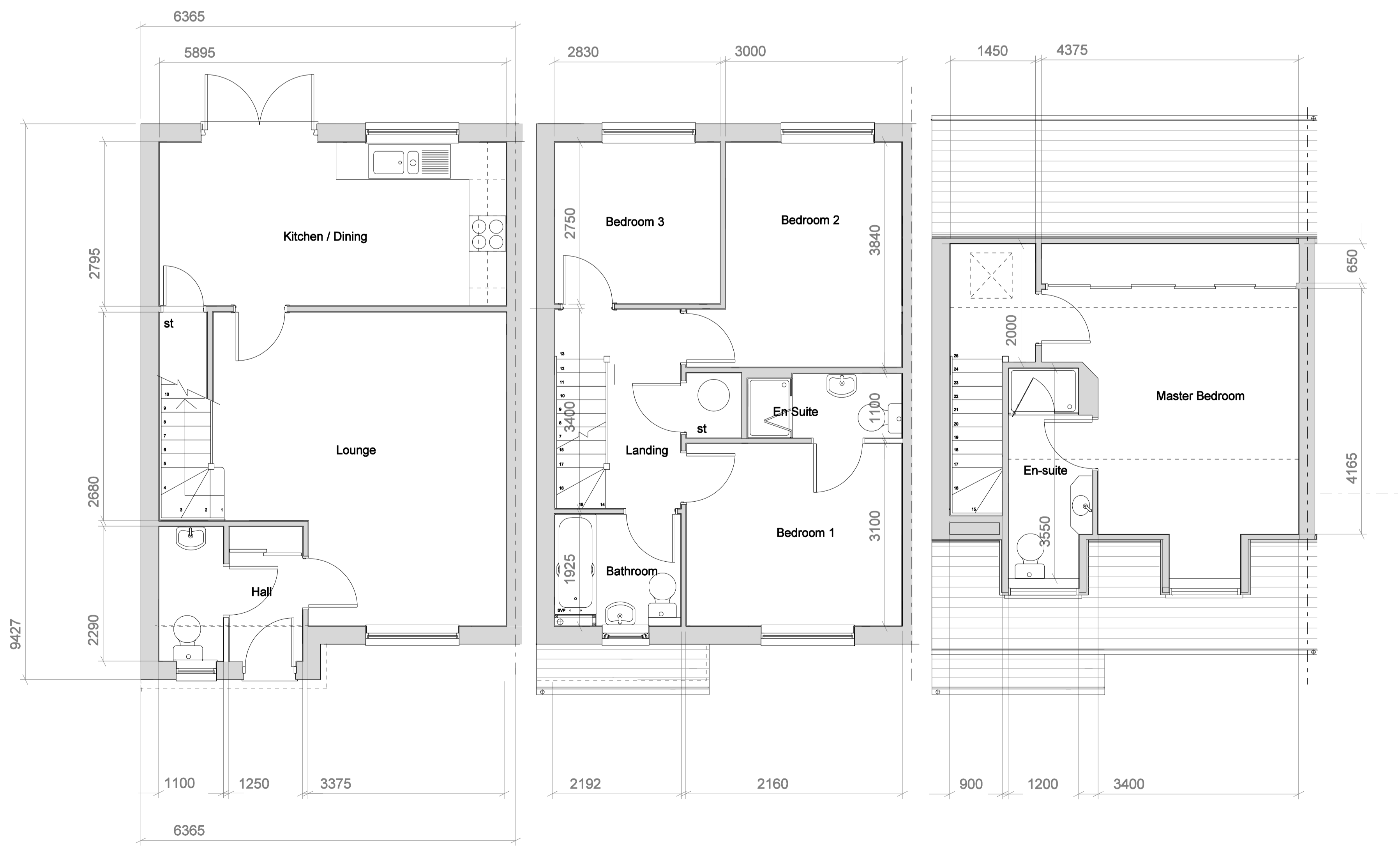
Rear Elevation



End Terrace Elevation



End Terrace Elevation



Ground Floor Plan

First Floor Plan

Second Floor Plan



PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
 SITE
**LAND NORTH OF HIGH ROAD
 WISBECH ST MARY, CAMBS**

DRAWING
Town House Type D - 3 Storey

CLIENT
Queensbridge

DATE Sept 2017 SCALE 1:50 / 100 @ A1 JOB No. 5755 (P) 32

REV.	DETAILS	DATE
A	Re-detailed as three storey design	Oct 2017
B	Additional Elevations added for Planning	Nov 2017

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Stir Window with integrated fire venting

Yellow BuBlue |Black Interlocking Slate Roofing Tiles - 35 degree pitch

Yellow Buff Stock Brickwork

Cast Iron effect UPVC rainwater goods



North East Elevation

Alternative Dining Area Window position to avoid overlooking in units 30 - 35

North West Elevation

Yellow BuBlue |Black Interlocking Slate Roofing Tiles - 35 degree pitch

Glazing to Lounge

Yellow Buff Stock Brickwork



South West Elevation

Yellow BuBlue |Black Interlocking Slate Roofing Tiles - 35 degree pitch

Cast Iron effect UPVC rainwater goods

Glazed Juliet balcony

Yellow Buff Stock Brickwork

Glazing to Lounge



South East Elevation

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
SITE
**LAND NORTH OF HIGH ROAD
WISBECH ST MARY, CAMBS**

DRAWING
Flats Block 43 to 48 - Elevations

CLIENT
Queensbridge

DATE Nov 2017 SCALE 1:50 @ A1 JOB No. 4962 (P) 38

REV.	DETAILS	DATE
A	Elevation Tiles Expanded and Additional Detail Added	Dec 2017

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F/YR17/0685/VOC

**Applicant: Mr Jean-Baptiste
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**Agent : Mr Alan Wallis ARIBA
Wallis Design Associates**

Land South West Of, Queen Street Close, March, Cambridgeshire

Variation of condition 1 (condition listing approved plans) relating to planning permission F/YR14/0886/RM (Erection of 6 x 3-storey, 3-bed dwellings with balcony to front and integral garage and 4 x 3-storey, 2-bed dwellings) to provide for 10 x 2-storey 3-bed dwellings with accommodation in the roof space, revisions to design, materials, floor area, turning head, landscaping and boundary treatments, amenity areas and removal of the integral garages.

Reason for Committee: March Town Council comments contrary to officer recommendation.

1 EXECUTIVE SUMMARY

Outline planning permission and reserved matters for 10 residential units(6 X 3 bedroom dwellings, and 4 X 2 bedroom dwellings) on this site has been previously granted, as development has commenced the permission is extant. This application seeks to substitute previously approved drawings with a new scheme.

The current application, as originally submitted, sought to vary the approved scheme by increasing the size of the dwellings to provide for 4 bedroomed units. Following concerns regarding the size and scale of the development the proposal has been amended to provide for 6 X 3 bedroom dwellings, and 4 X 2 bedroomed dwellings. The gross internal floor area relating to the current schemes has been reduced from 1335 sq ft to 983 sq ft. The revised scheme substantially reflects the extant permission in terms of the layout and height; design has been amended from a three storey development to a more traditional terrace style with dormers.

The site is located on land south-west of Queen Street Close, March in a sustainable location on previously developed land about a mile to the north of the existing services and facilities of March Town Centre.

The site is of sufficient size to facilitate an appropriate extension to Queen Street Close and the proposed development would be well integrated with the existing built development surrounding the site.

The proposal accords with the relevant development plan policies and to the aims and objectives of the National Planning Policy Framework, as such the application is recommended for approval.

2 SITE DESCRIPTION

- 2.1 The site (0.14 ha) is located at the end of Queen Street Close, about a mile to the north of the centre of March. The site is rectangular shaped and is currently redundant and overgrown, it was formerly occupied by local authority offices. The site is bounded on all sides by existing development, with residential development to the south and north-east, an ambulance station to the east, car-park to the north and to the west by All Saints primary school. Fenland District Council offices are located some 40m to the south east. The site lies within Flood Zone 1.

3 PROPOSAL

- 3.1 This application seeks to substitute the scheme approved under F/YR14/0886/RM by varying condition1 (approved drawings) of that permission.
- 3.2 The scheme as previously approved was for a for a terrace of 4 houses facing towards Queen Street Close and a terrace of 6 houses at right angles to it, separated by a courtyard. The development was a mix of two-storey with projecting gables which included some accommodation at second floor level. 6 of the units were to be 3 bedroomed, and the remaining 4 units to be 2 bedroomed. The 3 bedroomed units had integral garages and projecting gables. The design changes provide for a more traditional terrace of properties with front dormers and use of brick and tile instead of three storey double pitched roof and use of timber boarding as originally submitted. The height to ridge level at 9.1m is more reflective of the appeal approval (8.7m) than the 9.5m proposed for the three storied design.
- 3.3 As originally submitted the current application proposed a considerably larger scheme to provide for 3 storey development of 10 units each with 4 bedrooms, set as before in two blocks of terraces. The scale and appearance was bulky and incongruous with a double pitched roof for each unit and the use of blackened timber weatherboarding.
- 3.4 Following concerns about the scale and appearance of the scheme it has been revised to provide for a smaller development which is more reflective of the design principles of the earlier reserved matters approval.
- 3.5 The layout and number of units (10) remain as approved. Each unit is to have 3 bedrooms, with accommodation in the roof. Essentially, the proposal represents an increase in a total of 4 bedrooms over the entire scheme. The uneasy visual appearance of projecting gables coupled with the use of blackened timber weatherboarding has been replaced by a more traditional design utilising dormer windows and red brick, interspersed with render, with plain roof tiles.
- 3.6 Full plans and associated documents for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=OTQTQQHE06P00>

4 SITE PLANNING HISTORY

F/YR17/0433/ENQDIS –	Application to seek compliance of Condition 3 (Commencement) of works Of Appeal Decision Relating to F/YR11/0388/O (Erection of 6 X 3-bed and 4 X 2-bed terraced houses)	Satisfied 12.07.2017
F/YR14/0886/RM	Erection of 6 x 3-storey, 3-bed dwellings with balcony to front and integral garage and 4 x 3-storey, 2-bed dwellings	Granted 15.01.2015
F/YR14/3124/COND	Detail reserved by Conditions 5, 6, 7, and 8 of Appeal Decision APP/D0515/A/11/2160783 relating to F/YR11/0388/O (Erection of 6 x 3-bed and 4 x 2-bed terraced houses)	Granted 15.01.2015
F/YR14/0537/F	Variation of Condition 7 of Appeal Decision APP/D0515/A/11/2160783 relating to F/YR11/0388/O (Erection of 6 x 3-bed and 4 x 2-bed terraced houses)	Withdrawn 18/11/2014
F/YR11/0716/EXTIME	Erection of 8 x 2-bed houses (renewal of planning permission F/YR08/0774/O)	Granted 21/10/2011
F/YR11/0388/O	Erection of 6 x 3-bed and 4 x 2-bed terraced houses	Appeal allowed on 14/12/2011
F/YR10/0215/O	Erection of 10 x 3-bed houses with associated parking	Refused on 7/6/2010. Dismissed on appeal 29/11/2010
F/YR09/0681/O	Erection of 12 x 3-bed houses with integral garages	Withdrawn 12/01/2010
F/YR08/0774/O	Erection of 8 x 2-bed houses	Granted 14/10/2008
F/YR07/0010/FDC	Residential Development (0.1485 ha) involving demolition of existing terrapin building	Granted 29/03/2007

5 CONSULTATIONS

Cambridgeshire Constabulary: Supports the development.

Designing Out Crime Officer: Recommends a condition to secure external lighting.

Environmental Health Officer: No objections.

Fenland DC Housing Strategy: Has stated that an affordable housing contribution does not apply as the scheme is for 10 units.

Highway Authority: Recommends the provision of the turning head prior to the occupation of any dwellings.

March Town Council: Recommends refusal on grounds of overdevelopment and lack of garages

North Level IDB: No comments to make.

Representations: Concerns (scheme as originally submitted) have been expressed about the playground of the neighbourhood school being overlooked, and highway safety through traffic increase.

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) (2018)

Paragraph 2- Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 10 - Presumption in favour of sustainable development.

Paragraph 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 54 - Use of conditions or planning obligations.

Paragraph 81 - Create conditions in which businesses can invest, expand and adapt.

Paragraph 83 - Supporting a prosperous rural economy.

Paragraph 103 - Manage growth to achieve sustainable transport.

Paragraph 149 - Mitigating and adapting to climate change.

Paragraph 155 - Planning and flood risk – Directing development away from areas at highest risk of flooding.

Paragraph 170 - Decisions should contribute to and enhance the natural and local environment.

Paragraph 212 - The Framework is a material consideration which should be taken into account in dealing with applications.

National Planning Practice Guidance (NPPG)

Design
Health and Well Being

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
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

March Neighbourhood Plan 2017

H2 – Windfall Development

8 KEY ISSUES

- **Principle of Development**
- **Variation of Conditions**
- **Character and Appearance of the Area.**
- **Impact on Residential Amenity.**
- **Amenity space**
- **Landscaping**
- **Highways**
- **Economic Growth**
- **Health and Wellbeing**

9 BACKGROUND

- 9.1 In 2008 outline planning permission (F/YR08/0774) was granted for 8 two bedroom dwellings. In 2010 outline planning permission (F/YR10/0215/O) for 10 dwellings (3 bedrooms) was dismissed on appeal (APP/D0515/A/10/2131410) on grounds of design and layout.
- 9.2 Subsequently outline planning permission (F/YR11/0388/O) for a residential scheme comprising of 10 terraced houses (2 & 3 Bedrooms) was granted on appeal (APP/D0515/A/11/2160783) on 14/12/2011. The inspector considered the 2011 scheme to be a significant improvement on the development dismissed at appeal earlier which was described as “uncompromisingly bland”. Access and layout were committed under the appeal proposal, permission was conditioned to require, amongst other things, details of the turning head and its provision before the occupation of the dwelling. This application was also subject to a Unilateral Undertaking which secured the provision for early years, primary and secondary education.

- 9.3 Approval of the appearance, landscaping and scale was then granted under Ref F/YR14/0886/RM on 15.01.2015. Under application F/YR17/0433/ENQDIS it was accepted that the laying of surface water drainage on the site constituted commencement of development and on this basis the application was granted on 12 July 2017.

10 ASSESSMENT

Principle of Development

- 10.1 The principle of development on this site has been accepted by the grant of outline planning permission, and reserved matters- the permission is extant as development has commenced. The main issues that need to be taken into account in the consideration of the application are discussed below.

Variation of Conditions-Section 73 Applications

- 10.2 The variation sought would not result in a fundamental inconsistency with the development which has been granted. In other words, varying conditions in this instance would not unacceptably alter the nature of the original permission. As the effect of approving a S73 application is to create a new grant of planning permission the decision notice should set out all the conditions the planning authority wishes to impose. Also, because a Sec73 application cannot be used to vary the time limit for implementation, the “commencement date”, condition must be the same as the original permission. In the instance of this application the commencement of development has been agreed under application F/YR17/0433/ENQDIS a condition imposing time limits would not be necessary.
- 10.3 It should be noted that the original planning permission will continue to exist whatever the outcome of the application under S73. NPPG advises that to assist with clarity, decision notices for the grant of planning permission under S73 should also repeat the relevant conditions from the original permission unless they have already been discharged.
- 10.4 In granting permission under S73 the local planning authority may also impose new conditions – provided the conditions do not materially alter the development that was subject to the original permission and are conditions which could have been imposed on the earlier permission
- 10.5 Planning application F/YR14/3124/COND partially discharged conditions imposed under F/YR11/0388, there is a need to reimpose any undischarged elements - the conditions are discussed below.
- 10.6 **Condition 5 (Land Contamination):** The reports previously submitted demonstrated that the site was not contaminated. However a gas study showed that gas protection measures were needed. Verification that these measures have been installed will be required prior to the occupation of any dwellings.
- 10.7 **Condition 6 (Archaeology):** The submitted reports confirmed that the site contained no archaeological interest, and this condition was fully discharged.
- 10.8 **Condition 7 (Construction and surfaces of turning head):** This condition required details of the construction and surfaces of the turning head to be submitted to and approved in writing. Thereafter the approved dwellings were

not to be occupied until the turning head had been constructed in accordance with the approved details. Although submission details were considered to be adequate and the condition discharged, the implementation element of the condition remains outstanding and will need to be reimposed.

- 10.9 **Condition 8 (surface water drainage):** The submitted scheme proposed infiltration to dispose of surface water drainage, the details were considered to be acceptable and the condition discharged.
- 10.10 In summary, the implementation elements of conditions relating to the provision of the turning head, and gas protection measures will need to be re-imposed.
- 10.11 Where an application under S73 is granted, the effect is the issue of a new permission, sitting alongside the original permission, which remains intact and unamended.

Character and Appearance of the Area

- 10.12 The proposal remains for a terrace of 4 houses facing towards Queen Street Close and a terrace of 6 houses at right angles to it, separated from it by a court yard. This layout almost identical to that approved as part of the outline planning permission.
- 10.13 The majority of housing in the area is two-storey, however there is a considerable variation of styles and there is the large scale of the Local Authority offices to the south. The approved scheme was for a mix of two-storey with projecting gables which include some accommodation at second floor level. Plots 1 to 6 was a predominately two-storey block, whereas plots 7 to 10 had a greater element of projecting gables with second floor accommodation. The proposed scheme, as revised, substantially reflects the extant permission in terms of layout and height.
- It is considered that the current scheme with traditional rows of terraces with steeply pitched roofs incorporating dormers; use of pronounced firebreaks; cast iron effect gutters, white painted timber windows; and mixture of render and brick provides a more interesting and less bulky backdrop to this end of the Close than previous design iterations. The proposed design and materials are considered to be appropriate, and the development will be an attractive solution to the redevelopment of a redundant site.

Impact on Residential Amenity

- 10.14. It is accepted that there would be some overlooking of the adjoining primary school to the west. Plots 1 to 6 would be about 25 metres from the school building which is partly screened by the canopy in front of it. There is also a linear form of strategic tree planting positioned along the western boundary of the site this will be lost as a consequence of the development. However, it is considered proposed development should not give rise to an unacceptable level of overlooking. Appropriate boundary treatment would provide some mitigation.
- 10.15. Plots 7 to 10 would overlook part of the existing car park and the existing flats at No.5 Queen Street Close. This block would be over 60 metres from the residential development along County Road. This amount of separation distance together with the proposed tree planting would provide no undue impact in terms of overlooking/loss of privacy of these residential properties.

- 10.16 Similarly the proposed development would not cause any adverse impacts in terms of overshadowing of surrounding dwellings, partly due to the orientation of the site and the level of separation that has been provided.
- 10.17 Overall the proposal is considered to have an acceptable relationship to the adjoining built form and consequently accords with Policy LP16 of the Local Plan.

Amenity Space

- 10.18 Policy LP16 (h) recommends that a minimum of a third of the plot curtilage should be set aside as private amenity space. This requirement is met.

Landscaping

- 10.19 The main area of landscaping proposed is along the western boundary of the site, this will provide some screening and mitigate against concerns of overlooking expressed by the school. Other landscaping is mainly ornamental to the front of the development. The landscaping proposals accord with Policy LP16(i)

Highways

- 10.20 The Highway Authority recommends the provision of the turning head prior to the occupation of any dwellings, this requirement will be conditioned. March Town Council's recommendation to refuse due to lack of garages cannot be justified as provision has been within the site for 20 car parking spaces - this complies with requirements and is acceptable to the Highway Authority.

Economic Growth

- 10.21 The development would be likely to provide a degree of local employment during construction which would support the continued sustainability and economic growth of March. Residents of the proposed development will also contribute towards the local economy. The proposal is therefore considered to accord with Policy LP2.

Health and Wellbeing

- 10.22 In accordance with Policy LP2 of the Local Plan development proposals should positively contribute to creating a healthy, safe and equitable living environment. In doing so development proposals, amongst other things, should create sufficient and the right mix of homes to meet people's needs, and in the right location. It is considered that this location represents a sustainable location where residents will be able to easily access local services and facilities without dependence on a private motor vehicle.

11 CONCLUSIONS

- 11.1 The proposal would not be in keeping with and not have an adverse impact on character of the surrounding area. The development is in a sustainable in location close to the Town Centre, and flood risk terms. The proposal is therefore considered to accord with national and local policy.

12 **RECOMMENDATION:** APPROVE subject to the following conditions:

- 1 Prior to the occupation of any buildings full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-
 - a) means of enclosure
 - b) hard surfacing, other hard landscape features and materials
 - c) existing trees, hedges or other soft features to be retained
 - d) planting plans, including specifications of species, sizes, planting centres number and percentage mix

Reason - The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 of the Fenland Local Plan, 2014.

- 2 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 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.

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 Local Plan.

- 3 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:
 - i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);
 - ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
 - iv) alterations to the roof of the dwelling house (as detailed in Schedule 2, Part 1, Class C).

Reasons - To prevent overlooking of neighbouring properties, in the interest of the protection of residential amenity, in order to control future development, to prevent the site becoming overdeveloped and in accordance with Policy LP16 of the Fenland Local Plan.

- 4 The dwellings hereby approved shall not be occupied until the turning head indicated on the approved plan has been provided in accordance with the approved details.

Reason: In the interests of highway safety to accord with the provisions of Policy LP15 of the Fenland Local Plan (2014).

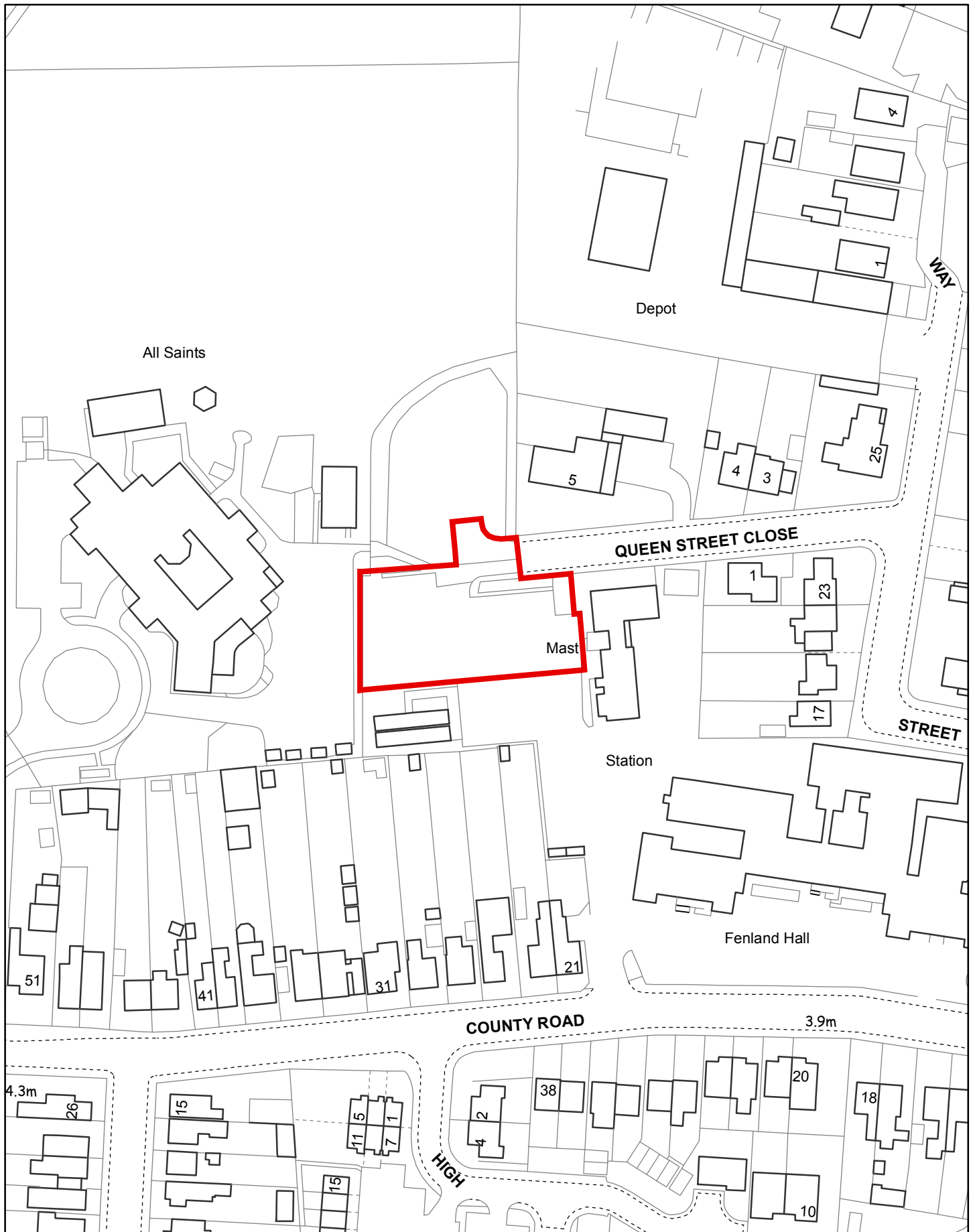
- 5 The site shall be remediated in accordance with the gas protection measures previously approved under application F/YR14/3124/COND. Before the occupation of any buildings a verification report that the gas protection measures have been installed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the environment and public safety to accord with Policy LP16 of the Fenland Local Plan (2014).

- 6 Surface water drainage through the use of permeable block setts indicated on the approved drawing shall be completed before any part of the development hereby approved is first occupied, and permanently maintained thereafter.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding to accord with Policy LP14 of the Fenland Local Plan (2014).

- 7 Approved plans.



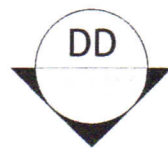
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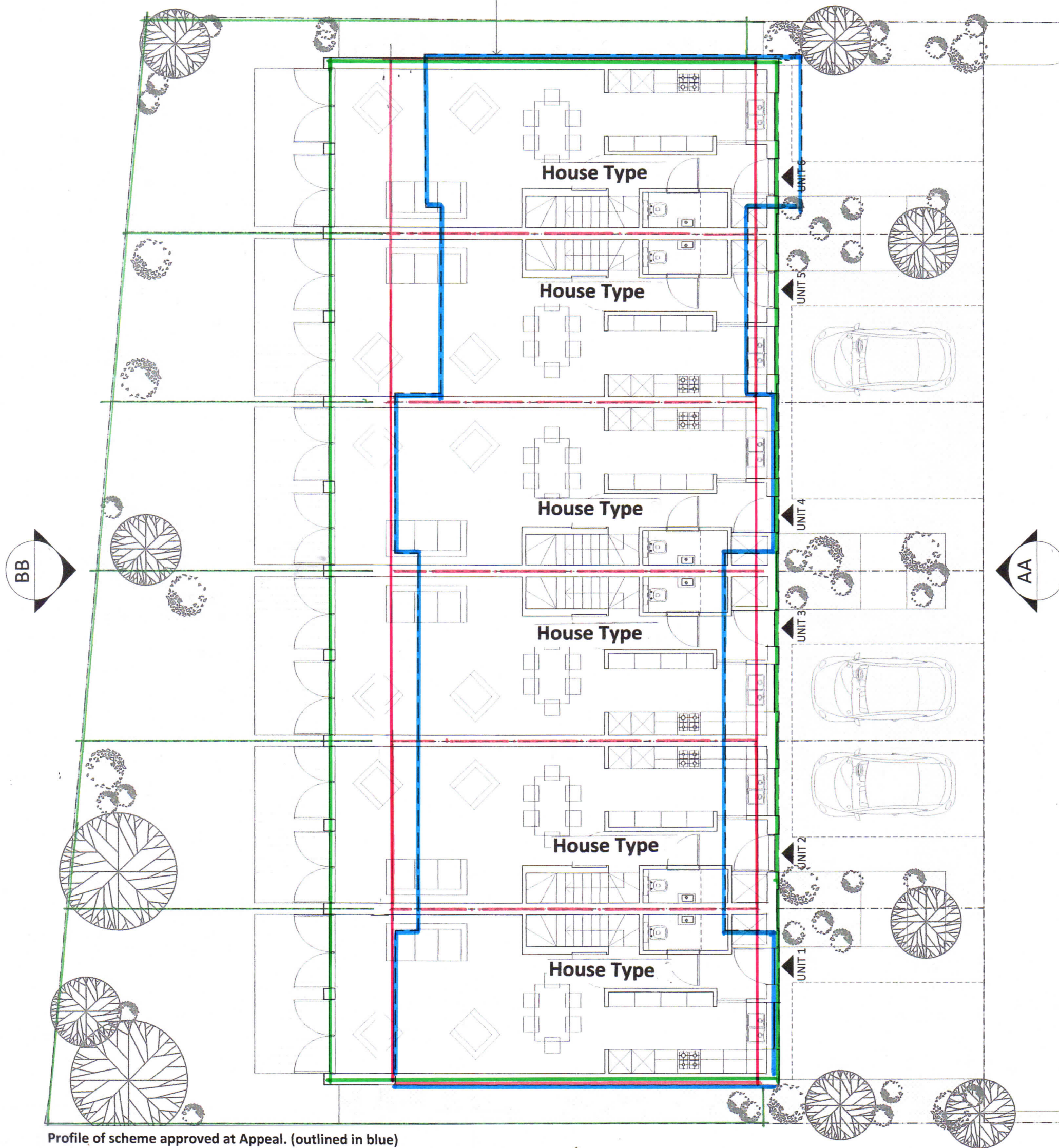
F/YR17/0685/VOC

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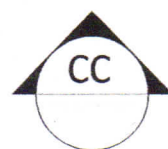
Line of approved development



Profile of scheme approved at Appeal. (outlined in blue)

Profile of the Turner Architects VOC scheme. (outlined in green)

Profile of the WDA revised VOC scheme. (outlined in red)



**Land South of Queen Street Close, March.
Ref – F/YR17/0685/VOC.**

Comparative Site Layout

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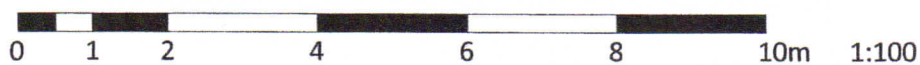


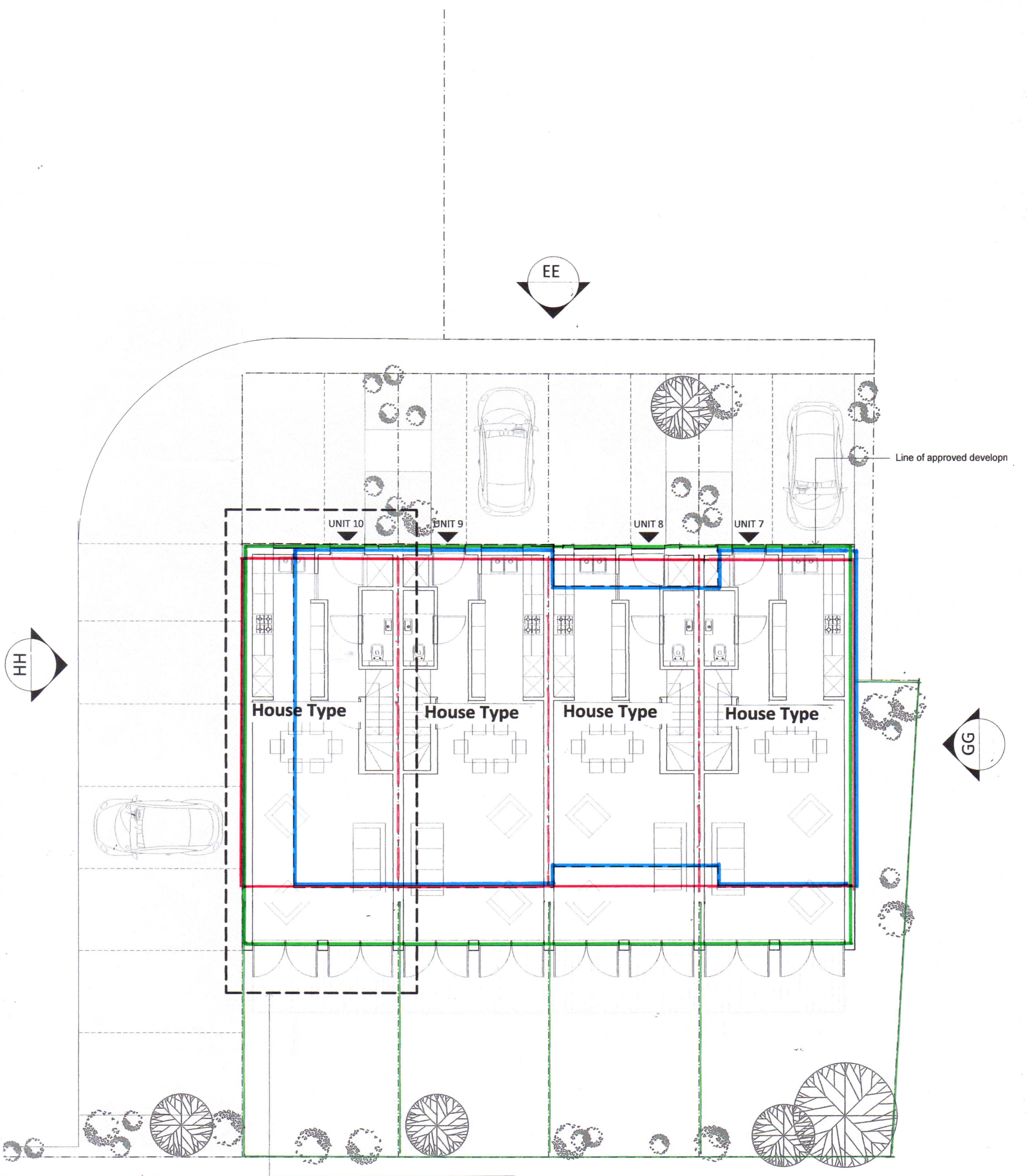
Level 00 Plan

Scale 1:100

date

Drawing Number: QSC:37





- Profile of scheme approved at Appeal. (outlined in blue)
- Profile of the Turner Architects VOC scheme. (outlined in green)
- Profile of the WDA revised VOC scheme. (outlined in red)

**Land South of Queen Street Close, March.
 Ref – F/YR17/0685/VOC.
 Comparative Site Layout**

Scale 1:100

date



WDA revised VOC scheme

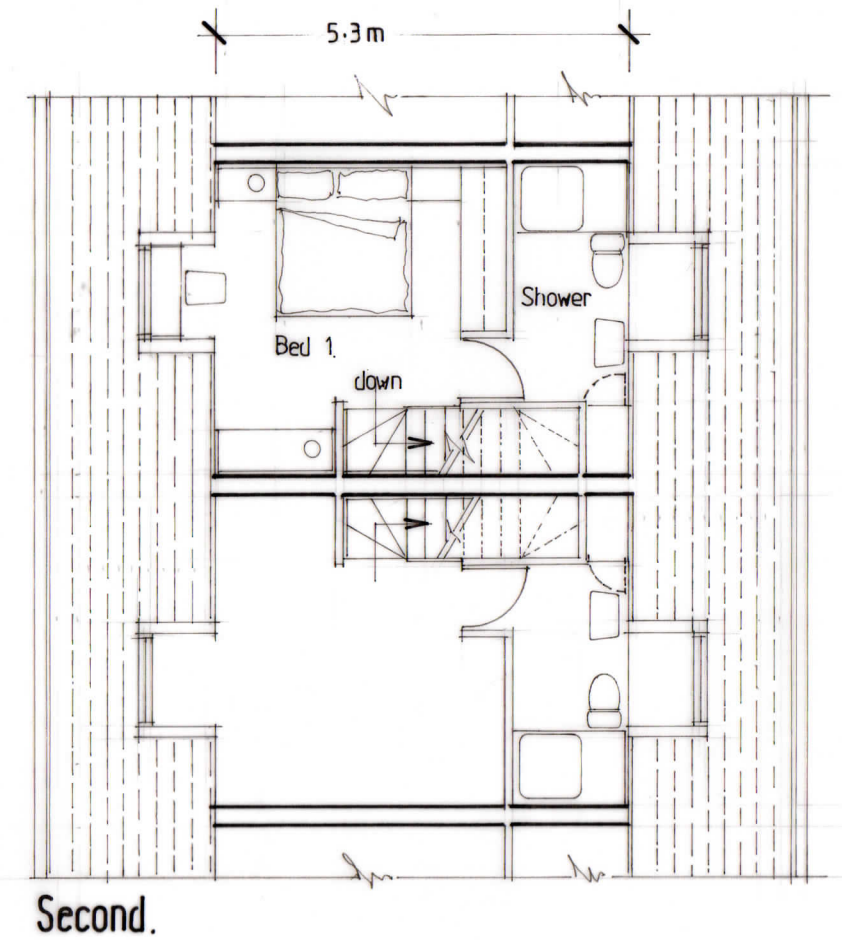
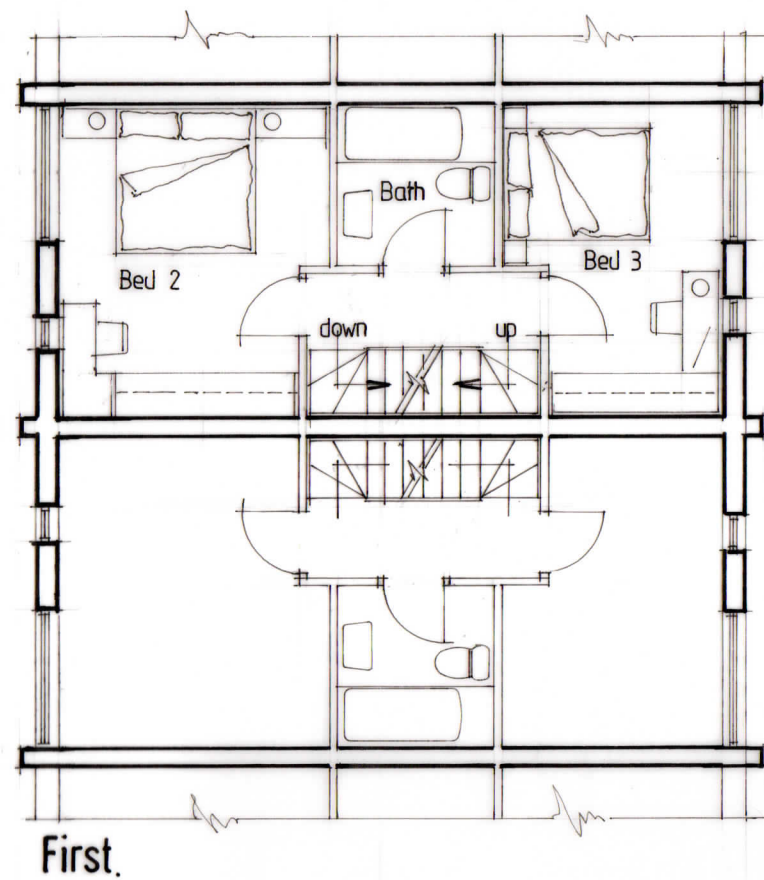
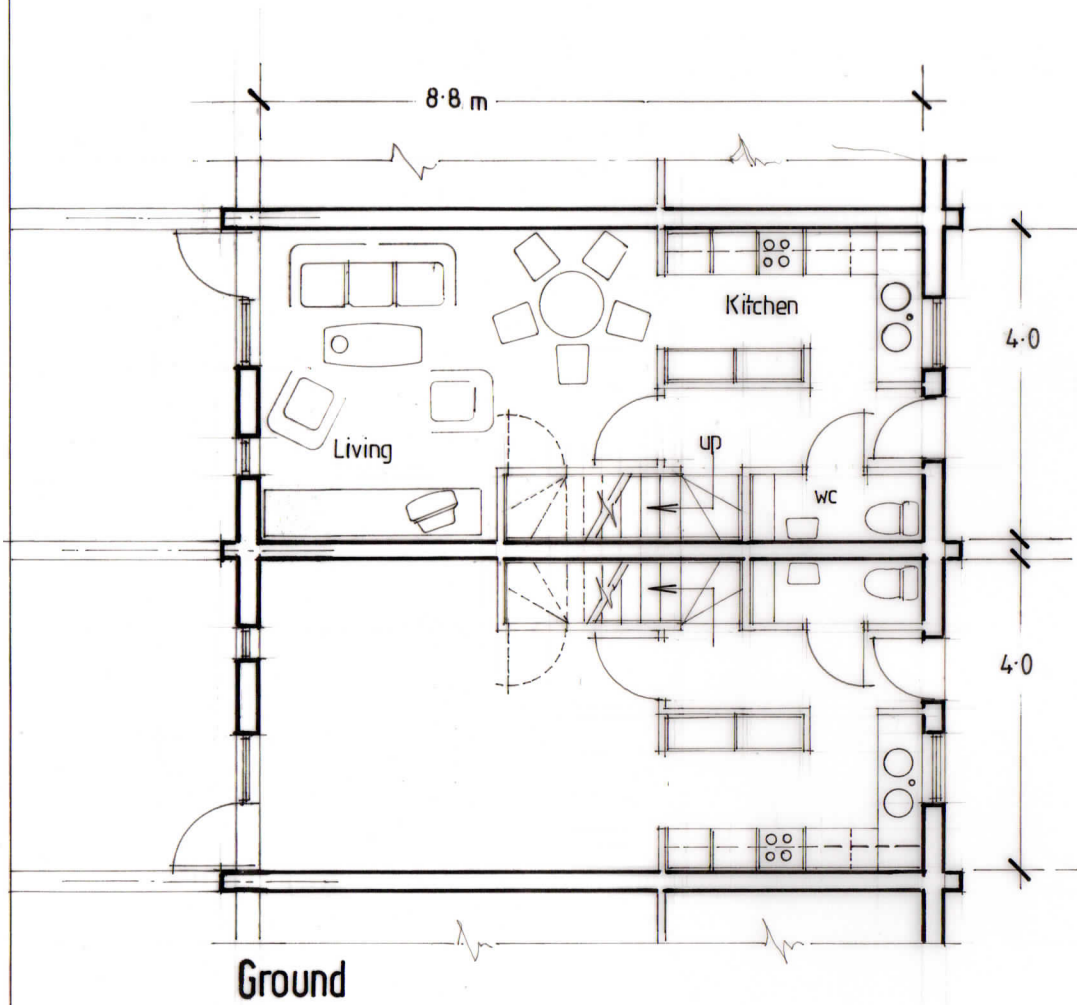


Turners proposed scheme



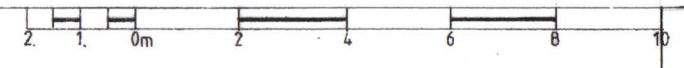
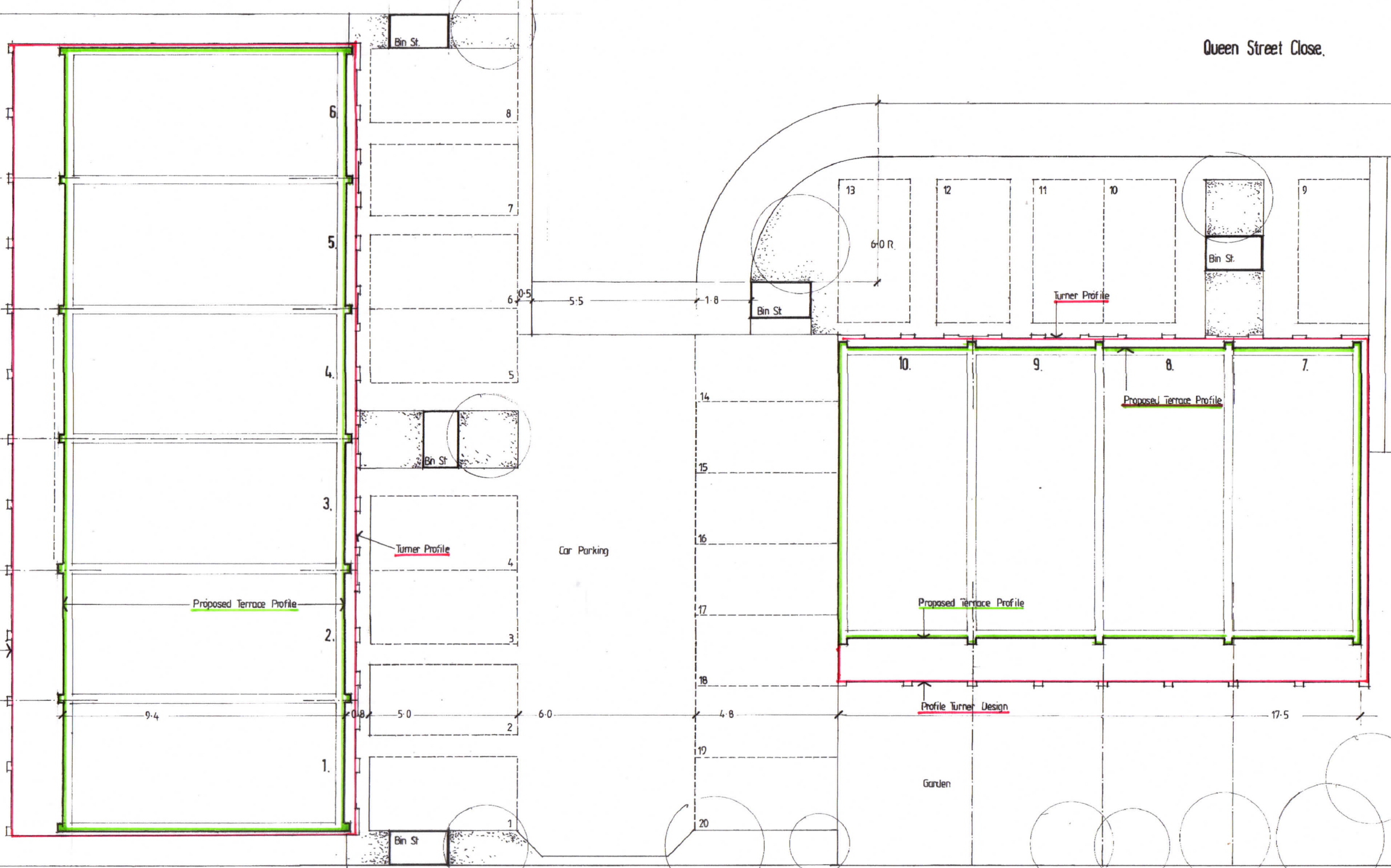
Scheme approved at appeal

Land south of Queen Street Close, March.
Ref – F/YR17/0685/VOC
 Comparative Building Heights.



Land south of Queen Street Close, March –
Ref: F/YR/17/0685/VOC.
Proposed 3 bedroom terrace houses.

Queen Street Close.



Land south of Queen Street Close, March –
 Ref: F/YR17/0685/VOC.
 Comparative Site Layout Plan.



TREES

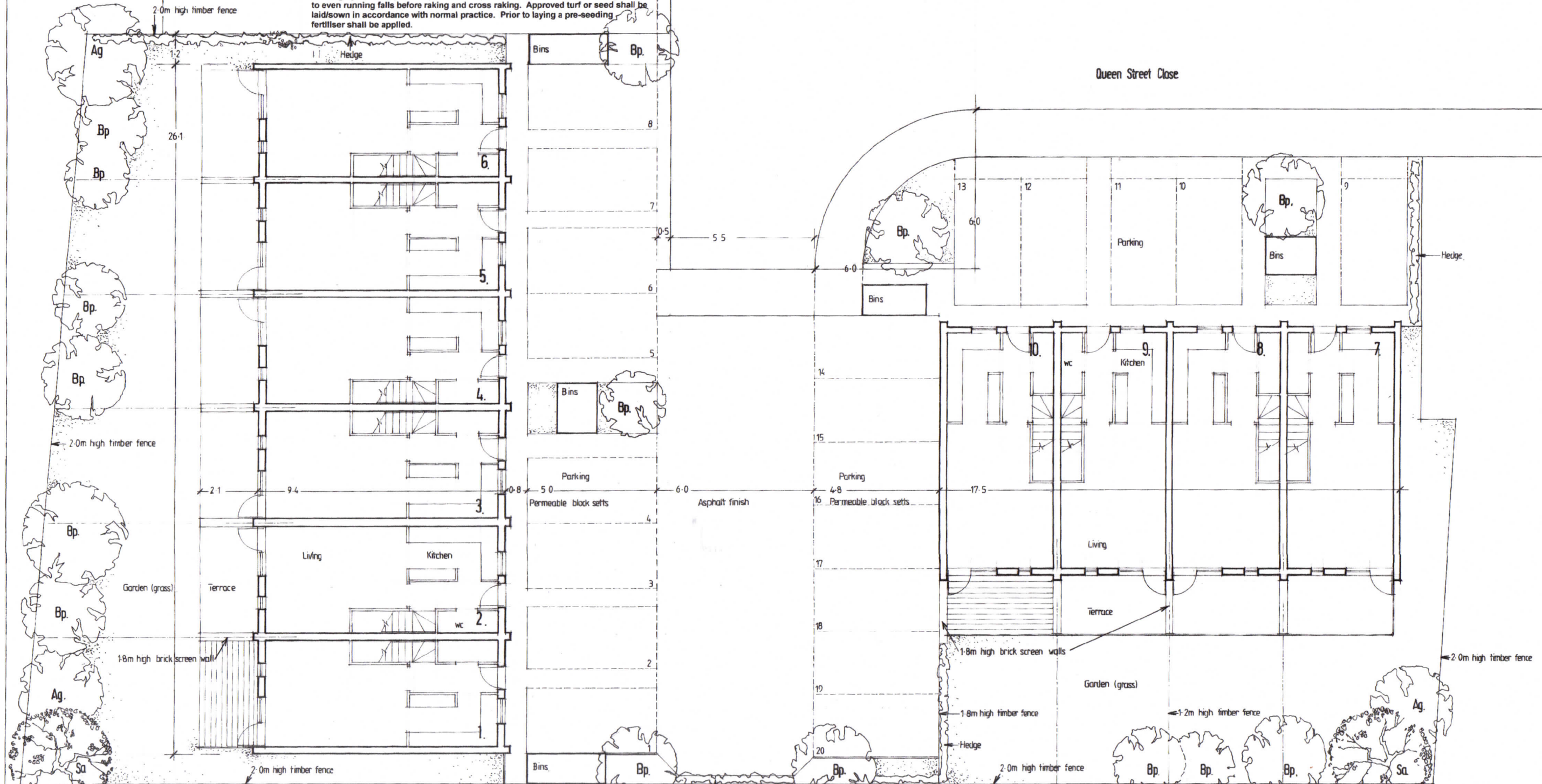
All trees are to be planted in separate pits 1m x 1m x 900mm which shall be backfilled with a mixture of approved topsoil and tree planting compost at a rate of one part compost to two parts topsoil. Each tree shall be planted to the original root collar and secured by two stakes 1.4m in length with approved ties. Planted trees to be watered and a mulch layer (forest bark) spread over the tree pit to 50mm depth.

HEDGEROWS

Hedge trenches shall be dug 450mm x 450mm deep, the base of which shall be broken up before returning the imported soil backfill mixture to the trench at the rate of one part compost to two parts topsoil. All stock to be planted to root collar and well firmed in place. After planting a 50mm layer of composted fine bark to be spread over the whole hedge area and plants to be thoroughly watered in.

GRASS AREAS

All grassed areas to be top-soiled to a minimum depth of 150mm the base to be thoroughly broken up. Once placed the topsoil shall be cultivated and fine graded to even running falls before raking and cross raking. Approved turf or seed shall be laid/sown in accordance with normal practice. Prior to laying a pre-seeding fertiliser shall be applied.



TREE SCHEDULE

CODE	SPECIES	SPECIFICATION	NUMBER
A.g	Alnus glutinosa	Heavy Standard 12 – 14 girth 3.60 – 4.25 ht	3
B.p	Betula pendula (multi stem)	Multi stem 2.75 – 3m ht root balled	15
S.a	Sorbus aucuparai	Heavy Standard 12 – 14 girth 3.60 – 4.25 ht	2

HEDGE SCHEDULE

Fagus sylvatica	1000 – 1250mm plant rate 5/1m	160
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Land south of Queen Street Close, March –

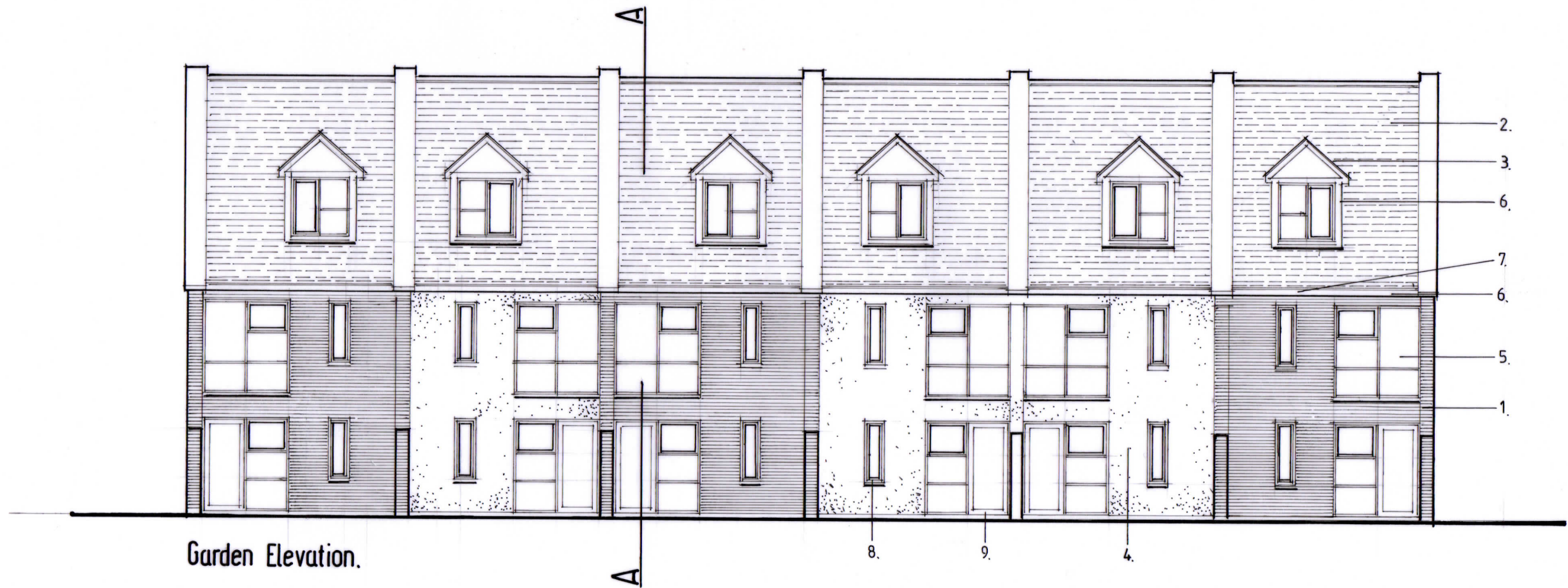
Ref: F/YR17/0685/VOC.

Site Layout and Landscape Plan.

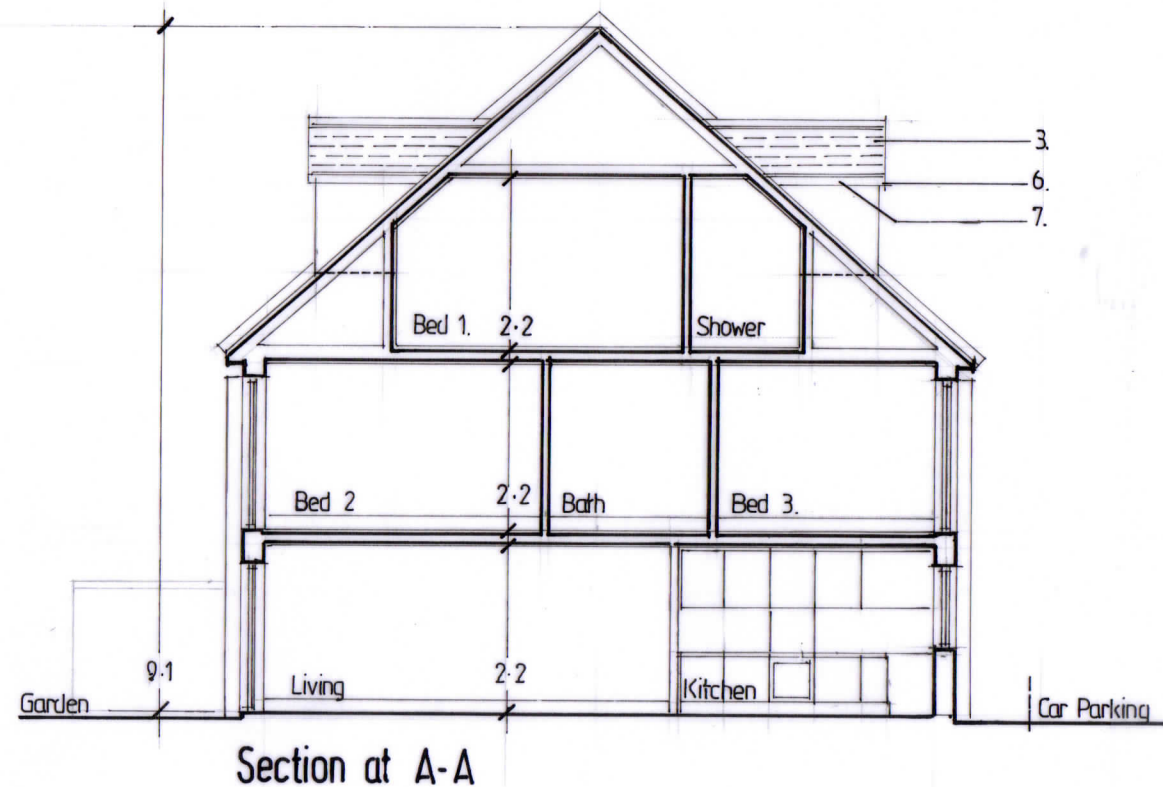
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Date 04/06/2018

Number : WDA:32 (Variation)



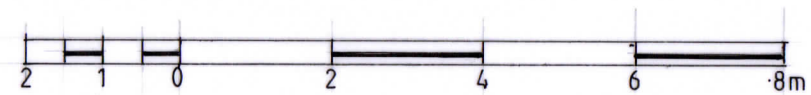
Garden Elevation.



Section at A-A

MATERIALS

- 1/ Woburn Red Multi facing brick
- 2/ Eternit Thrutone Slate, blue-black
- 3/ Redland Rosemary plain clay roofing tile
- 4/ Insulated rendered walls, rounded arises, pale cream.
- 5/ Hardwood framed painted white, double glazed, safety glass
- 6/ Fascias, soffits and verges, timber painted white
- 7/ Floplast black cast iron effect gutters and down pipes
- 8/ Double glazed white painted timber windows
- 9/ External Doors, hardwood finish, double glazed, safety glass



**Land south of Queen Street Closer, March –
Ref: F/YR17/0685/VOC.
Garden Elevation Dwellings 1 to 6.**

Scale : 1:100

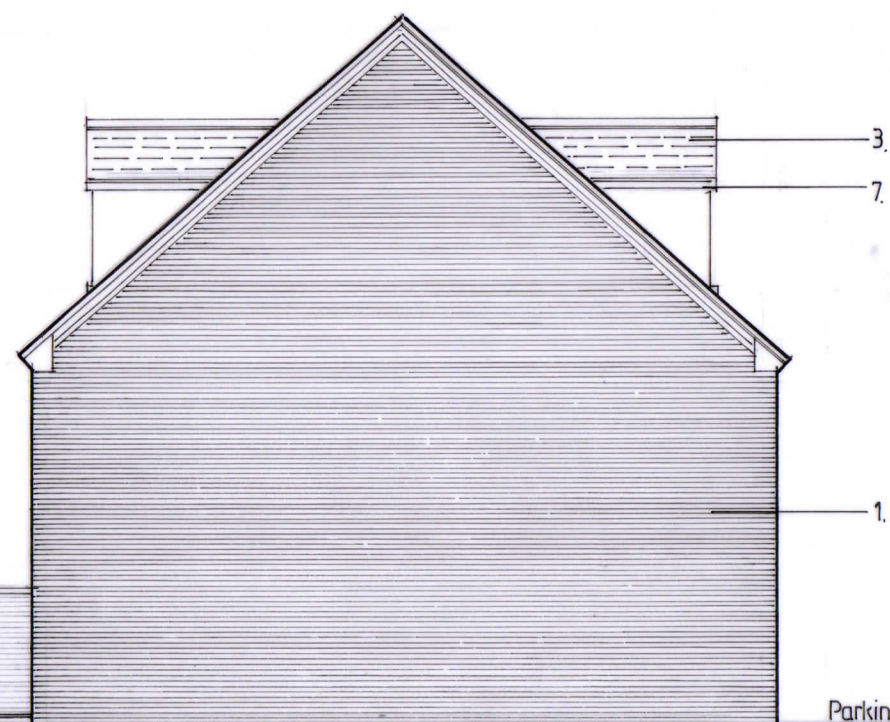
Date 04/06/2018

Number : WDA:33 (Variation)



Front Elevation
(Facing Car Park Court)

10. 9. 4.

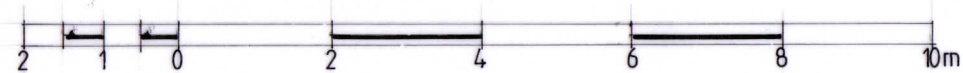


Side Elevation
(Typical Side)

Parking

MATERIALS

- 1/ Woburn Red Multi facing brick
- 2/ Eternit Thrutone Slate, blue-black
- 3/ Redland Rosemary plain clay roofing tile
- 4/ Insulated rendered walls, rounded arises, pale cream.
- 5/ Hardwood framed painted white, double glazed, safety glass
- 6/ Fascias, soffits and verges, timber painted white
- 7/ Floplast black cast iron effect gutters and down pipes
- 8/ Double glazed white painted timber windows
- 9/ External Doors, hardwood finish, double glazed, safety glass
- 10/ External coloured clay tile.

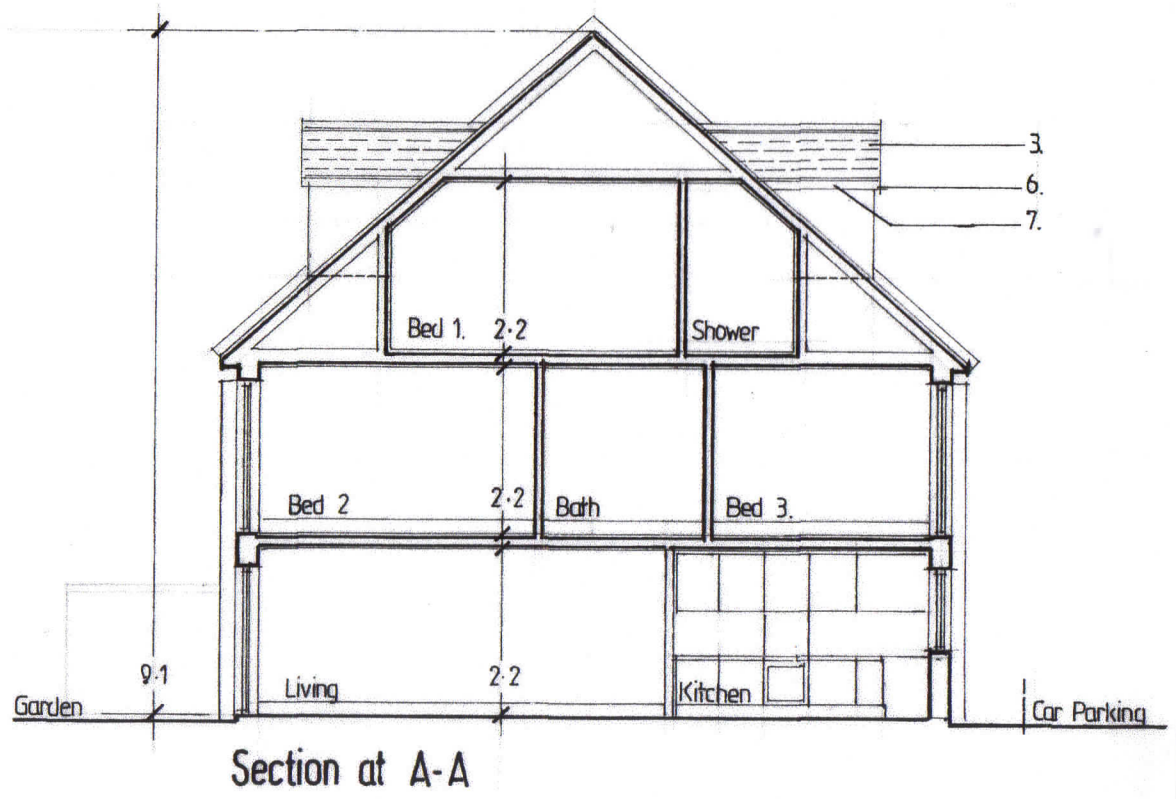
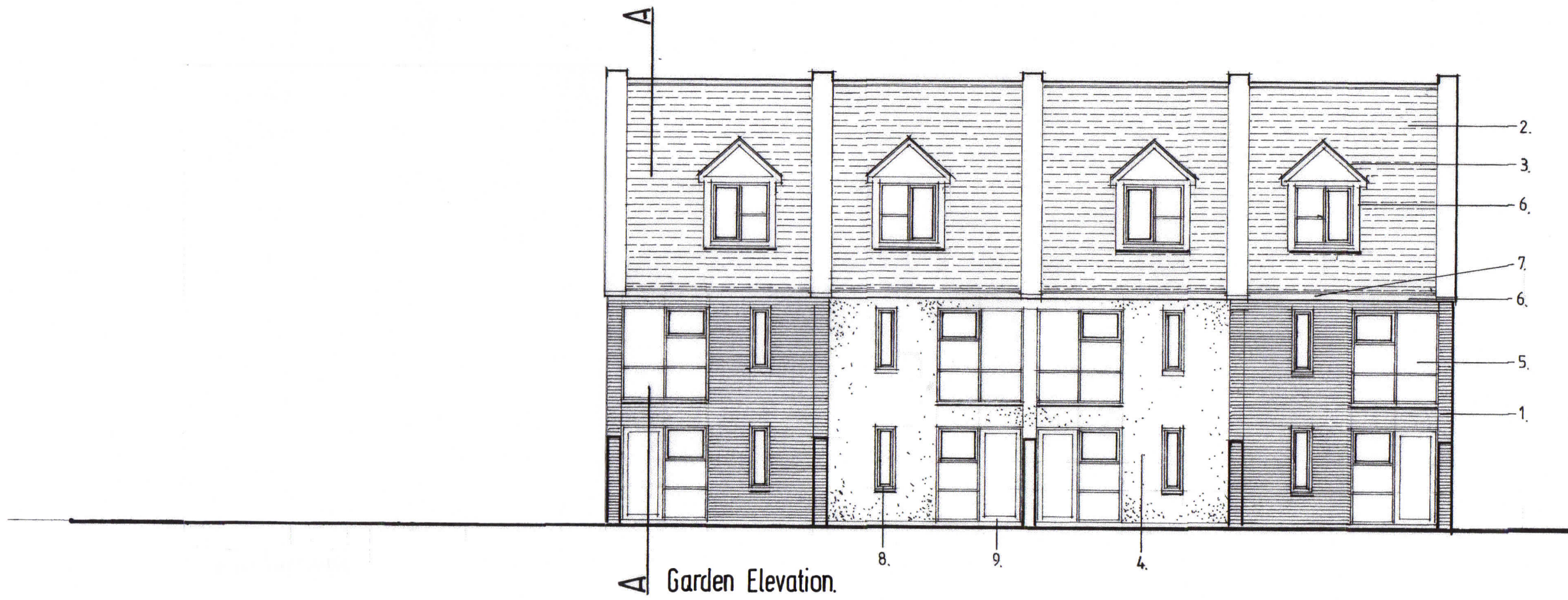


Land south of Queen Street Close, March –
Ref: F/YR17/0685/VOC.
Front Elevation Dwellings 1 to 6.

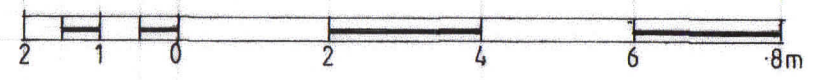
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Date 04/06/2018

Number : WDA:34 (Variation)



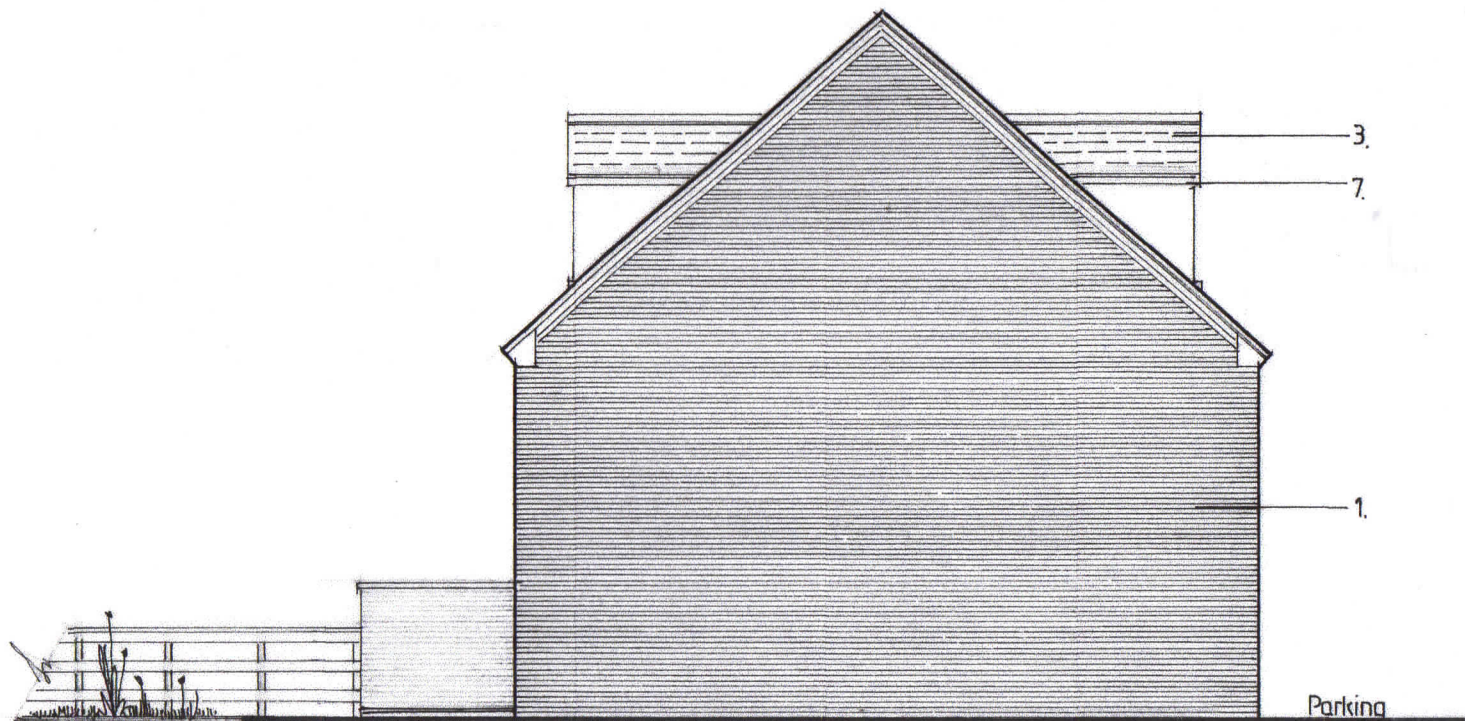
- MATERIALS**
- 1/ Woburn Red Multi facing brick
 - 2/ Eternit Thrutone Slate, blue-black
 - 3/ Redland Rosemary plain clay roofing tile
 - 4/ Insulated rendered walls, rounded arises, pale cream.
 - 5/ Hardwood framed painted white, double glazed, safety glass
 - 6/ Fascias, soffits and verges, timber painted white
 - 7/ Floplast black cast iron effect gutters and down pipes
 - 8/ Double glazed white painted timber windows
 - 9/ External Doors, hardwood finish, double glazed, safety glass



**Land south of Queen Street Close, March –
Ref: F/YR17/0685/VOC.
Garden Elevation Dwellings 7 to 10.**



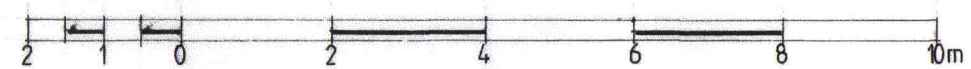
Front Elevation
(Facing Queen Street Close)



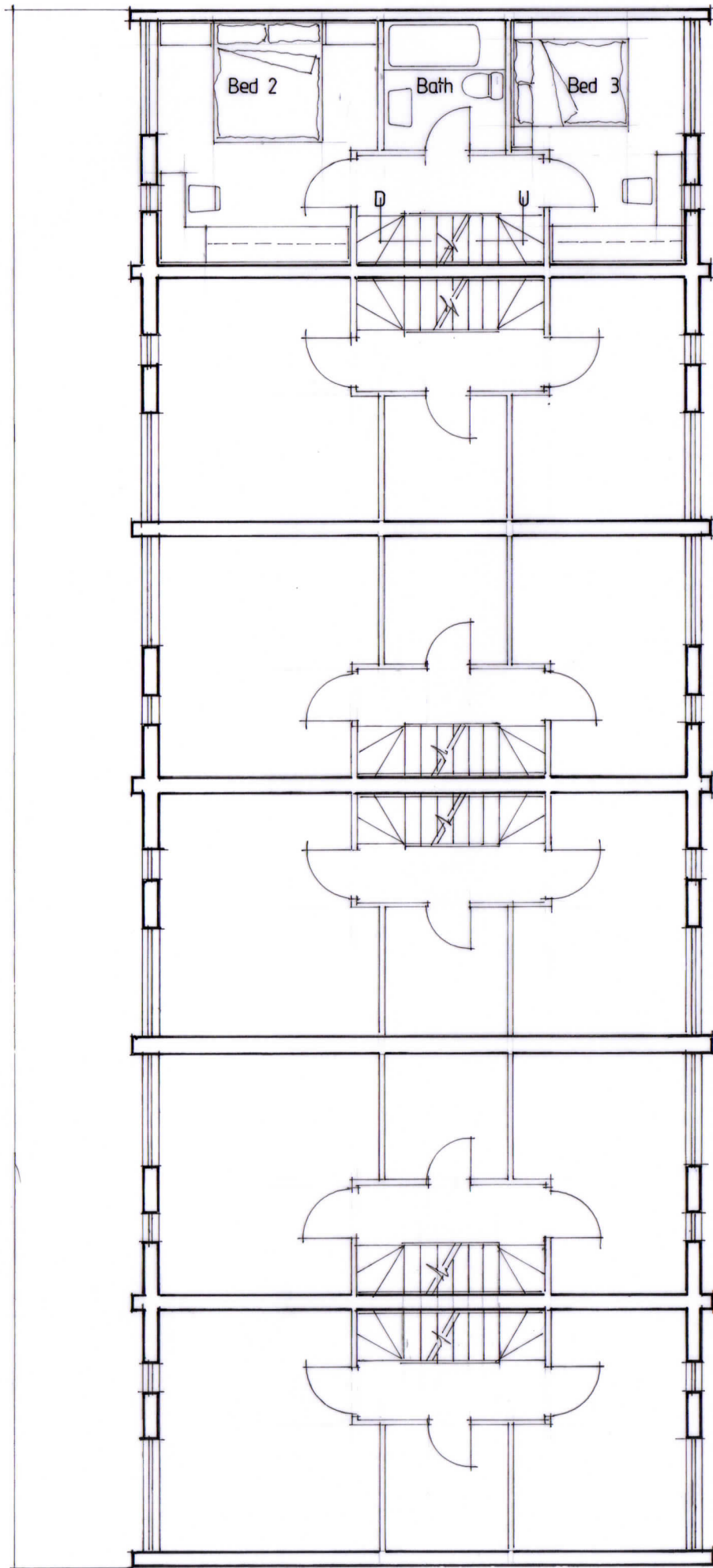
Side Elevation
(Typical Side)

MATERIALS

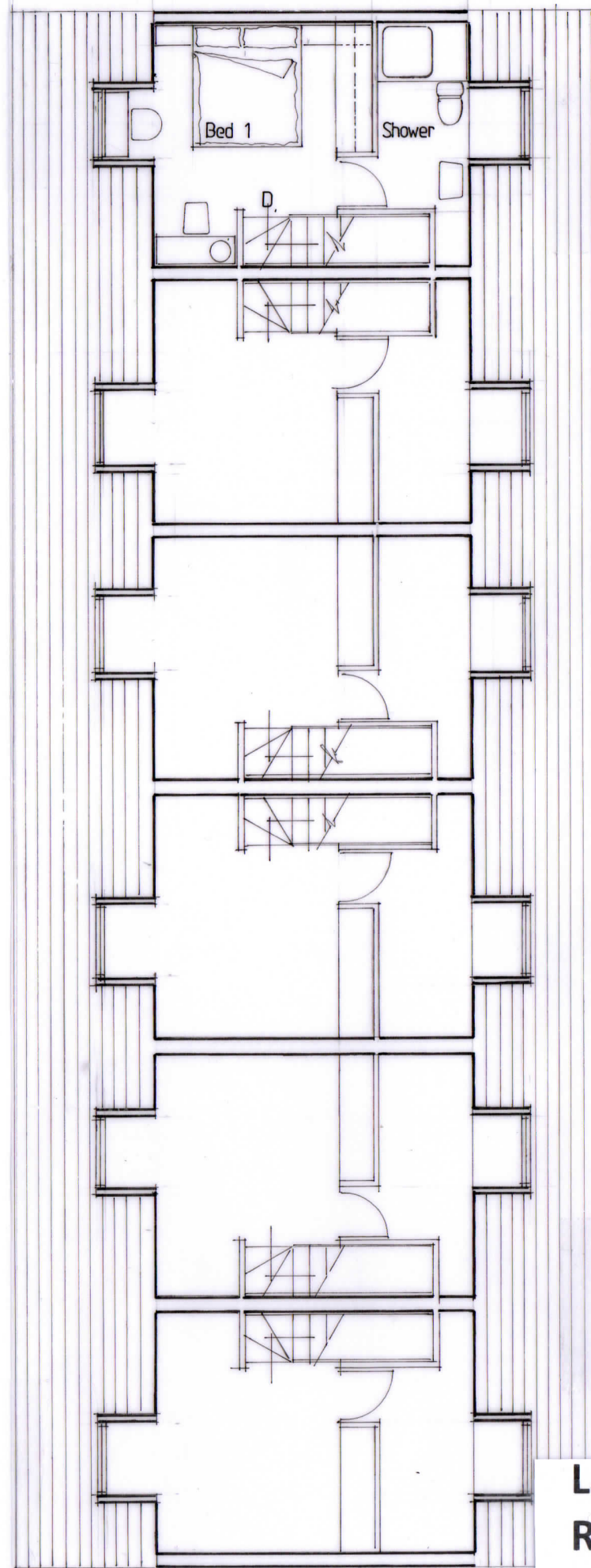
- 1/ Woburn Red Multi facing brick
- 2/ Eternit Thrutone Slate, blue-black
- 3/ Redland Rosemary plain clay roofing tile
- 4/ Insulated rendered walls, rounded arises, pale cream.
- 5/ Hardwood framed painted white, double glazed, safety glass
- 6/ Fascias, soffits and verges, timber painted white
- 7/ Floplast black cast iron effect gutters and down pipes
- 8/ Double glazed white painted timber windows
- 9/ External Doors, hardwood finish, double glazed, safety glass
- 10/ External coloured clay tile.



Land south of Queen Street Close, March –
Ref: F/YR17/0685/VOC.
Front Elevation Dwellings 7 to 10.



First.



Second.

Land south of Queen Street Close, March.

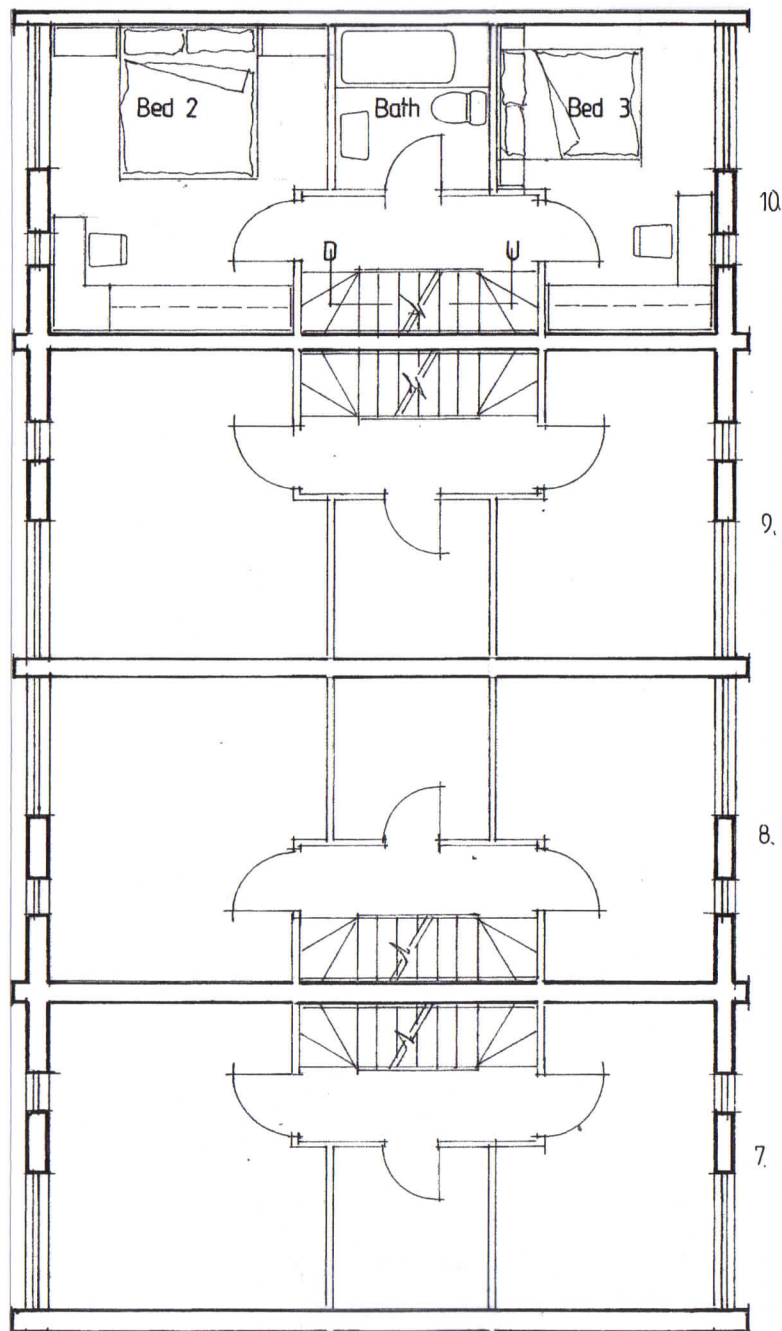
Ref: F/YR17/0685/VOC

First and Second floor plans. Terraces 1 to 6

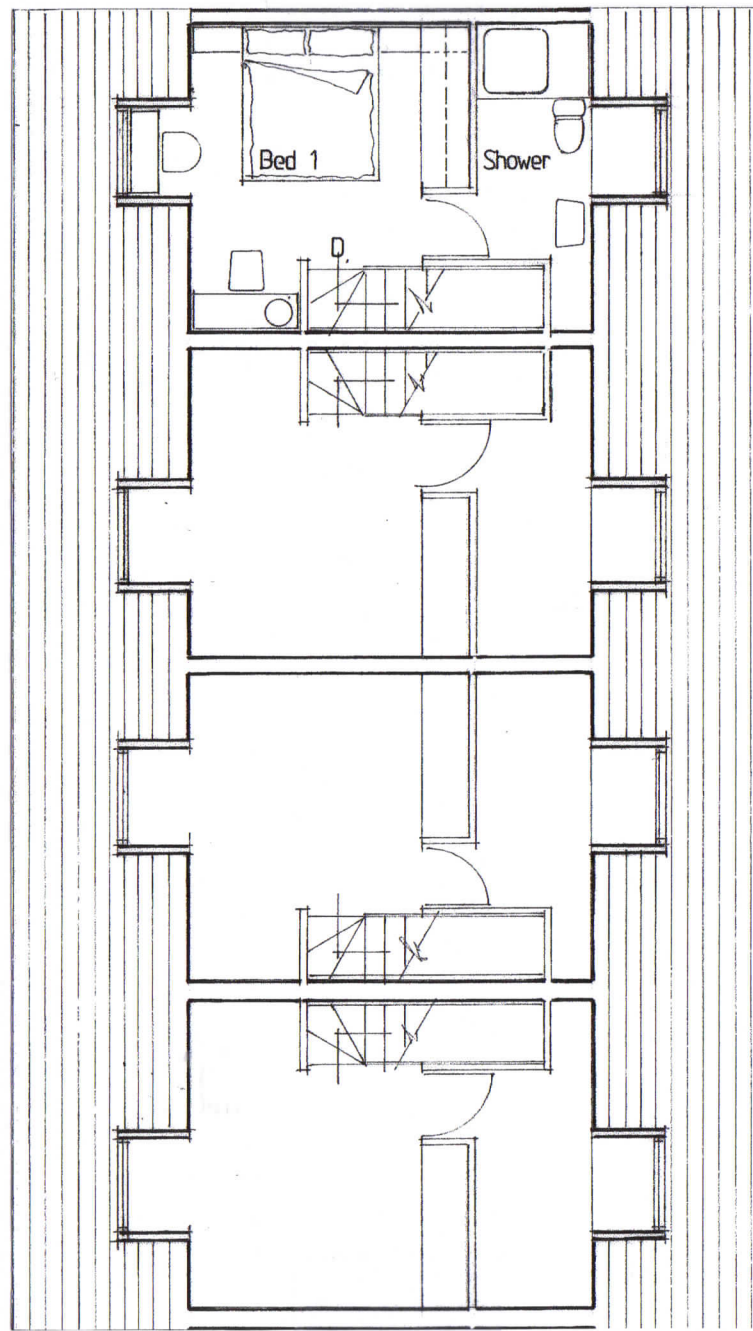
Scale: 1:100

Date: 12/06'2018

Number: WDA:37 (Variation)



First



Second.

Land south of Queen Street Close, March.

Ref: F/YR17/0685/VOC

First and Second floor plans. Terraces 7 to 10

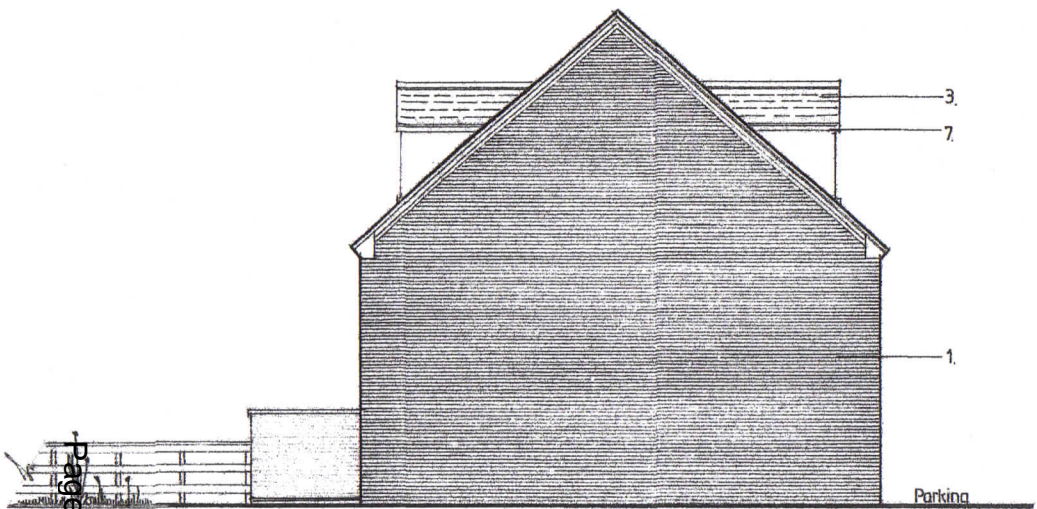
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Date: 12/06'2018

Number: WDA:38 (Variation)



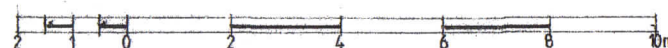
Front Elevation
(Facing Car Park Court)



Side Elevation
(Typical Side)

MATERIALS

- 1/ Woburn Red Multi facing brick
- 2/ Eternit Thrutone Slate, blue-black
- 3/ Redland Rosemary plain clay roofing tile
- 4/ Insulated rendered walls, rounded arises, pale cream.
- 5/ Hardwood framed painted white, double glazed, safety glass
- 6/ Fascias, soffits and verges, timber painted white
- 7/ Floplast black cast iron effect gutters and down pipes
- 8/ Double glazed white painted timber windows
- 9/ External Doors, hardwood finish, double glazed, safety glass
- 10/ External coloured clay tile.



Land south of Queen Street Close, March –
Ref: F/YR17/0685/VOC.
Front Elevation Dwellings 1 to 6.

Land south of Queen Street Close, March Ref: F/YR17/0865/VOC

3 bed terrace homes (detail)	WDA:30 (variation)
Comparative Site Layout Plan	WDA:31 (variation)
Site Layout + Landscape	WDA:32 (variation)
Garden Elevation Dwellings 1 to 6	WDA:33 (variation)
Front Elevation Dwelling 1 to 6	WDA:34 (variation)
Garden Elevation Dwellings 7 to 10	WDA:35 (variation)
Front Elevation Dwellings 7 to 10	WDA:36 (variation)
First & Second Floor 1 to 6	WDA:37 (variation)
First & Second Floors 7 to 10	WDA:38 (variation)
Coloured Elevation Dwellings 1 to 6	

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PLANNING COMMITTEE	
Date	15 August 2018
Title	TPO 06/2018 – W1 Woodland Group

1. PURPOSE

The purpose of this report is to advise members of the current situation in respect of confirmation of a Tree Preservation Order (TPO) at Manea Pit, Park Road, Manea and to determine an appropriate course of action.

2. SUMMARY

Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to this Committee where objections to the Order are received.

In February 2018 an Emergency TPO was imposed on the woodland area around Manea Pit following proposed works to install a fence around the pit. The Order was required to ensure that during the erection of the fence that adequate protection to the trees could be afforded.

18 letters of support from local residents have been received summarised as follows:

- *Without the TPO indiscriminate felling of trees could have an adverse impact on the character of the area;*
- *This is a major significant area for the community which needs some protection;*
- *The Management Plan for Manea Pit needs to be properly managed through the TPO;*
- *The protection of the wooded area will ensure the character of the Pit will remain;*
- *Object to the erection of an otter fence around the pit which will lead to the exclusion of the public to the area;*
- *The area should remain unchanged and the imposition of the TPO will assist in this respect;*
- *The TPO should be confirmed as soon as possible to stop any further destruction of the area and wildlife;*
- *Manea Pit is considered to be a Nature Reserve as shown on the Local Plan Policies Map and the TPO will complement the preservation of this area;*

An objection was lodged by the Manea Parish Council for the following reasons:

- *There is no need or justification for this TPO; such an approach is not an “expedient” course of action by the Local Planning Authority;*
- *The majority of the trees in the immediate vicinity of Manea Pit are of no particular*

amenity value and, in the opinion of the Parish Council, would not be deemed as worthy of preservation if sited as individual specimens in a residential location:

- Manea PC has no intention of undertaking (or causing) the cutting down, topping, lopping, uprooting, wilfully damaging or destructing any trees within the pit area; the council has managed this site for in excess of 10 years and during that time no such activity has taken place, except for taking necessary (public safety) action to deal with trees which had become dangerous through either falling or having weakened branches as a result of, say, wind damage:
- The Council is of the opinion that the only reason for the implementation of this TPO is to appease villagers who have sought to convince the Local Planning Authority that the Parish Council intends to fell trees to facilitate the installation of an “otter proof” fence around Manea Pit. They have tried a number of methods of attempting to prevent such an installation and they feel that the implementation of a TPO would achieve that end. Under the proposed installation of an “otter proof” fence no works to trees would be undertaken or damage to root systems caused:
- Manea Parish Council, which leases Manea Pit from the Environment Agency, has produced a Manea Pit Management Plan (which it needs to do to meet the requirements of the lease); this plan includes the management of trees; a copy of the Manea Pit Management Plan is enclosed with this letter:
- Implementation of this TPO would only have the effect of making more difficult, because of the need to obtain permissions from the Local Planning Authority, the undertaking, by another local authority in the District, of safety works to the trees within the pit area.

The Manea Pit area is an important local nature resource and the confirmation of this TPO on the woodland area will seek to ensure proper management of the area to retain the integrity of this community facility.

3. RECOMMENDATION

It is therefore recommended that members confirm the TPO in respect of the woodland at Manea Pit, Park Road, Manea.

Forward Plan Reference No. (if applicable)	Not applicable
Portfolio Holder(s)	Not applicable
Report Originator	Sheila Black, Principal Planning Officer
Contact Officer(s)	David Rowen, Development Manager
Background Paper(s)	N/A

1. BACKGROUND

- 1.1 A number of complaints were received by the Local Planning Authority about the proposed erection of an 'otter fence' around Manea Pit and the possible damage to trees during the undertaking of the works.
- 1.2 The Arboricultural Officer placed an emergency TPO on the woodland to ensure that any works carried out would not cause any damage that may affect the long-term health of the trees/woodland e.g. root damage, soil compaction etc.
- 1.3 A woodland TPO covers all species, ages and sizes including regeneration whereas a Tree Preservation Order is mainly for one tree or for a group of trees. A woodland order is designed to protect the undifferentiated mass of trees/species in the specified area and to protect future tree growth.
- 1.4 During the processing of the TPO both letters of support and an objection from the Parish Council was received resulting in the confirmation of the woodland TPO to be presented to the Planning Committee.

2. ASSESSMENT

- 2.1 The Order, which encompasses the woodland area around Manea Pit, is detailed on the accompanying plan.
- 2.2 Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to Committee where objections to an Order are received.
- 2.3 The placement of a TPO does not prevent tree works or even removal, but gives the Local Planning Authority control over 'inappropriate' works.
- 2.4 The Parish Council has objected to the placing of the woodland TPO at Manea Pit as they consider it is unjustified and they consider that the majority of the trees hold no particular amenity value.
- 2.5 The Parish Council has stated that they have no intention of undertaking (or causing) the cutting down, topping, lopping, uprooting or wilfully damaging or destructing the trees around the Pit area. They consider that the Local Planning Authority is imposing the TPO due to fears expressed by local villagers about the potential damage when erecting the 'otter' fence.
- 2.6 The Parish Council also considers that the imposition of the TPO will require applications for any works on trees etc. and make it difficult to meet the requirements of the Management Plan.

3. ARBORICULTURAL OFFICER'S ASSESSMENT

- 3.1 It is considered that the site is an important area for both wildlife and amenity value and the woodland TPO has been imposed to ensure the long-term health of the woodland and to ensure that any works are carried out with due regard for the health of the trees.
- 3.2 Following discussions with Manea Parish Council a joint site visit was carried out and it was apparent that the erection of the fence would have minimal disturbance on the

trees and the undergrowth in general as the fencing would not be buried in the ground.

- 3.3 The fence contractor was informed of the need to be aware of the tree protection measures and that any holes for the fence should be excavated by hand to ensure large roots were not damaged and machinery should not be driven over the root areas.
- 3.4 Unfortunately the agreed protection measures did not appear to be followed which resulted in a further inspection of the area, however no significant damage could be observed.
- 3.5 In light of the above actions it is considered that the placing of a woodland TPO is the correct decision to ensure that the correct advice and guidance is obtained regarding protection of the tree population at Manea Pit.
- 3.6 As a woodland TPO covers all vegetation within the woodland including natural regeneration, the ability of the Parish Council to carry out maintenance within the Pit would be severely hampered and require a written application for any works. To this end, works within a woodland covered by a TPO is usually dealt with by a management plan, normally over 5 years, that states clearly the objectives, and what works will be required to achieve those objectives.
- 3.7 Manea Parish Council has provided such a document, 'Manea Pit Management Plan 2016' that lays out the management objectives for the site.
- 3.8 Within the Management Plan there are specific references to the management of the woodland including, but no limited to:
 - To maintain and enhance the woodland and scrub, open water, reed-beds, aquatic vegetation;
 - To create and thereafter maintain the traditional orchard, hedgerow and wildlife meadow;
 - To enhance the willow, submerged and emergent aquatic vegetation.
- 3.9 The above objectives imply management input including pruning, planting etc. In addition the recreational and education use objectives is inviting the public onto the site and therefore, inherent in that, is the need to carry out regular safety checks and deal with any threat and this may include the removal of deadwood/broken branches over paths, removal of dangerous trees etc.
- 3.10 Whilst the management plan is acceptable as a general guide an Appendix should be provided noting the tree works that may be required over the term of the management plan to enable the formal acceptance of the Plan as part of a TPO submission to cover works during that period. The Arboricultural Officer will liaise with the Parish Council to ensure all aspects of work to the woodland/scrub are covered within the Management Plan with reference to the stated objectives.

4. CONCLUSION

- 4.1 Due consideration has been given to the objection from the Parish Council however with an agreed Management Plan in place the imposition of the woodland TPO will not result in a particular burden on the Parish Council in its duty to maintain the woodland area.

- 4.2 It is therefore recommended that the woodland TPO is confirmed and the Arboricultural Officer will continue working with the Parish Council to achieve a satisfactory Management Plan which will eventually become part of the woodland TPO.



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TPO 06/2018
TPO At Manea Pit
Park Road Manea
W01 Various Trees
Scale = 1:2,500





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F/YR18/0128/RM

**Applicant: Mr M Baker
Axiom Housing**

**Agent : Mr Robert Jays
Lindum Group**

Westhaven Nursery, Peterborough Road, Whittlesey, Cambridgeshire

Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR14/0183/O - Erection of 68 x 2-storey dwellings comprising of 4 x 1-bed; 20 x 2-bed; 42 x 3-bed; 2 x 4-bed with Public Open Spaces and Play Area

Reason for Committee: More than 6-letters of objection received contrary to Officers recommendation.

1 EXECUTIVE SUMMARY

The principle of residential development on this sustainably located site has been accepted by virtue of the earlier grant of outline planning permission. This reserved matters submission seeks to agree details of the layout, scale, appearance and landscaping.

It is considered that the scheme complies with relevant planning policy and may be supported.

The granting of reserved matters approval does not dispense with the requirement for the developer to appropriately discharge the conditions imposed on the original outline planning permission. The outline conditions will be subject to a stand-alone submission and fall outside the consideration of the current submission; albeit it is good practice to ensure that the scheme detail does not compromise the proposals ability to meet the requirements of such conditions.

Likewise the desire for the developer to deliver additional units on the site and modify the Section 106 Obligation are separate issues outside the consideration of this submission.

2 SITE DESCRIPTION

- 2.1** The site currently forms a vacant area of land which was formerly used as a nursery site. The site is on Peterborough Road to the western side of Whittlesey. The site adjoins the main settlement core and sits adjacent to some residential development along the frontage of Peterborough Road, a car garage. The Kings Dyke Nature Reserve adjoins the rear boundary of the site (to the north). The front boundary with Peterborough Road is largely screened by existing dwellings although there are two areas of land which are open and may facilitate access.
- 2.2** The site has been previously accepted as a brownfield site and is situated within a flood zone 1 location.

3 PROPOSAL

- 3.1 The application seeks reserved matters consent for 68 two-storey dwellings, as per the schedule contained within the description above. The dwellings are served by an access that is sited between the car garage and No. 146 Peterborough Road. This access sweeps east west and then returns west-east. There is an area of land to the east of the site that is annotated as 'land for potential future development'. A 10 metre biodiversity buffer is shown along the northern boundary of the site abutting the nature reserve and a further 8.5 metre buffer, has during the development of the scheme proposals, now been introduced to the western boundary.

Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=P3FA61HE01U00>

4 SITE PLANNING HISTORY

F/YR18/0557/F	Erection of 18 x 2-storey dwellings (Phase 2) comprising of 5 x 2-bed and 13 x 3-bed	Pending
F/YR18/0496/PLOBBA	Modification of Planning Obligation attached to planning permission F/YR14/0183/O (entered into on 18/02/2015) relating to affordable housing, tenure mix and schedule and financial contributions relating to Pre-School Education, Secondary Education, Fenland Rail Contribution, Libraries and Lifelong Learning, County Waste and public open space.	Pending
F/YR17/3124/COND	Details reserved by conditions 6, 9, 13, 15, 16, 17, 18, 19 and 20 of F/YR14/0183/O	Withdrawn
F/YR14/0183/O	Erection of 68no dwellings (max)	Granted 19/02/2015

5 CONSULTATIONS

- 5.1 **Whittlesey Town Council:** *The Town Council recommend approval but would like to ensure the long-term maintenance of the buffer zone is implemented.*
- 5.2 **Cambridgeshire County Council Highways Authority:** *The application is a reserve matters application for the erection of 68 dwellings.*

Originally commented that the submitted plans do not correspond with those submitted at pre-application stage and that revisions were required to the scheme details with regard to geometry, details and drainage. Auto-track details were also required. Following the submission of amended details advise that: *I still need to see a plan that details all geometric feature dimensions. e.g. Kerb radii, carriageway widths, footway widths etc. Auto-track details should also be provided for the site detailing an 11.5m long refuse lorry passing a private motor vehicle.*

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Details should also be shown on how the applicant intends to drain the highway. As per my previous comments I am aware that the applicant is looking at infiltration methods on site, however please note that if they don't meet CCC HERCS specification then the road will not be suitable for adoption.

Further clarification given that the permeability rates on site do not provide sufficient confidence that soakaway drainage methods will work on this site.

Whilst the LHA acknowledge the one test result that does accord with our Housing Estate Road Specification, the BRE tests, observation of infiltration test on site and conclusion of drainage consultant's report all suggest that soakaways are not appropriate for this site. With the above in mind the LHA will not entertain adopting the estate roads/drainage with the methods proposed.

With regard to the detailed layout the LHA note that 'The kerb radii details are usually dictated by the tracking alignment. Whilst the majority of the access geometry is detailed on plan numbers P17090-10-04 and P17090-10-03 (kerb radii, carriageway widths etc) footway widths are not shown. The applicant will need to ensure that the footway dimensions are on the plans. The tracking details provided show that an 11.5m long refuse vehicle can pass a motor vehicle throughout the development and turn within the turning head at the end of the development.

The development therefore proposes a greater number than 5 dwellings served by a private drive. FDC should therefore consider the long-term implications of permitting such development in terms of construction, future maintenance, lighting and surface water drainage of the access road together with refuse collection.

Should the footway dimensions come forward I would have no highways objections subject to conditions.

- 5.3 **PCC Ecologist:** Originally commented that the final site layout design should *be informed by the results of the most up to date ecological surveys to ensure that adequate undeveloped buffers are provided.* In addition design will need to take account of any specific requirements to adequately cater for the translocation of reptile and great crested newts.

Noted that the proposed site plan indicated a significant area of land "for potential future development"; this is of concern, given that the outline planning permission was approved on the basis of a maximum of 68 dwellings across the whole site. I would advise that the layout is revised to remove this area and instead allocate this undeveloped area within a wider buffer to the nature reserve. I note Natural England's comments which state that by holding back this land it will impact on the ability of the proposal to deliver sustainable development. Also noted that no detailed landscaping scheme appears to have been submitted.

Following submission of an updated Construction Environmental Management Plan makes the following observations:

Proposed Site Plan: Satisfied that the requirements for protected species protection and mitigation are achievable based on the revised site layout plan. I am satisfied that the submitted Boundary Plan and Boundary Types Plan are adequate to prevent access by people and cats into the adjacent county wildlife

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site nature reserve, with the cat-proof fencing measures extending along the northern, western and eastern site boundaries. I am pleased to note that the revised site layout plan includes gates and access to the biodiversity buffer to enable future maintenance of this area.

Concerns remain regarding the area of land indicated "for potential future development", given that the outline planning permission was approved on the basis of a maximum of 68 dwellings across the whole site.

I also note that no detailed landscaping scheme appears to have been submitted.

Recommendation: As set out above, I am satisfied with the revised site layout and detailed boundary treatment details, I also understand that this reserved matters application requires the submission of full landscaping and planting plans which do not appear to have been provided to date. I would therefore advise that the landscaping details are submitted for approval prior to determination of this application. Subject to such details being satisfactory, likely have no objection to the RM application, noting the requirement for further ecological information to discharge OPP conditions.

In respect of the revised scheme, comments received as follows:

*Thank you for the opportunity to comment on the **additional revised details** relating to this Reserved Matters application. I have the following observations to make with to protected species and habitats.*

Having viewed the revised Construction Environmental Management Plan, I am satisfied that the requirements for protected species protection and mitigation are achievable based on the revised site layout plan. I am satisfied that the revised Site Layout Drawing (to include an undeveloped 8.5m buffer zone), Boundary Plan and Boundary Types Plan are adequate to prevent access by people and cats into the adjacent county wildlife site nature reserve, with the cat-proof fencing measures extending along the northern, western and eastern site boundaries.

Regarding the Landscape Strategy Plan, details provided regarding bird nesting and bat roosting features appears acceptable, and accords with the CEMP with fifty percent of dwellings to have such features incorporated into the buildings. I also note the commitment to ensure gaps are provided in new fence lines to enable hedgehogs movement between gardens and areas of open space. The plant species selections appear broadly acceptable, and again accord with the CEMP.

I would have no objection to the proposal subject to the development being implemented in strict accordance with the above revised documents and drawings. I can advise that subject to my recommendations being fully incorporated into the approved scheme the development will in my opinion result in no net loss to biodiversity

- 5.4 **Natural England:** *Further to advice provided by Natural England, in our letter dated 5 March 2018 (ref. 239172), we note and welcome that improvements have been made to the proposals in key areas. These include a revision to the boundary plan to include gates to the biodiversity buffer for maintenance access and cat proof fencing extended to 3 sides (north, east and west). We therefore*

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agree in principle with the proposed details set out in the CEMP (Greenwillows Associates Ltd, April 2018).

Natural England advises your authority to clarify the situation regarding the adjacent land at the eastern end of the site; ideally this should be included as additional supporting habitat to help ensure no net loss to biodiversity.

In addition to advice regarding the adjacent land at the eastern end of the site and the requirement for a financial commitment for in-perpetuity management and maintenance of on-site habitat and boundary treatments, the Council should secure implementation of a surface water management plan that is sufficient to demonstrate no adverse impact to the water environment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal

- 5.5 **The Wildlife Trust:** *The Wildlife Trust has been alerted to this case. While we did not comment on the original outline application in 2014, this was because the amount of housing proposed and proposed planning conditions provided scope to incorporate the necessary ecological mitigation measures into the development design. With good design the necessary mitigation measures to prevent adverse impacts on the adjacent Kings Dyke Nature reserve, a County Wildlife Site, and on local populations of protected species, should be achievable.*

However, I note that the current reserves matters application showing a detailed site layout and the information previously provided to discharge conditions falls well short of good design and sustainably integrating ecological mitigation measures into the proposed development. This is unacceptable and the following issues need to be addressed before this application should be granted:

1. *The site layout is completely unacceptable having removing the previously proposed 20-30 metre wide buffer zone along the northern and western boundaries bordering Kings Dyke nature reserve. While there may not be space for a 20-30 metre buffer all the way round as well as the 68 dwellings and other open space, there should be a minimum width of 15 metres. There is clearly scope to reinstate these buffer zones as an area has been left for "future development" contrary to the original planning permission for a maximum of 68 dwellings. The site layout therefore needs to be revised to include a significant buffer to the adjacent County Wildlife Site. This could also be designed as an area of accessible green space and a circular route for dog walking within the development itself.*

2. *I note the correspondence regarding cat / predator proof boundary fencing on the nature reserve boundary and fully support the comments from Philip Parker Associates regarding the design of this.*

3. *I also note the discussions regarding protected species and ensuring all aspects of the ecological mitigation are integrated, but we will leave this to the Fenland ecological advisor, the developer's ecologist and Philip Parker Associates to resolve. I hope these comments can be taken into account and that a revised site layout with all necessary ecological mitigation measures fully integrated into the design can be submitted*

Following the submission of further details comments as follows:

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As I suspected the CEMP document does not address our fundamental objections to the detailed site layout as set out in our previous comments. The developer is clearly trying to fit more than the approved 68 dwellings onto the site, has provided insufficient buffer zone to King's Dyke nature reserve, insufficient habitat mitigation area and insufficient on-site landscaping and open spaces. I would also question the longevity of the proposed wooden garden fencing, which from personal experience is likely to last no more than 10 years, and if the responsibility of the householder will in all likelihood not be replaced to the original design specification, rendering King's Dyke open to cat predation in the future..

The proposed buffer zone is frankly pathetic by way of ecological mitigation and enhancement and there is clearly scope within the red line boundary to build the approved 68 dwellings and to design a far better landscape and ecological mitigation offer. We respectfully request that Fenland DC instruct the developer to go back to the drawing board on their site layout and to develop proposals that provide a significantly increased and enhanced area of complementary habitat to the adjacent King's Dyke nature reserve. The current proposals cannot be demonstrated to deliver net gain (or at least no net loss) in biodiversity, contrary to national and local planning policies. The area set-aside for future development must be reallocated to ecological and landscape enhancements in perpetuity as part of this application.

Additional comments have also been received outlining how the WT objection could be withdrawn through revisions/further information:

It appears that the Wildlife Trust's desire for an improvement to the development layout, with better on-site habitat enhancement and / or green infrastructure for the new residents, is unlikely to be delivered by the current Housing Association application.

If the current development layout with limited buffer to the north and none to the west is to be approved, the boundary fencing to Kings Dyke nature reserve must be of sufficient strength, durability and design to prevent unauthorised access by people to Kings Dyke nature reserve and limit as far as is possible cat access and predation, while allowing free movement of small animals. This is likely to necessitate a metal palisade and / or mesh fencing (one potential example of which is attached) rather than wooden fencing along the whole boundary between the development site and nature reserve.

It would be really helpful to see the details of the proposed landscaping, which must include the details of boundary fencing treatments including detailed specifications with images, prior to determination of the application. We will comment as to their suitability once details have been provided. Until such details have been supplied and agreed, our objection to the layout of this development remains in place.

Finally, I must also state that the approach taken by the applicant of "salami slicing" their development is unhelpful and poor practice. It is resulting in the development not being considered as a whole, with the potential need for further costly changes to the development design at a later stage, for example when it comes to discharging ecological and drainage conditions. Such uncertainty or risk of additional costs cannot be in the applicants interest. Their current approach is also wasting far more of the consultees time, Fenland DC planning officer time

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and the applicants time all of which is inefficient and costing us all more money than should be required. This approach does not show the applicant or their advisors in a good light, and will no doubt lead to closer scrutiny of future schemes they bring forward.

- 5.6 **Managers of Kings Dyke Nature Reserve:** *Originally expressed their concern that fundamental ecological mitigation measures were outstanding including an acceptable buffer specification, an acceptable fence specification, the water pollution monitoring and contingency strategy and the great crested newt and reptile receptor site strategy (which are closely linked to the buffer specification).*

It was considered that the schemes submitted as part of the reserved matter have the potential to adversely impact on the value of the nature reserve in terms of:

- Inappropriate buffer zones
- Impact on great crested newts, reptiles, badger and further protected species
- Impact on the water quality within the nature reserve

Following discussions on site the scheme proposals were revised and the following comments have been received in respect of the revisions made:

[...] pleased to see that the developers have finally provided for a buffer on the western margin, although the buffers are still significantly smaller than should ideally be provided. [...] re-iterate that the conifers which form an important setting to the reserve and visual buffer when viewed from the west should be retained intact and protected either by a Tree Preservation order or an appropriate Section 106 Agreement.

[...] pleased also that the developers have now provided a more robust people and cat proof fence design and that the Housing Association will be responsible for the maintenance of this fence in perpetuity – this should be written in as part of the Section 106 Agreement.

The one issue we continue to have severe concerns over is the management of road drainage water through soakaways. We identified at an early stage that the groundwater in the area sits within the gravels over the top of the clay, at a shallow depth. Therefore, there is significant potential that either the soakaways will not work in periods of heavy rainfall and there is potential for contamination of that ground water which then feeds a number of the pools in the nature reserve (highlight similar concerns have been raised by the County Highways Authority and note that the LLFA have requested further ground investigations are undertaken to determine groundwater levels on site)

Go on to note that the Kings Dyke Nature reserve recently hosted Chris Packham as part of his national Bioblitz campaign (with) Over 1100 species of wildlife were recorded at the reserve over a 24 hour period, more than any other of the other 50 sites visited across the United Kingdom. Many of these species (including a very large population of great crested newts, stoneworts and many of the invertebrates present) depend on the purity of the water. Any contamination of this water either through pollutants reaching the ground water or surface run-off from the development site would be catastrophic. This fact has been re-iterated in Buglife letter dated 22nd June 2018 and the letter from Natural England dated 26th June 2018 which states "the council should secure implementation of a surface water management plan that is sufficient to demonstrate no adverse impact to the water environment".

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Highlight that [...] *planning permission should not be granted until this has been addressed. [...](and that) any approved surface water management plan MUST include an assessment of the current water quality of the pools within the reserve, an impact assessment of the potential for the development to impact on these, an appropriate monitoring scheme and outline mitigation scheme to remedy any impacts that could be anticipated. This scheme must be maintained in perpetuity and secured by a Section 106 agreement.*

- 5.7 Buglife:** *The current scheme intends to use soak away surface drainage, including off roads. Despite this, no plan appears to have been submitted to monitor water quality or potential mitigation measures put in place.*

Buglife considers a 20m buffer to be more appropriate to minimise the impacts on the adjacent reserve. The planned buffer should also be of a sufficient height to reduce light pollution, The landscaping documents fail to provide any planting scheme, an important consideration as the adjacent nature reserve currently contains regionally significant Open mosaic habitat on previously developed land, a Priority Habitat under Section 41 of the Natural Environment and Rural Communities Act 2006. Such low nutrient and bare ground habitats can be particularly vulnerable to invasion of non-native plant species and tree and shrub species which are able to rapidly establish and seed. Any landscaping scheme should avoid cotoneaster, buddleia and birch species for example.

Consider that: The current applicant threatens the long-term water quality of the adjacent reserve which supports an outstanding invertebrate assemblage which includes nationally rare and scarce species.

- 5.8 FDC Scientific Officer (Land Contamination):** *The Environmental Health Team has viewed the supplied documents and welcomes the detailed site investigation report. We do not object to the principle of this development. The submitted site investigation report details the results of an intrusive investigation that acknowledges the site has a history of commercial usage including former fuel use.*

A contaminated land condition should be applied as the land has been identified as being contaminated, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how the identified contamination shall be dealt with.

Further comment that the proposal is unlikely to have a detrimental effect on local air quality or the noise climate.

- 5.9 Housing Strategy (FDC):** *The Fenland Local Plan indicates that the affordable housing tenure mix should be informed by and compatible with the latest SHMA and on this basis I would expect 30% Intermediate rented properties (such as Shared Ownership) and 70% affordable rented properties. Therefore I would expect to see 5 intermediate tenure homes and 12 affordable rented homes. The planning application indicates that the tenure of the affordable housing will be 10 affordable rented homes and 7 shared ownership homes. Please take these into consideration when discussing the application with the applicant. The mix proposed within the application is acceptable and the Housing Officer supports the proposal*

In the event that it is proven to not be viable for 25% affordable housing to be provided by the developer, I would still like to secure up to 25% of the homes as affordable housing. Prior to commencement on site I would expect the developer to approach the Council to enquire about the availability of grant funding to facilitate the delivery of up to 25% AH at no financial detriment to the developer

- 5.10 Environment Agency:** *We have reviewed the information provided and have no comment to make on this application.*
- 5.11 CCC (Lead Local Flood Authority):** *Originally objected to the scheme, however following receipt of further information they have confirmed that: ‘as LLFA we have **no objection** to the proposals. The applicant proposes to manage surface water via permeable paving which provides suitable water quality treatment for this residential use, in line with the CIRIA SuDS Manual C753. Concerns regarding groundwater have been addressed, and no groundwater was encountered during any of the ground investigations. Infiltration testing demonstrated low rates, however these rates are considered the minimum acceptable for permeable paving. Based on the hydraulic calculations provided, the drainage strategy is appropriate to suitably manage the surface water on site, without increasing flood risk.’*
- 5.12 Anglian Water:** *Our engineer has now assessed the proposal for Westhaven Nursery Peterborough Road, Whittlesey in relation to the Reserved Matters in which we were consulted. We can confirm the following in regards to our response: We have reviewed the applicant’s submitted foul drainage strategy and flood risk documentation) and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge Condition 9 of the outline planning application F/YR18/0128/RM, to which this Reserved Matters application relates, that require the submission and approval of detailed foul drainage information.*
- 5.13 Head of Environmental Services:** *In broad principal we have no objection to this development, however, the following issues should be addressed before the application could be agreed from our perspective:-*
- *As per issues raised by County Highways the turning head at the end of the access road needs to be slightly extended to remove the overrun of the refuse vehicle over the footway. Auto Track designs should be provided and areas of widening should be introduced around corners to ensure that a 11.5m long refuse lorry can pass a private motor vehicle.*
 - *New residents will be expected to present waste and recycling bins for collection at the curtilage of the property, where it meets the Public Highway on the day of collection. Properties served by shared private driveways will require notification of the shared collection points set out on the proposed site plan.*
 - *For the 'type E' 4 x 1 bed properties provision of individual bins for each property with collection point at the curtilage where it meets the public highway would provide the best solution. Plans indicate two separate bin stores for the four properties.*
 - *New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.*
 - *Refuse and recycling bins will be required to be provided as an integral part of the development.*

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- *Please refer to the useful supplementary planning guidance for Cambridgeshire and Peterborough available in the RECAP Waste Management Design Guide.*

Following receipt of additional details: *Note changes to the Bin Storage and collection arrangements for 'type E' property and have confirmed that they are happy with the tracking information and have no further observations.*

- 5.14 Senior Archaeologist (CCC):** *We have reviewed the amendments to the above planning application and can confirm that these do not affect our previous advice issued against associated outline application ref F/YR14/0183/O. This site was previously subject to an archaeological evaluation (Cambridgeshire Historic Environment Record reference ECB4198) for which a report of results has been received and approved and no further archaeological mitigation deemed necessary, therefore we have no further objections or requirements for this development.*
- 5.15 Designing Out Crime Officers:** *I have reviewed the updated documents and plans. I am happy that some security recommendations have been considered. I have no further objections or recommendations at this stage and also wish comments regarding a Secured by Design application made in my response on 13th February be considered by the Developer. They will be somewhat compliant already with adherence to Approved Document Q. Following receipt of landscape scheme again are happy to support and have no further comments.*
- 5.16 Local Residents/Interested Parties:** 106 letters of objection were received in respect of the original scheme proposals; these may be summarised as follows:
- Local concerns are not being considered
 - Concerns in villages about unrealistic development applications; when will FDC recognise this problem
 - Council has failed to notify adjacent land owners and previous contributors
 - Site location is inappropriate for family housing; close proximity to an operating industrial site with heavy machinery and excavation
 - Note that a large section of land is to be left vacant under the current plan.
 - The area reserved on site for future development would seem to be "land banking" currently frowned upon by both the government and the opposition. The vacant land could well be used to gain unauthorised access to the nature reserve and be used for other detrimental activities
 - Since the 2014 planning application on this site was submitted, there have been significant housing developments elsewhere in Whittlesey, with several new estates of 240+ houses being granted permission. With such an ambitious house building programme already underway, in 2018 the demand for extra housing in this area has reduced since 2014. So there is no need for another 68 houses to be built in this unsuitable location.
 - Scheme puts little back into community requirements
 - Concerns re anti-social behaviour/vandalism/waste/litter/noise
 - *Have always felt safe when walking around the Reserve on my own; I do not think I will feel that way knowing that there could be a lot more people on the Reserve who have no right to be there.*
 - Concerns re drainage, density/over development/ parking arrangements/ proximity to property/ out of character with the area/precedent
 - Environmental Concerns, concern re. light pollution, noise, trees, loss of view/outlook
 - Concern re. traffic and highways –

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- One cost-effective way to improve people's mental health is to allow access to open areas and green spaces filled with nature. Fenland council should be acting to support its residents and not just be ticking boxes to sign off a development which financially benefits the developer, but is detrimental to everyone else and puts children at risk.
- Whittlesey wash development a classic example of developers ignoring local concern
- Whittlesey does not have the infrastructure for further housing, not enough school places. It is almost impossible to get an appointment at the local doctor's surgeries, no dentists are accepting patients and there is a lack of local amenities
- Investment into the town centre and a supermarket should be considered like other Fenland Market towns
- A development so close to the reserve may encourage unaccompanied children to wander into the reserve and this would be dangerous, residents may also use it inappropriately
- Any benefits that the owners of these houses will give will be to the detriment of the nature reserve
- Drainage requires further consideration
- Development should not be approved if developer fails to satisfy conditions imposed on the outline
- A company has put a lot into developing this site so it should be protected; otherwise other companies are going to say why bother doing something to improve the community when it might be impaired or even destroyed by local authorities.
- There is also the historical issue of sulphur odour from the nearby brickworks, which although existing dwellings and residents are tolerant of, new occupiers of this development may not be aware of this issue when it arises.
- The council's main interest appears to be income from more houses even if the environment suffers
- The houses are of poor design, have no solar panels

Ecology and Biodiversity Concerns

- Full Environmental Assessment of the impact this development could have on the Reserve should be undertaken
- Wildlife would not cope very well with the construction or occupancy of sixty-eight dwellings within two hundred meters of them.
- When building work is going on the disruption above ground what is going on below ground wild life must get very unsettled
- Can find other land for housing but cannot find another nature reserve
- Allowing more houses to be built in the area can only bring an end to the wonderful array of wildlife on Kings Dyke Nature reserve; which is used by many including schools
- Commends the stewardship of the KDNR; if developers do not take the highest precautions it will be to the detriment of Whittlesey
- Not enough safeguards to preserve flora and fauna
- Concerned re fencing and boundary buffer, consider buffer inadequate – suggest a minimum of 20 metres to northern and western boundaries
- There needs to be an adequate buffer and protective barrier along all boundaries with the reserve, and existing trees need to be maintained, as screening for houses from the hide and protection from the impact of people and pets on the reserve

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- The detailed plans fall short of what is required to develop appropriate mitigation measures to protect the significant ecological value of the nature reserve.
- No people/cat proof barrier has been specified
- How will buffers be maintained and funded
- Loss of habitat for protected species should be mitigated through the provision of an equivalent area, or smaller area if significantly enhanced – this is not addressed
- There is also concern of light pollution and noise impacting on wildlife behaviour.
- A European Protected Species licence for the great crested newts is required before the development can commence – it is unlikely that Natural England will grant a licence without an appropriate buffer or translocation zone.
- Hope that Natural England object to the size of the development
- The plans are negligent in their lack of any provision to undertake survey and monitoring even if the Council were minded to approve
- Soakaway drainage for roofs and roads would lead to contamination of ponds on the reserve (these being groundwater fed); no provision for survey and monitoring of water quality
- Nature reserve is a private member facility with no access for dog walkers or cycles
- Housing so close to the reserve will have a detrimental impact on wildlife and habitats, i.e pet cats will prey on wildlife, will generate noise and rubbish (potentially rubbish being dumped over fences), fireworks etc
- To maintain the reserve and its species it needs to be totally cat free
- No details are included in the proposal to deal with the great crested newts on the housing site satisfactorily. There needs to be adequate translocation and mitigation
- Buildings will detract from views from the main hide
- Condition 19 clearly states no ground clearance must take place until an appropriate licence is in force yet some scrub and brambles have already been cleared.
- Tree protection zone appears to be on land owned by Forterra.

Access and highways

- Roads cannot cope with the morning commute to Peterborough.
- This is just going to make the road situation worse, already difficult to get out of drives on the main road. Another 129 cars! This road is no way suitable for the amount of traffic that uses it, there is no break in traffic at peak times unless a train is coming and that will not happen once the rail crossing is sorted.
- Inappropriate radii bends to allow cars to pass parked cars
- Children will be at risk walking to and from school with lorries thundering past
- The slim driveways which propose one car parked behind another just do not work. Cars will be parked on the pavements and road instead, which will be particularly hazardous at the bends on the road.
- Access to the site is to be on a extremely busy road which is affected by traffic jams on almost a daily occurrence

In respect of the revised scheme proposals 22 further letters have been received from previous correspondents; which may be summarised as follows:

- Drainage, environmental and wildlife concerns, flooding

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- Still very concerned about the buffer zone and protective fencing. I am not convinced that the proposed fencing will serve the purpose of providing adequate resistance to unwanted nuisance, no mention having been made of this in the revised proposals.
- The recent bioblitz event and related survey proves that we cannot allow any adverse development to affect this site and the decisions affecting the nature site should be rethought; consider that any development on the fringes of this site should not happen at all.
- Surface water drainage is completely inadequate due to ground conditions, all surface water should be piped away from application site
- Neither has any further comment been made on the subject of any pollution that might present an ominous threat to the Nature Reserve project.
- Life expectancy of proposed fencing is questioned and it is noted that there are no provisions for long term maintenance and retention
- Still no information regarding great crested newt translocation, LPA has to be satisfied that an EPS licence will be issued
- Accept that these projects have to be accepted but please make them more acceptable
- *It is disappointing that the applicant, no doubt having seen the comments on the initial application, has shown such scant concern for the development's potential ecological impact when submitting the revised application*
- Pleased to see that some of the concerns have been addressed, albeit partially, disturbed that the drainage issue remains unresolved
- KDNR was recently visited by Chris Packham who praised the management of the reserve, its uniqueness and its splendid biodiversity, it should not be ignored by FDC and should be heralded as a wonderful amenity and given protection and prominence.

One letter stating that they neither object to nor support the application although noting concern regarding the impact of this development upon the Kings Dyke Nature Reserve, and upon wildlife in general and raising similar issues to those raised as objections i.e. buffer zone must be adequate e.g. 20 metres and retained in perpetuity, drainage must be away from the Nature Reserve and not into it, a people and cat proof fence should be maintaining in perpetuity.

A further consultation response has been received which states that the '*application has our full support as a good use of a derelict piece of land.*'

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) 2018

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 11: Presumption in favour of sustainable development.

Section 5: Delivering a sufficient supply of homes.

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Para. 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Achieving appropriate densities paras. 122 - 123

Section 15: Conserving and enhancing the natural environment.

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.

LP5: Meeting Housing Need.

LP11: Whittlesey

LP13: Supporting and Managing the Impact of a Growing District.

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

8.1 The following key issues are identified as being pertinent to the evaluation of this scheme:

- **Principle of Development**
- **Design and layout**
- **Transport and Highways**
- **S106**
- **Biodiversity and mitigation**

9 BACKGROUND:

9.1 Outline planning permission was granted in 2015 for residential development on this site up to a maximum of 68 dwellings (density of approximately 26 dwellings per ha). At the time of the outline application no details were committed as although an indicative layout accompanied the submission this did not form part of the application. It should be noted that the layout and numbers specified in the original scheme had not been directed by the Local Planning Authority and were purely dictated by the submission as made; furthermore the form and extent of the ecological buffer, whilst illustrated on the layout, was not prescribed by the illustrative layout, the supporting documents or the subsequent decision.

9.2 The agent for the scheme has provided a summary position statement which highlights that:

- Axiom, a long established housing association, purchased the land in December 2017 with only 3 months to run on the outline planning permission
- Their strategy for the site was to deliver a predominantly affordable housing scheme to meet a wider range of housing needs to the existing outline approval, which had illustrated large detached dwellings with garages
- The decision was taken to submit the reserved matters application based on the existing outline for 68 dwellings to preserve the outline

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- Axiom have always been clear that it was their intention to submit a further application to secure additional units to maximise the sites full potential
 - Axiom have recently submitted a further application for 16 market sale dwellings; in order to deliver the levels of affordable housing proposed the additional homes need to be outright sale to make the whole scheme viable.
 - It is also highlighted that a policy compliant scheme would deliver 25% affordable homes; however the exact on site provision will be 58 affordable units, i.e. 85% of the 68 dwelling and 69% of the total 84 units proposed. The agent for the scheme considers this to *'represent a significant benefit of the scheme and should be given considerable weight in the decision making process'*.
- 9.3 The agent has also included within their summary position document an overview regarding ecology and S106 contributions, their observations in this regard are considered in the relevant sections of this report.
- 9.4 This application was included on the Planning Committee Agenda for the 20th June 2018 meeting; however the officer report was withdrawn from the agenda as there were a number of unresolved issues relating to highways, drainage and biodiversity that had not been addressed to the satisfaction of the LPA and statutory consultees.
- 9.5 The agents/applicants have subsequently further developed their proposals in respect of both this reserved matters submission and the additional full application for 16 dwellings. Revisions to the layout across the site have sought to address the biodiversity concerns generated by the earlier proposal. It should be noted that a meeting was held on site on 11th June which specifically sought to explore how the development would relate to the adjoining nature reserve and what safeguarding measures would be put in place.
- 9.6 The agent has also endeavoured to address concerns regarding drainage which have implications for the adoption of both the highway and drainage systems; these matters are covered in the relevant section of the report below.
- 9.7 The 16 unit proposal and a further linked application relating to the planning obligation appended to the original outline approval are currently under consideration by the LPA; it is anticipated that these matters will be reported to the September Planning Committee.

10 ASSESSMENT

Principle of Development

- 10.1 The principle of residential development on this site has been established through the grant of outline planning permission. Whilst it could be viewed as 'convoluted' procedurally to keep the original outline 'live' through the submission of a scheme which covers only part of the site, whilst delivering the full 'amount' of units, there are no procedural/planning reasons which preclude such an approach. As such the LPA must consider the scheme proposals against the backdrop of the outline approval; to this end it is the design, layout, residential amenity, access and highway considerations that are paramount for evaluation. Similarly there is some cross over with how the layout will enable the discharge of the conditions imposed on the original outline; specifically ecological mitigation, i.e. the buffer, appropriate landscaping, preventing cat access to the nature reserve etc.

Design and layout:

- 10.2 The design and layout, which has been revised since the submission of the original application to accommodate an 8.5 metre western biodiversity buffer, in addition to the 10 metre biodiversity buffer to the north, remains acceptable in the context of the site. The individual units are afforded appropriate levels of separation, private amenity space and parking. Whilst there is a shortfall of 1 parking space per 4-bedroom unit when applying the FDC adopted standards this may be accepted noting the sustainable location of the site.
- 10.3 Similarly there are no residential amenity issues arising and ample separation exists between the new build proposed and the existing dwellings along the Peterborough Road frontage.
- 10.4 The original scheme proposed a density of just over 26 dwellings per hectare and it should be noted that delivering 84 units on the site represents a density of just under 33 per ha. As acknowledged by the agent the original scheme proposed a mix of 2-5 bedroom houses whilst the reserved matters submission has a concentration of 2 and 3-bedroom units, with only 2 four bedroom dwellings being delivered on the site. These smaller dwellings in essence follow the original design principles shown on the original illustrative layout albeit more units would be delivered.
- 10.5 A detailed materials schedule accompanies the application; this proposes a mix of yellow and red brick properties some with render, some with a projecting band of blue brick and some with a mixture of both the projecting band and render. Roof tiles will be a smooth light grey. This palette of materials will offer variety within the streetscape and will contribute to a sense of place.
- 10.6 The scheme details are acceptable in the context of policies LP2 and LP16 of the Fenland Local Plan; as a safeguard in respect of the land shown as excluded from the current application proposals it will be necessary to ensure the site is either developed or treated in such a way as not to impact on the visual amenity of the intended residents; landscaping proposals for this area indicate an area of species-rich grassland and this is considered acceptable and its timely delivery may be secured by condition.

Transport and Highways

- 10.7 The principle of development has been accepted in terms of the amount of development by virtue of the original outline. The agent has provided drawings to address consultation responses received with regard to the geometry of the internal estate roads.
- 10.9 With regard to highway drainage, specifically infiltration, CCC have advised that if the proposals do not meet CCC Housing Estate Roads Construction (CCC HERC) specification then the road will not be suitable for adoption.
- 10.10 In response to the impasse between the agents and the LHA regarding site drainage and infiltration the developer/their agents now propose a Private Drainage System for the site with the main access roads, private driveways and parking areas being of a permeable (infiltration) pavement system that will be privately maintained by a management company employed by applicant in perpetuity. This will be a private road system that is not proposed for adoption by

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the County Council. Whilst not ideal there would be no reasonable planning reason to withhold consent solely on the grounds that the road is not offered for adoption. A safeguarding condition may be imposed regarding road management and maintenance.

- 10.11 It is noted that the LHA have requested that the footway widths be dimensioned on the plans and the agent has this in hand, it is anticipated that this outstanding item will be agreed prior to the committee meeting.

Drainage

- 10.12 The site lies within a flood zone 1 area; although issue has been raised with regard to levels of infiltration, specifically relating to the highway adoption requirements. Whilst the LLFA originally raised objection to the scheme the submission of further details has resulted in them removing this objection, for the reasons outlined in their consultation response.
- 10.13 As a reserved matters submission it will be necessary for a formal discharge of conditions application to be submitted and agreed as per the requirements of conditions 6 and 9 of the original outline (Condition 6 including ground water contamination and condition 9 relating to foul and surface water drainage); however it is clear that an appropriate strategy for SW drainage is available to serve the site and that subject to this being achieved the scheme is acceptable and meets the requirements of both the NPPF and FLP policy LP14.

S106

- 10.14 The S016 requirements have previously been established by virtue of the earlier grant of outline planning permission with associated Section 106 obligation dated 18th February 2015. This S106 outlines contributions in respect of pre-school and secondary school education, Fenland Rail improvements, Libraries and Lifelong Learning and County Council waste, In addition it outlines the scope of public open space and maintenance together with the affordable housing requirement for the site at 25%.
- 10.15 Whilst the applicant has recently submitted an application to modify the scope of the S106 to reflect the tenure and mix of the affordable housing to be provided; and dispense with the other financial contributions given that the over provision of affordable housing cannot be delivered alongside the existing financial contributions included in the S106 agreement this is separate to the consideration of this reserved matters scheme.

Biodiversity and mitigation

- 10.16 It should be noted that although a 'buffer' was identified as a requirement in the original outline proposals the exact extent and form was not specified. Ecological mitigation forms a key part of the outline planning approval as issued and it will be a requirement for the conditions imposed on the original outline to be formally discharged prior to the commencement of works on site.
- 10.17 There is obviously some overlap between the current layout and the ecological considerations on site; in that the extent of buffer available to address the ecology conditions is dependent on the site layout. In addition the landscaping of the site,

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which is one of the reserved matters has the potential to offer biodiversity habitat, or as identified by one of the consultees to undermine site biodiversity.

10.18 It is noted that the landscaping scheme was submitted a late stage in the application process however this has now been accepted by our Wildlife specialist and it is noted that the details provided regarding bird nesting and bat roosting features appear acceptable, and accord with the CEMP with fifty percent of dwellings to have such features incorporated into the buildings. The commitment to ensure gaps are provided in new fence lines to enable hedgehog's movement between gardens and areas of open space is also noted. With regard to the plant species selections these appear broadly acceptable, and again accord with the CEMP.

10.19 The site meeting held in mid-June highlighted the following key issues which in the opinion of the biodiversity specialists, including strong representation from the adjoining nature reserve, required resolution:

- Infiltration and safeguarding water quality in the ponds
- Fencing, (cat proof and other wildlife fencing)
- Extent of buffer zone, and deletion of western buffer zone

10.20 It is noted that there is no safeguarding condition on the original outline regarding safeguarding water quality; as such the LPA is unable to introduce a requirement in this regard. However the agent has clarified that all the private shared driveways and parking areas are to be a permeable pavement, which has its own water quality treatment process as it collects the hydrocarbons as the surface water infiltrates through the pavement construction. The proposed private soakaways located within the rear gardens will take the roof drainage which is considered a low risk, although the last manhole upstream of the soakaways will be a catchpit chamber which will retain sediments prior to the surface water entering the crate soakaway. The Highway surface water drainage scheme will include manholes each with their own catchpit chambers, in addition to the trapped gullies (which have their own sumps) located within the carriageway. The surface water treatment train outlined will, the agent asserts, ensure any water leaving the site through the drainage system is not harmful to the nature reserve.

10.21 Issues of fencing and buffer zones have been fully addressed through the submission of a comprehensive fencing schedule and a revised layout which now accommodates an 8.5-metre buffer to the western boundary. An updated Construction Ecological Management Plan has also been provided.

10.22 Based on the above positive engagement between the developers and interested parties/stakeholders this reserved matters scheme may now be deemed compliant with Policy LP18 of the FLP. As indicated the LPA is unable to revisit the issue of safeguarding water quality within the adjacent pond areas as this was not conditioned on the original outline approval.

11 CONCLUSIONS

11.1 This reserved matters submission proposes a policy compliant scheme which raises no issues in terms of visual or residential amenity. The developer has provided outstanding technical details and actively engaged with the relevant statutory agencies to respond to issues relating to drainage, biodiversity and highway layout. Whilst it is noted that the on-site surface water drainage situation

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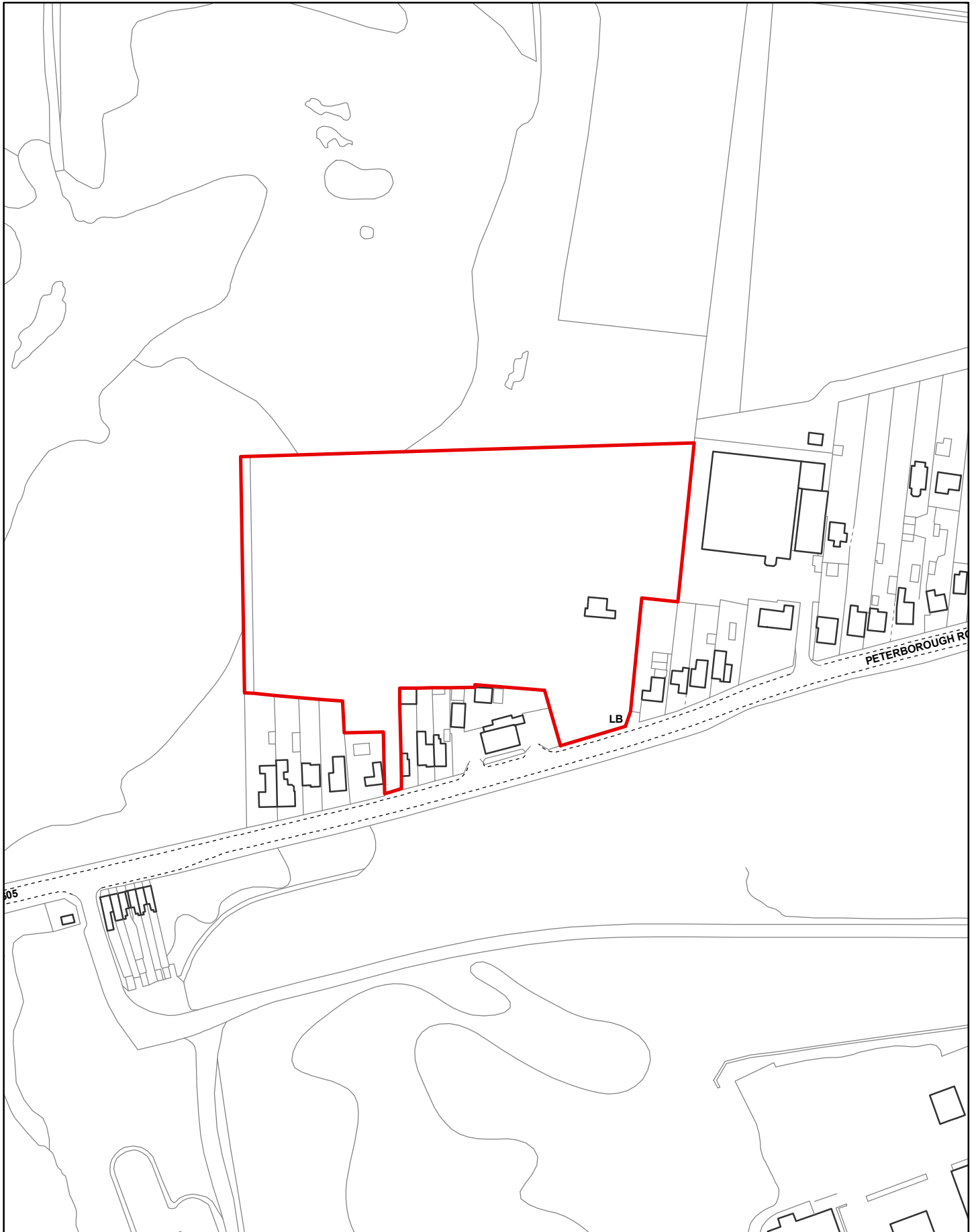
renders the scheme outside that which the LHA would formally adopt there are measures that can be secured via condition in terms of future management and maintenance of the systems proposed and consent may not be resisted solely on the grounds that the road system does not comply with adoption requirements.

- 11.2 Whilst it is clear that the proposal initially generated significant concern regarding ensuring that the development of the land does not prejudice the operation, longevity and value of the adjoining Nature Reserve much progress has been made in securing a scheme which goes some way to address the issues of concern; although the matter of ground water contamination has not been addressed to the satisfaction of the KDNR organisation it is considered that the LPA has used due diligence, within the constraints of the original outline, to ensure that this matter has been addressed as far as is possible. Against this backdrop the LPA is satisfied that the scheme has given due regard to the specific ecological constraints and requirements of the site and takes appropriate steps with regard to safeguarding and accordingly officers are now in a position to favourably recommend this reserved matters submission.

12 **RECOMMENDATION: Approve**

Conditions

- 1 The area of grassland shown on drawing number 50209001 Rev A shall be seeded and established prior to the occupation of 50% of the site and thereafter maintained in perpetuity unless a subsequent scheme for the further development of the site is approved.
- Reason: To safeguard the visual amenity of the area and the residential amenities of future occupants in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.
- 2 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.
- Reason: To ensure a satisfactory means of access in accordance with policies LP15 and LP16 of the Fenland Local Plan.
- 3 Prior to the first occupation of any dwelling the road(s) and footway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the approved details.
- Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.
- 4 Approved plans



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F/YR18/0128/RM

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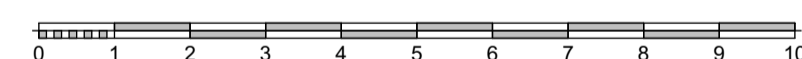




Street Scene A-A Along Spine Road 1:200 Scale



Street Scene B-B Through Central Public Open Space 1:200 scale



Key Plan 1:1000 scale



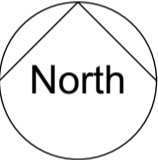
Architects · Project Managers · Quantity Surveyors
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 Leicester, LE1 6TR
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Project: A development at Peterborough Road Whittlesea
 Client: Longhurst Group
 Sheet title: Street Scenes
 Ref: 41083/ 019A
 Scale: 1:200 @ A1
 Date: 17.01.2018
 Drawn: GW Checked: JR

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- A Revised to client comments 31.07.2017
- B Mix changed to client comments 01.11.2017
- C POS Trees Removed 03.11.2017
- D Site layout revised as per client comments 16.11.2017
- E Mix changed to client comments and POS increased 06.12.2017
- F Mix changed to client comments and layout amendments 20.12.2017
- G Plot 37 amended 08.01.2018
- H Type layout amended to project meeting 08.01.18 09.01.2018
- J Fence lines and schedule amended, plots swapped as per client discussions and sheet renamed 12.01.2018
- K Parking revised for plots 58 & 68, 3 spaces for 4 beds shown, visitor space for 12.01.2018
- L Note re future development added, bin collection points added 25.01.2018
- M Layout amended as per highway engineer's comments 26.02.2018
- N Tenure mix amended as per client's comments 14.03.2018
- P Tenure mix shown as per comments and boundary amended as per revised land registry 14.03.2018
- Q Shared access drives amended as per updated tracking information 26.03.2018
- R Gates added to northern boundary & extra bin storage added 20.04.2018
- S Site entrance wall detail moved clear of vehicle visibility 23.04.2018
- T 8.5m biodiversity buffer zone added to western site boundary. Layout amended accordingly and private drives that adjoin public open space reduced in size 04.07.2018



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 Tel: 0116 204 5800, Fax: 0116 204 5801
 email: design@rg-p.co.uk, www.rg-p.co.uk

Project: A development at Peterborough Road

Client: Longhurst Group

Sheet title: Site Layout - Phase 1

Ref: 41083/ 001T

Scale: 1:500 @ A2

Date: 25.07.2017

Drawn: YS Checked: RAW

ACCOMMODATION SCHEDULE							
41083 - Peterborough Road, Whittlesey							
HOUSE TYPE	Beds	NUMBER	SQM	SQM Total	SQFT	SQFt total	%
A	2b4p	20	64	1280	688.90	13777.92	29.4%
B	3b5p	4	83	332	893.41	3573.65	5.9%
C	3b5p	28	80	2240	861.12	24111.36	41.2%
C1	3b5p	10	80	800	861.12	8611.20	14.7%
D	4b6p	2	110	220	1184.04	2368.08	2.9%
E	1b2p	4	48	192	516.67	2066.69	5.9%
Total		68		5064		54508.90	100.0%
Total Site Area:		2,644				Hectares	
Total Site Area:		6,533				Acres	
Site Density:		25.72				DPH	

- Tenure
- Affordable Rent
 - Rent to Buy
 - Shared Ownership
 - Private Sale

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F/YR18/0381/F

**Applicant: Mr A Dighton
Wisbech Grammar School**

Agent :

Wisbech Grammar School, 46 - 48 North Brink, Wisbech, Cambridgeshire

Construction of a staff car park with access via Harecroft Road and link footpath to existing school and raising of existing AstroTurf fence to 6.0 metres (max) on eastern side

Reason for Committee: Number of objections contrary to Officer's recommendation.

1 EXECUTIVE SUMMARY

This application seeks planning permission for the construction of a staff car park comprising of 98 spaces, a link footpath to the existing school (Wisbech Grammar School) and the raising of the existing Astroturf fence (on the east side) from 4 metres to 6 metres high. The site will utilise the existing access via Harecroft Road.

The supporting Design and Access Statement expresses that the existing school car park area, off Chapel Road, is over its capacity and causes congestion along Chapel Road and Harecroft Road as well as a safety hazard on the school premises. The proposed car park has therefore come forward to alleviate the car parking and congestion issue experienced.

The site is located within the settlement of Wisbech, to the west of Harecroft Road and comprises of grassland associated with Wisbech Grammar School.

The proposed car park is surrounded by a mixture of development and a significant amount of grassland. It is therefore considered that the proposed development will not result in adverse harm to the character of the local area nor result in a significant loss of green space.

County Highways considers the access road to be of a satisfactory width to allow for 2-way vehicular movement and the proposed development to not cause adverse harm to highway users.

The proposed development is within proximity to residential dwellings (Edina Court). It is considered that the proposed development will not cause any more harm in terms of noise and air pollution than what is currently experienced and given the hours of use and scale of development. It is also considered that due to the positioning, height and operating mechanism, the proposed low level lighting would not cause adverse harm. Furthermore, Environmental Health considers the proposed development will not cause residential amenity harm in respect to noise, air pollution and light pollution.

The North Level I.D.B, Wildlife Officer and Tree Officer has not objected to the proposal and therefore considers that the proposed development will not cause adverse harm in respect to flood risk and natural environment.

The proposal also provides safety measures in respect to low level lighting as well as the existing flood lights and security staff.

As such, the proposal is considered acceptable and accords with National and Local Policies, as it represents no adverse harm in terms of principle of development, character and appearance, highways, residential amenity, flood risk, natural environment and community safety.

It is therefore recommended that planning permission is granted for this application.

2 SITE DESCRIPTION

- 2.1 The site is situated within the settlement of Wisbech to the west of Harecroft Road. The site comprises of grassland and an access road which is associated with Wisbech Grammar School (located to the south of the application site). The site is surrounded by residential and commercial properties, with the Hudson Centre (south-west of the site) and Edina Court (east of the site) being located close to the site.
- 2.2 The site is accessed off Harecroft Road and is located within Flood Zone 3 (high risk).

3 PROPOSAL

- 3.1 This application seeks planning permission for the construction of a staff car park comprising of 98 spaces, a link footpath to the existing school (Wisbech Grammar School) and the raising of the existing Astroturf fence (on the east side) from 4 metres to 6 metres high. The site will utilise the existing access via Harecroft Road.
- 3.2 Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Pertinent planning application identified in the table below:

Planning Reference	Description	Decision	Date
F/YR12/0937/F	Formation of 4 hard tennis courts and 1 mini tennis court, and associated car park, 3.2 metre high chain link fencing and 10 poles for floodlighting, and erection of a club house, involving the demolition of existing clubhouse and outbuildings.	Grant	23.01.13

5 CONSULTATIONS

Wisbech Town Council

Support the application.

Cambridgeshire County Highways

The application is for the construction of a new car park via an access onto Harecroft Road, a link path to the existing school and raising an astro fence to 6m. The access to the proposed carpark is via an existing access onto Harecroft Road. The access is a suitable width to accommodate two way vehicle flow. I have no highways objections subject to the following conditions:

1) Prior to the first occupation of the development the proposed onsite parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway

Environmental Health Service

Environmental Health has considered the proposed scheme and details of submissions made in support of the application. We can confirm we have no objection to the proposed application.

Wildlife Officer (PCC)

I have had a look, no concerns, there is no lighting proposed near the existing mature trees which is good, and I would recommend a condition requiring 4 bird nest boxes to be installed on the trees, as per the ecology report. Subject to that condition, I would have no objection.

Tree Officer (FDC)

Whilst I have no objection in principal, more information is required concerning the impact of the proposed parking spaces on the line of established trees along the access.

From the proposed layout, some of the parking spaces may be within the root protection areas (RPAs) of the trees requiring a specialised construction e.g. minimal dig using a cellular confinement system.

Therefore we require information on proximity to the RPAs and impact on the trees and methodology to ensure their long-term health.

Following further information, the Tree Officer commented:

As the trench angles away from the tree line the volume of roots is likely to diminish as you move north so I suggest that it is not worth you proceeding further.

The photographs show a large number of fibrous and small woody roots suggesting that the excavation is toward the periphery of the root system, although it is difficult to predict how much further the woody roots spread before becoming fibrous feeding roots.

Under normal conditions I would not consider that severing the roots you have exposed would lead to long-term decline of the trees, despite beech being sensitive to root disturbance (particularly soil compaction), as they are likely to regenerate from the cut ends rapidly. However, the current drought may lead to some crown dieback due to the loss of a percentage of the root system further reducing available moisture.

I consider the safest course of action would be to use a no-dig installation utilising a porous wearing surface with the cellular confinement system for the 10 bays closest to the tree line.

Your suggested solution looks workable and I have no objection to the proposal.

I believe there were initial concerns that porous tarmac would become less porous over time due to the accumulation of fines in the pore spaces, but this seems to have not been the case and it retains its porosity.

Leisure Service (FDC)

No comments received.

North Level I.D.B

No comments received.

Local Residents/Interested Parties

Six letters of objection have been received from local residents expressing the following concerns (summarised):

- Increase of traffic movement would cause congestion and would be dangerous for highway users.
- Noise and air pollution from increased number of cars would impact on residential amenity.
- The road currently experiences flooding from surface water and the proposed car park would exacerbate this.
- The car park being open to the public would attract anti-social behaviour.

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 2018 (NPPF)

Para 47 – Decisions should accord with the development plan

Para 124 – Good design

Fenland Local Plan 2014 (FLP)

LP1 – Presumption In Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP14 – Flood Risk

LP15 – Sustainable Transport

LP16 – Delivering and Protecting High Quality Environments

LP17 – Community Safety

LP19 – The Natural Environment

8 KEY ISSUES

- **Principle of Development**
- **Character and Appearance**
- **Highways**
- **Residential Amenity**
- **Flood Risk**
- **Natural Environment**
- **Community Safety**

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP15 supports the principle of creating an access on the provision that they are well designed and safe. Policy LP14 also supports the principle of relocating the drainage system on the provision that the proposal does not result in cause risk of flooding in the area or elsewhere within the vicinity. Furthermore, Policy LP2 and LP16 seeks proposal to not cause adverse harm to the local character or to the general environment. Therefore, the principle of development may be considered acceptable subject to the below policy considerations.

Character and Appearance

- 9.2 The proposed car park will be surrounded by development, with the Wisbech Tennis Club to the north, residential dwellings (Edina Court) to the east, Hudson Centre to the south and the Astroturf courts to the west. The access road associated with the application site is currently used to park cars as well as the Hudson Centre, which has a medium sized car parking area. It is therefore considered that the proposed development will have no more of an impact on the local character than the existing surrounding development and the existing car parking area of Hudson Centre.
- 9.3 Whilst, the proposed development will result in the loss of grassed area, this would amount to a small area in comparison with the grassed area available within the grounds of Wisbech Grammar School. Therefore, it is considered that the proposed development would not result in a significant loss of green space.

- 9.4 The raising of the Astroturf fence by 2 metres is not considered to result in a prominent development within the context of its setting or appear incongruent given the existing Astroturf fence.
- 9.5 As such, the proposed development complies with Policy LP16 (d).

Highways

- 9.6 The supporting Design and Access Statement expresses that the existing school car park area, off Chapel Road, over reaches its capacity at peak times causing congestion along Chapel Road and Harecroft Road as well as a safety hazard on the school premises. Also school staff park on the access road (serving Hudson Centre) which leads to further congestion. The proposed car park has therefore come forward to alleviate the car parking and congestion issue experienced at the Chapel Road car park. The new car park will be utilised by staff and visitors resulting in free up car parking spaces at the existing parking area (Chapel Road) which will be used for students and as a drop off / pick up area.
- 9.7 The proposed car park will utilise the existing access road off Harecroft Road. 98 car parking spaces will be provided and the car parking side fence will be raised to 6 meters high to protect the cars from hockey balls.
- 9.8 County Highways considers the access road to be of a satisfactory width and the proposed development to not cause adverse harm to highway users. Therefore, County Highways does not object to the proposed development subject to the car park being developed in accordance with the submitted plans. This can be conditioned in the event that planning permission is granted.
- 9.9 As such, the proposed development complies with Policy LP15.

Residential Amenity

- 9.10 The proposed car park will be circa 22.5 metres from the boundary of Edina Court. The existing access also abuts the boundary of Edina Court. Edina Court is surrounded by Harecroft Road, The Tennis Club, Wisbech Grammar School's playing field and Hudson Centre's car park area. Therefore, from these activities residents of Edina Court would already experience a level of noise and disturbance throughout the day.
- 9.11 The Design and Access Statement specifies that the proposed car park would be in use from 7am to 7pm Mondays to Fridays and the car park overnight will be locked and patrolled by security staff. It is therefore considered that the proposed development would not generate a level of noise nuisance above what would reasonably be expected from the daily activities within the area and especially during the working hours of 7am to 7pm, when the car park will be mostly used.
- 9.12 Concerns of air pollution have been expressed by residents of Edina Court, however, residents would already experience a level of air pollution from the existing vehicle numbers in the area and given the scale of the development it is not considered to significantly amount to serve air pollution. The Environment Health Team considers the proposed development will not result in significant noise or air pollution and therefore has no objection to the proposal.

- 9.13 Low level bollard lighting will be fitted to the edge of the proposed footpath for safety reasons. The lights will also be on a time switch as well as a passive infrared sensor (PIR) system to ensure the lights operate when required and turn off when not in use. The Environmental Health Team considers the proposed development will not cause adverse harm from light pollution and therefore have no objection to the proposal.
- 9.14 As such, the proposed development complies with Policies LP2 and LP16 (e).

Flood Risk

- 9.15 The Design and Access Statement states that the proposed car park will be constructed from porous material and therefore allowing for surface water to be absorbed within the subsoil and reducing the impact on the drainage system. Also, an Aco drainage system will be connected to a new soakaway which will also aid in drainage of surface water. There is also existing drainage in the area. North Level I.D.B was consulted as part of this application, however, no comments were received and therefore it is considered that North Level I.D.B does not object to the proposed development. As such, it is considered that the proposed development will not exacerbate the existing risk of flooding in the immediate or nearby area. Therefore, the proposed development complies with Policy LP14.

Natural Environment

- 9.17 The Wildlife Officer considers the proposed development will not result in an adverse harm to biodiversity subject to the development being carried out in accordance with the submitted ecology report, which recommends the installation of 4 bird boxes on the mature trees abutting the site boundary. This can be conditioned should planning permission be granted.
- 9.18 The Tree Officer in his initial comments had no objection to the proposal in principle but required further information in respect to the root protection area (RPA) of the trees adjacent to the access road and the site boundary.
- 9.19 Following further information and revision to the method of construction of the car park and access. The Tree Officer considers the proposed development will not cause significant harm to the mature trees subject to the development being carried out in accordance with the submitted plans and documents. As such, the Tree Officer has no objection to the proposed development.
- 9.20 Subsequently, the proposed development complies with Policy LP16 (c) and LP19.

Community Safety

- 9.21 The proposed development will incorporate low level lighting along the proposed footpath and the area to be used as the proposed car park has existing floodlights which will remain as part of the proposed development and therefore the proposed car parking area will have sufficient means of security lighting. The Design and Access Statement mentions that the existing school gates will remain as well as the existing bollards which would prevent illegal access onto the site and the car park will be locked at night times, and patrolled by security staff.

- 9.22 As such, it is considered that the proposed development will adopt a number of safety measures to deter ant-social behaviour and to ensure the car park is a safe area. The proposed development therefore complies with Policy LP2 and LP17.

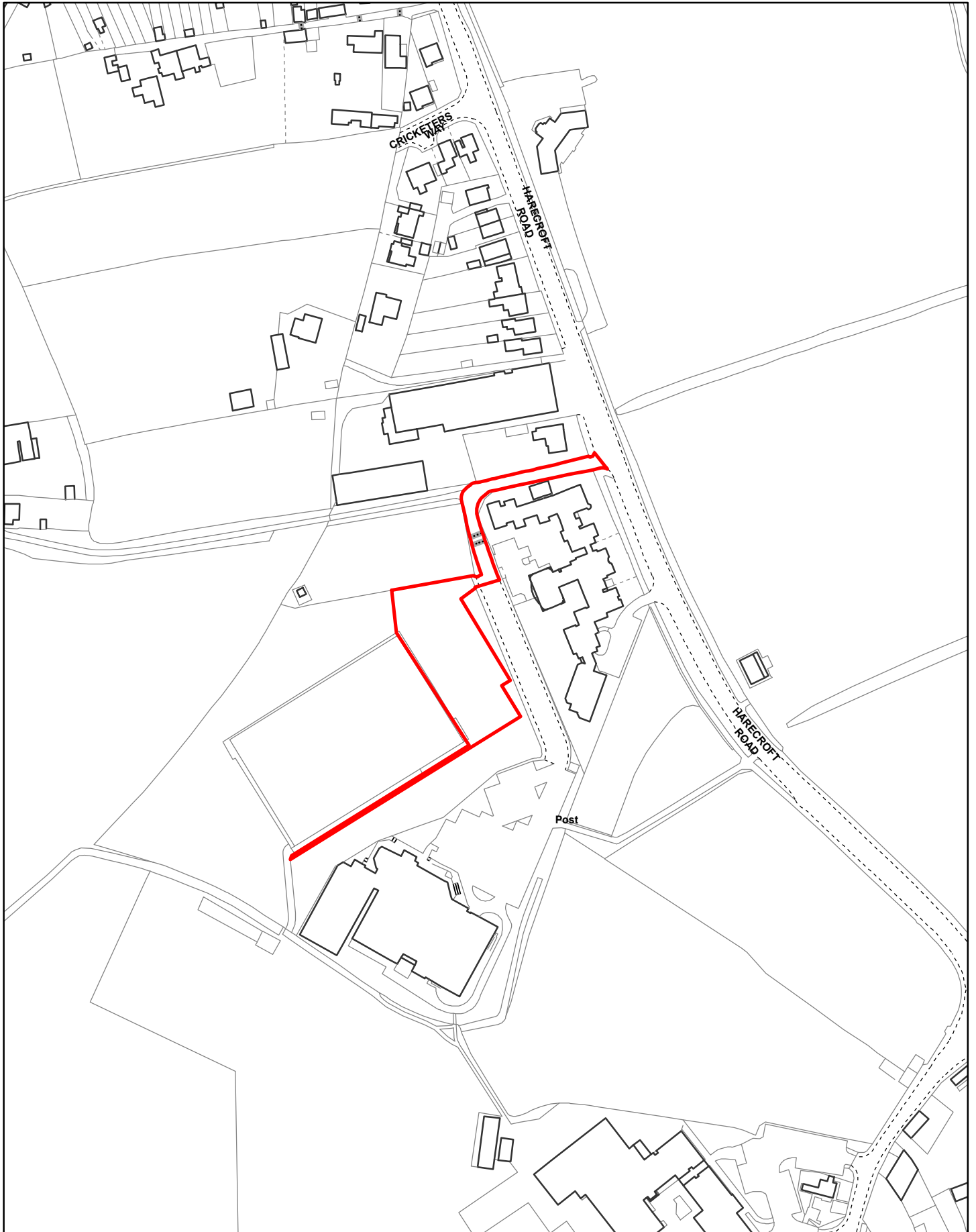
10 CONCLUSIONS

- 10.1 The proposal is considered acceptable and accords with National and Local Policies, as it represents no adverse harm in terms of principle of development, character and appearance, highway, residential amenity, flood risk, natural environment and community safety.
- 10.2 It is therefore recommend that planning permission is granted for this application.

11 RECOMMENDATION

Grant subject to the following conditions:

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.
2. Prior to the first use of the development hereby approved, the parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.
3. Prior to the first use of the development hereby approved, 4 bird nest boxes shall be installed in accordance with the approved Ecology Report (prepared by Prime Environment, dated April 2018).
4. The car park hereby approved shall be constructed in accordance with the approved Car Park Construction Plan (ref: 009).
5. The car park entrance gate (denoted on Site Plan ref: 1000- 005) shall not be open outside the hours of 7am to 7pm on any day and the car park shall only be used within these hours.
6. 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.
7. The development hereby permitted shall be carried out in accordance with the following approved plans and documents.



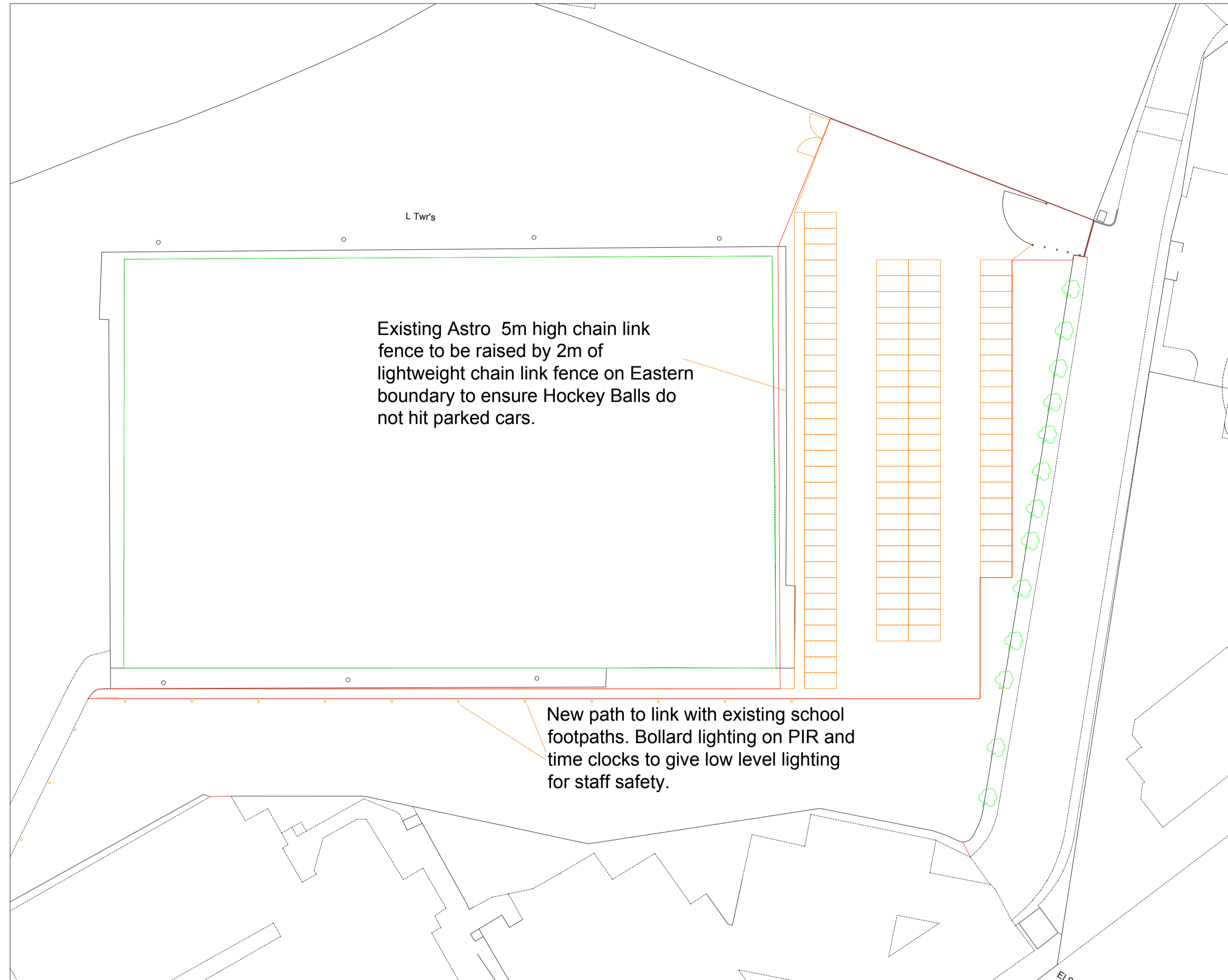
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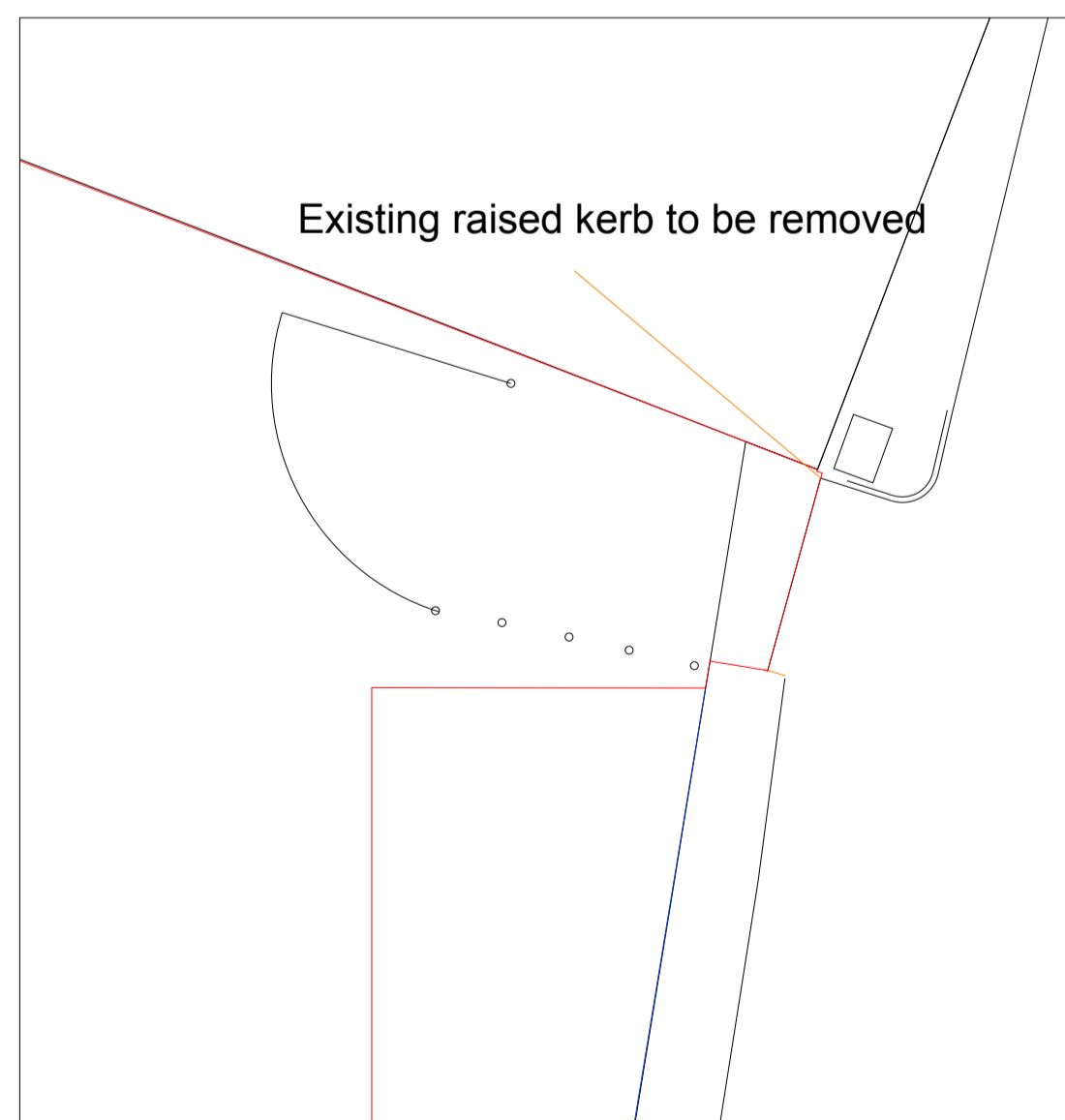
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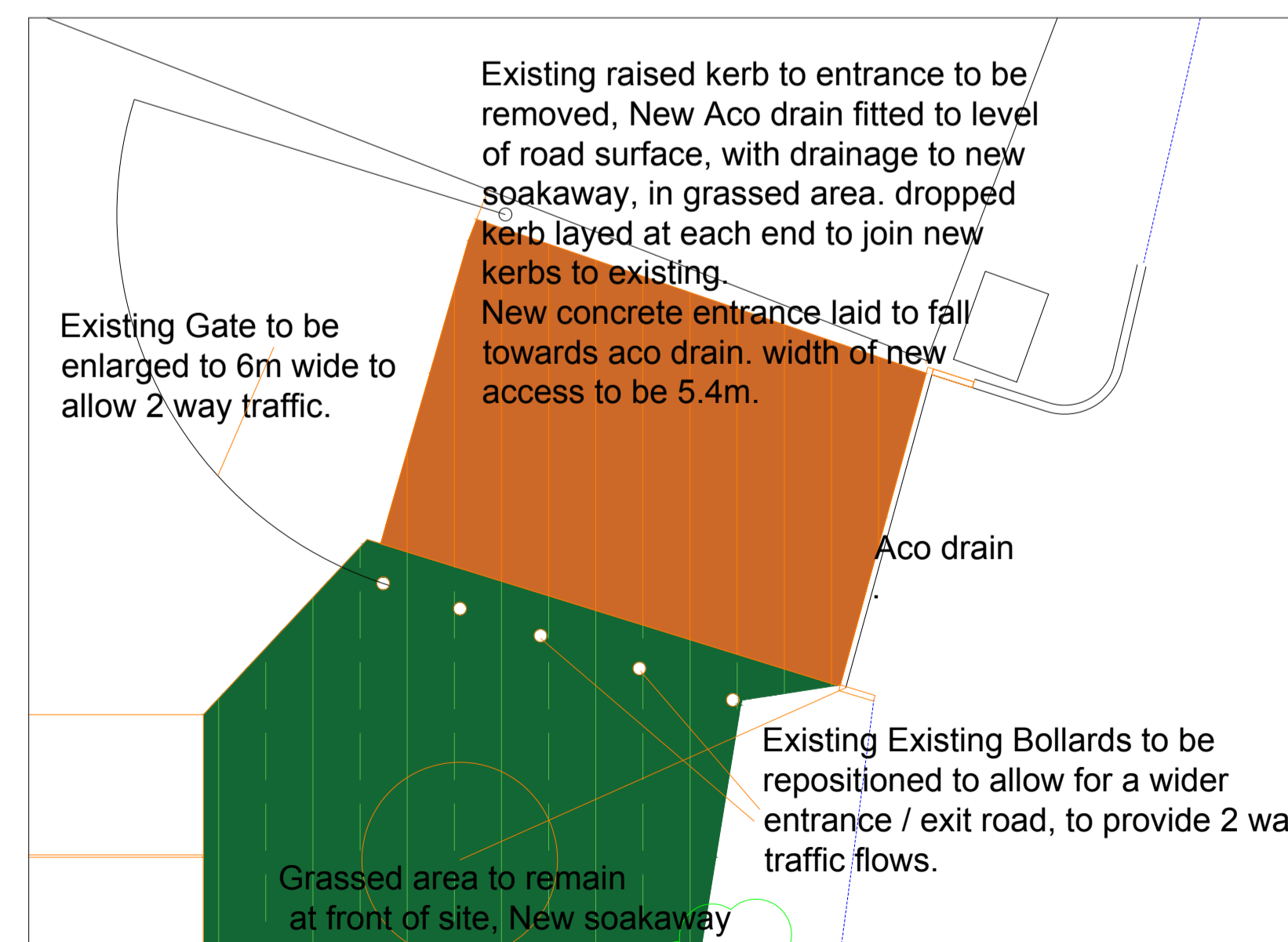




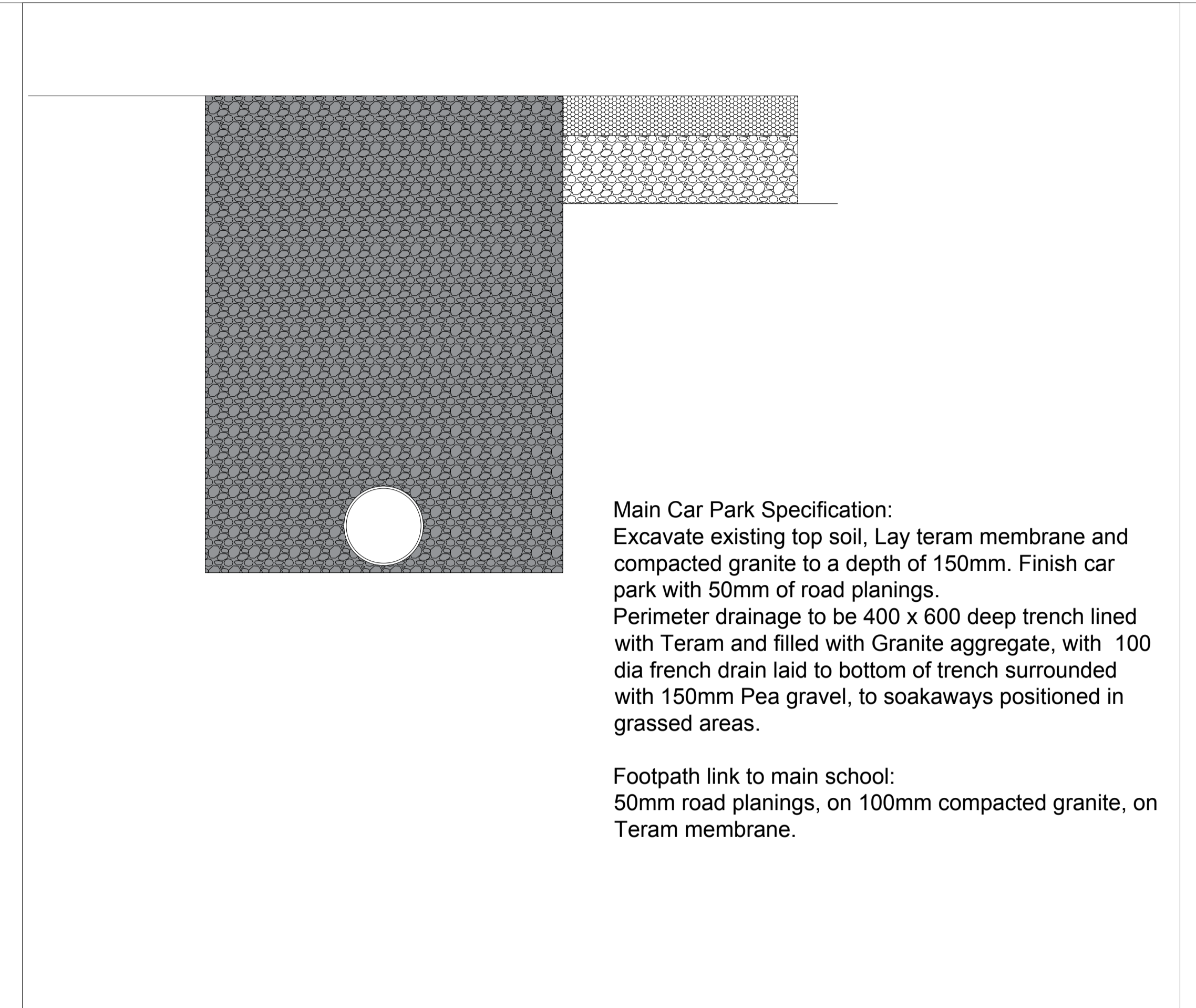
Proposed Car Park Plan 1:500



Entrance as Existing 1:200



Entrance as proposed 1:100



Typical Construction Detail 1:5

Notes:

New Car Parking bays to 2.4m x 4.8m with 6m road way between rows of parking bays.
Perimeter of Car park area to have gravel trench 400mm wide x 600mm deep with French drain laid to the bottom to soakaways in grassed area

Wisbech Grammar School
Facilities Department
47 North Brink
Wisbech
PE13 1JX
Tel: 01945-583631

Project:
Proposed Staff Car Park
Leading on to Harecroft Road..

Drawing Title:
Proposals for car parking.

Drawn by: Andrew Dighton

Date: 7 Feb 2018

Scale: As indicated @ A1

Drg No: 1000- 005 Rev:



F/YR18/0579/F

Applicant: Mr & Ms J & R Blunt & Newling

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

Northview, Decoy Road, Gorefield, Cambridgeshire

Erection of a 2-storey 4-bed dwelling involving the demolition of existing property, extension to the residential curtilage, installation of gravel driveway and temporary siting of a static caravan and two storage containers during the construction of the new dwelling

Reason for Committee: Level of support contrary to officer recommendation

1 EXECUTIVE SUMMARY

Policy LP12 Part C sets out the criteria for a replacement dwelling in the countryside, all of which must be met if the principle of development is to be deemed acceptable. This replacement dwelling scheme also falls to be considered its overall impact on the character of the area and its appropriateness in terms of response to its setting. In addition it is necessary to evaluate whether there are any impacts in terms of residential amenity, flood risk and highway safety.

Whilst the principle of a replacement dwelling on this site has been accepted previously by virtue of the earlier grant of consent the current proposal does not comply with the specific criteria relating to the size and scale of the replacement unit.

Although the agent has indicated that a similar scale dwelling could be achieved through utilising permitted development (PD) this is a misdirection given that the scope of additions outstrip PD tolerances and in any event PD rights were removed as part of the earlier grant of consent.

It is considered that the current proposal does not accord with policy in terms of the size and scale of the dwelling, being as it is almost double the size of the original home on the site. This is at odds with Policy LP12 and undermines the policy framework; furthermore it will result in a dwelling that by virtue of its prominent and isolated position will appear more strident in the streetscene. This is considered to have a significant adverse impact on the character of the location and will result in the rural characteristics, that were preserved through the original scheme proposals, being eroded.

Accordingly the scheme is considered at odds with Policies LP12 and LP16 and undermines the aims of Policy LP12 Part C.

2 SITE DESCRIPTION

- 2.1 The site is a modest, traditional, double fronted, Fenland farmhouse located within the open countryside near Gorefield. The front garden and surrounding residential curtilage has been cleared of vegetation.
- 2.2 The site is exposed and highly visible from the adjacent highway and surrounding countryside. Access is from Decoy Road across a dyke. The site is within Flood Zone 3.
- 2.3 At the time of site inspection it was noted that scaffolding was in place around the existing dwelling and that the roof had been removed from the dwelling, along with the associated attached outbuildings. The mobile home and storage containers are on site.

3 PROPOSAL

- 3.1 This application seeks planning permission to demolish the existing dwelling and outbuildings and replace them with a two storey three bed dwelling with a ridge height of approximately 8.4m, depth of 15.7m (max) and width of 11.7m.
- 3.2 Existing dimensions are width 10m, depth 8.2m (max) and height 7.4m. An outbuilding measures 5.2m x 3m.
- 3.3 The residential curtilage is to be extended at the south western corner of the site along with a new gravel driveway.
- 3.4 A temporary static caravan and two temporary storage containers are to be sited in the south western corner of the garden during construction of the new dwelling.
- 3.5 A Flood Risk Assessment accompanied the application
- 3.6 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/YR18/0041/F	Erection of a 2-storey 3-bed dwelling involving the demolition of existing property, extension to the residential curtilage, installation of gravel driveway and temporary siting of a static caravan and two storage containers during the construction of the new dwelling	Granted 27.04.2018
---------------	--	-----------------------

5 CONSULTATIONS

- 5.1 **Parish Council:** Not yet received
- 5.2 **National Grid Plant Protection (Cadent):** *There is no record of apparatus in the immediate vicinity and Cadent and National Grid therefore have no objection to these proposed activities*
- 5.3 **HSE's Web Based Planning Advice:** Do Not Advise Against

- 5.4 **North Level Internal Drainage Board:** *North Level District IDB have no comment to make with regard to this application*
- 5.5 **Cambridgeshire County Council Highways Authority:** *The application is for the demolition of the existing dwelling and the erection of a new 4 bedroom dwelling. This is a replacement dwelling application that is utilising the existing access I therefore have no highways objections.*
- 5.6 **Environment Agency:** *No objection to the proposed development but make comments regarding the sequential test noting that they assume that FDC has applied and deemed the site to have passed the NPPF Sequential Test. Our response to the submitted detail should not be taken to mean that we consider the proposal to have passed the Sequential Test.*

Review of Flood Risk Assessment (FRA): We have no objection to this application, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) Geoff Beel Consultancy dated August 2017 GCB/SWANN EDWARDS are adhered to. The FRA states:

- Finished floor levels are set no lower than 300mm above surrounding ground level*
- Flood resilient construction a minimum of 300mm above finished floor level.*

The application references the temporary siting of a static caravan. We have no objection as this is temporary usage. If the caravan was permanent it would be contrary to NPPF as a highly vulnerable use located in Flood Zone 3, and we would wish to raise an objection. Your Authority may wish to append a condition to any planning permission to ensure the caravan is removed once the permanent property is completed.

Also give guidance to applicant re flood resilience, flood warning and foul drainage and note that the LPA may wish to append a flood plan condition

- 5.7 **FDC Scientific Officer (Land Contamination):** 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. There are no records of previous contaminative use, however, it is recommended that an unsuspected contamination condition be applied as a precaution against potential contaminative material which may arise from demolition works.
- 5.8 **Local Residents/Interested Parties:** 9 letters of support have been received; which may be summarised as follows:
- Scheme sympathetic to original house using old bricks and slate and recreating the original design in line with today's requirements by increasing the size slightly and ensuring it is far more energy efficient
 - House visually and environmentally sympathetic to the area
 - Strongly support this local couple who are hardworking, conscientious, resourceful
 - Rooms within the existing house are not ideal for present day living and they support their plans for increasing the size of the dwelling and creating a home better suited to modern energy saving living

- Some significant houses, larger than the ones they replace have been erected in the locality so it would appear that planning officers are receptive to requests for increases in the size of the dwelling
- As local residents and business owners they know the site and family well, they think it is great that they wish to stay in the village
- As they both work for a family business which is growing rapidly they need to live in close proximity to the business premises, for out of hours and deliveries
- Farm employs local people and uses local businesses
- Well located to the farm in which the intended occupants work
- The applicants are community minded and help with village events
- It will be a very positive outlook to see Northview rebuilt, lived in and loved

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 – Planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise

Paragraph 11 - Presumption in favour of sustainable development.

Paragraph 127 - Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Chapter 12: Paragraphs 124 to 132 - Requiring good design

7.2 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

LP12 – Rural Areas

LP14 – Responding to Climate Change and Managing the risk of Flooding in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

8 KEY ISSUES

- **Principle of Development**
- **Policy LP12 Part C**
- **Impact on Rural Character**
- **Agent's justification with regard to Permitted development tolerances**
- **Neighbour Amenity**
- **Flood Risk**
- **Local Support**
- **Other Matters**

9 BACKGROUND

- 9.1 Consent was granted for a replacement dwelling in April 2018

- 9.2 The design and access statement accompanying the current submission notes that ‘this application is being resubmitted as a revised application due to the changes desired by the client would be allowed as permitted development once the original dwelling was completed. For simplicity of construction, this application seeks to approve all of the client’s requirements to allow the dwelling to be completed as they wish.
- 9.3 It is noted that the current scheme reverts back to the original proposal in terms of size, scale and accommodation proposed. This earlier scheme having being scaled back to accord with Part C of Policy LP12; see detailed comments below.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP12 Part C sets out the criteria for a replacement dwelling in the countryside, all of which must be met if the principle of development is to be deemed acceptable. This replacement dwelling scheme also falls to be considered its overall impact on the character of the area and its appropriateness in terms of response to its setting. In addition it is necessary to evaluate whether there are any impacts in terms of residential amenity, flood risk and highway safety.

LP12 Part C compliance

- 10.2 Each requirement of Part C is outlined below with a response on whether or not the proposal meets the requirement:

Requirement	Response
(a) The residential use of the original dwelling has not been abandoned.	The dwelling has not been abandoned, whilst it is noted that some demolition has been commenced on site it is clear that this is in order to implement the consent as granted.
(b) The original dwelling is not important to retain due to its character and/or contribution to the landscape.	The dwelling is not deemed to be important as it is in a state of disrepair including subsidence.
(c) The original dwelling is not a temporary or mobile structure, such as a caravan.	The dwelling is not a temporary or mobile structure.
(d) It is of a design appropriate to its rural setting.	This is assessed below.
(e) It is of a similar size and scale to the original dwelling.	This is assessed below.
(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.	The proposed dwelling would extend the existing footprint. Further assessment below.

- 10.3 In respect of (e) Part C it is noted that the original dwelling, including attached stores and WC, had an overall floor space of 149 square metres and that the replacement dwelling agreed under F/YR18/0041/F proposed a floor space of

202 square metres. The current proposal, which is identical to that previously submitted, and subsequently amended during consideration of that scheme, as part of the April 2018 approval, would provide for a floor space of 282 square metres. This amended floor space provides just short of an additional 90% increase in floor space; as opposed to the 28% increase allowed for in the April 2018 consent. It is clear therefore that the scheme does not comply with LP12, Part C (e) in terms of size and scale.

- 10.4 The amendments to the size and scale of the dwelling have implications in respect of (d) and (f) above; however these translate largely to the impact on the rural character of the area and as such are assessed below.

Impact on Rural Character

- 10.5 An increase over that permitted under Policy LP12 has been accepted by virtue of the earlier grant of consent; this allowing for a 28% increase approximately. In this respect it was the Officer's opinion that the design was appropriate to its rural setting and could be favourably recommended. Furthermore it was deemed that the small increase in curtilage would "round off" the garden with little impact on the rural character. The proposal is deemed to meet Policy LP12 Part C (d) and (e).
- 10.6 This resubmitted scheme introduces a dwelling which whilst maintaining the earlier width of dwelling substantially increases the depth and therefore the 'bulk' of the resultant dwelling. Whilst it is accepted that the plot is substantial it is clear that the dwelling which sits in a prominent and isolated position will appear more strident in the streetscene and will lose the rural characteristics that were preserved through the original scheme proposals.
- 10.7 The larger dwelling is deemed to have a significant adverse impact on the character of the location which is clearly at odds with Policies LP12 and LP16 and undermines the aims of Policy LP12 Part C.

Agent's justification with regard to Permitted development tolerances

- 10.8 It is noted that the consent issued in respect of F/YR18/0041/F restricted permitted development in respect of extensions and outbuildings and alterations to the roof of the resultant dwelling and or the installation of additional windows and doors etc
- 10.9 Notwithstanding this it should also be noted that within the submitted design and access statement the agent asserts that the house proposed '*is of a size similar to the existing dwelling with the addition of a single storey extension which would be allowed under permitted development.*' This assertion is not however a correct interpretation of the permitted development criteria in that the increased floor space is attributed to both two storey and single storey accommodation; the two storey outshoot to the property is shown to increase from 4.25 metres to 9.4 metres, at a ridge height of 8.4 metres (maintaining the ridge line of the front section of the house and previously approved shorter outshoot). With the single storey element being being delivered at 90 degrees to the two storey section.
- 10.10 Neither of these elements would be viewed as permitted development under Class A of the TCP (GPDO), as it would exceed the 3 metres allowed as a two-

storey rear extension. It is also questionable from the site plan as to whether the 2 metre separation between any extension and the site boundary is achievable at 3 metres depth, and it is noted that this would render a 3 metre rear extension outside of permitted development as within two metres of the boundary the eaves height should not exceed 3 metres. In respect of the single storey element it is further noted that this would also not be compliant with Class A as the depth measurement would be taken from the rear wall of the main house .i.e. 9.4 metres, and the overall height would exceed PD allowances, being 4.5 metres, not 4 metres as allowed. Accordingly there are no material considerations that would justify a different stance to the earlier evaluation and negotiation to secure a policy compliant scheme in respect of the original approval for a replacement dwelling under F/YR18/0041/F.

Neighbour Amenity

- 10.11 There would be no impact on neighbour amenity given the significant distances to neighbouring dwellings.

Flood Risk

- 10.12 The site is located within Flood Zone 3. However, the Environment Agency has deemed that the proposal will only meet the requirements of the NPPF if the measures, as detailed in the submitted Flood Risk Assessment, are implemented. This is acceptable and will be conditioned for in any given permission. The comments regarding the sequential test are noted however as this scheme represents a replacement dwelling it is considered that the sequential test is met.

Local Support

- 10.13 A number of letters of support have been submitted in respect of the proposal and it is clear that there is substantial goodwill towards the intended occupants of the dwelling in terms of both their business and community endeavours. However this support does not outweigh the policy considerations expressed in the FLP.

Other matters

- 10.14 The static caravan and storage containers are proposed for temporary use for the duration of the build; these aspects may be accepted on this basis in terms of their visual impacts and flood risk considerations

11 CONCLUSIONS

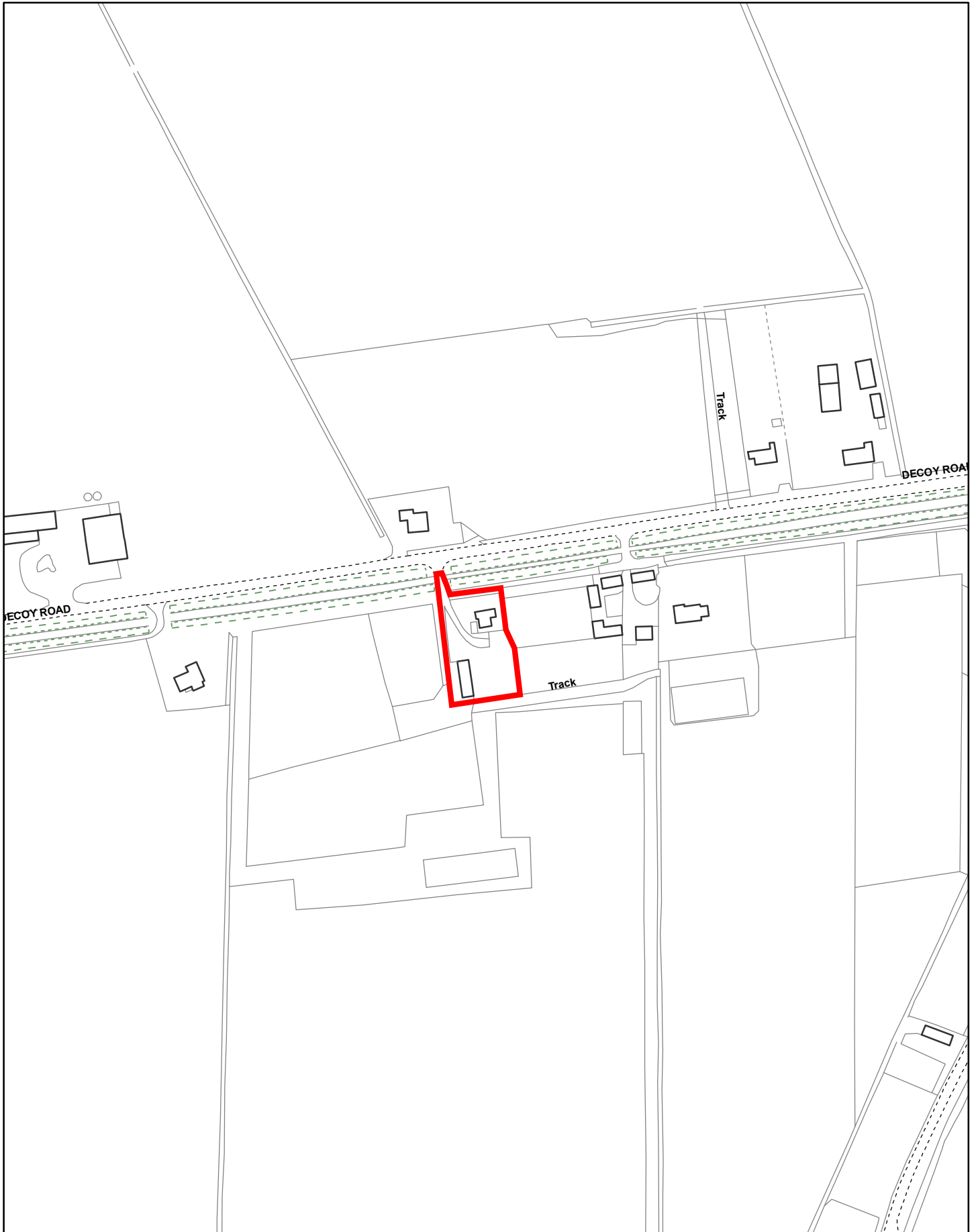
- 11.1 This proposal is at odds with Policy LP12 part C in respect of size and scale; the resultant dwelling would be at odds with the rural character of the location and as such contrary to LP12 and LP16. Accordingly the scheme must attract a refusal recommendation.

12 RECOMMENDATION: Refuse

- 1 Policy LP12 Part C sets out the criteria for a replacement dwelling in the countryside, all of which must be met if the principle of development is to be deemed acceptable. This replacement dwelling scheme also falls to be considered

its overall impact on the character of the area and its appropriateness in terms of response to its setting in accordance with the wider aims of LP12 and LP16.

The proposed dwelling does not comply with the specific criteria relating to the size and scale of the replacement unit being as it is circa 90% larger than the original dwelling. This is at odds with Policy LP12 and undermines the policy framework; furthermore it will result in a dwelling that by virtue of its prominent and isolated position will appear more strident in the street scene. This is considered to have a significant adverse impact on the character of the location and will result in the rural characteristics of the area being eroded. Accordingly the scheme is considered at odds with Policies LP12 and LP16 and undermines the aims of Policy LP12 Part C.



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F/YR18/0579/F

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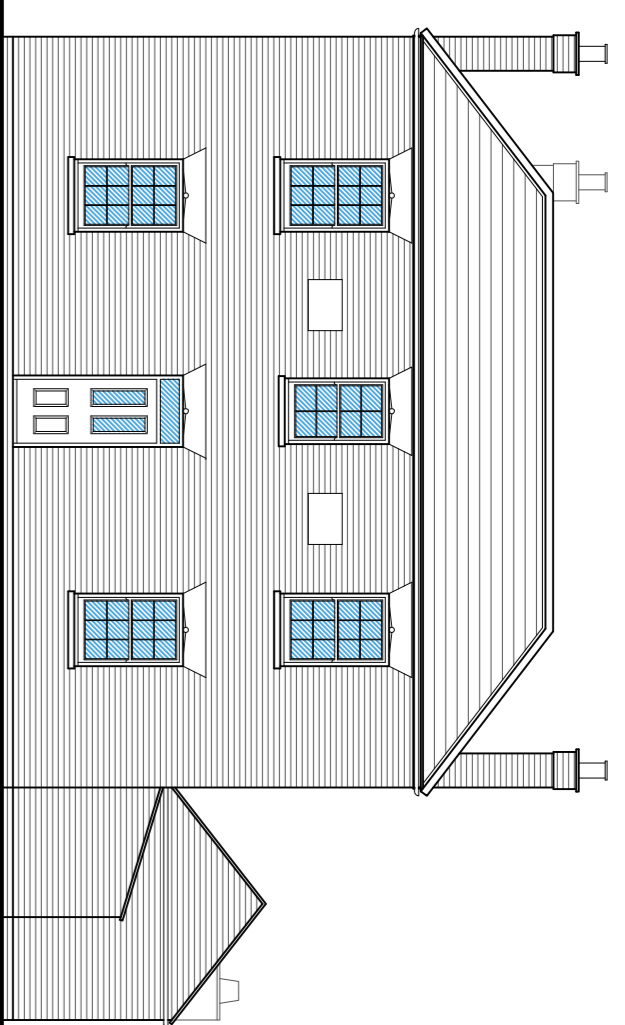
1. The drawing shall not be scaled, figured dimensions only to be used.
2. The dimensions will conform to the British Standard BS 1191.
3. The drawing is for information only and does not constitute a contract. All dimensions on site prior to the commencement of any work.
4. The drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
5. Any discrepancies are to be brought to the designer's attention.

ELEVATION KEY

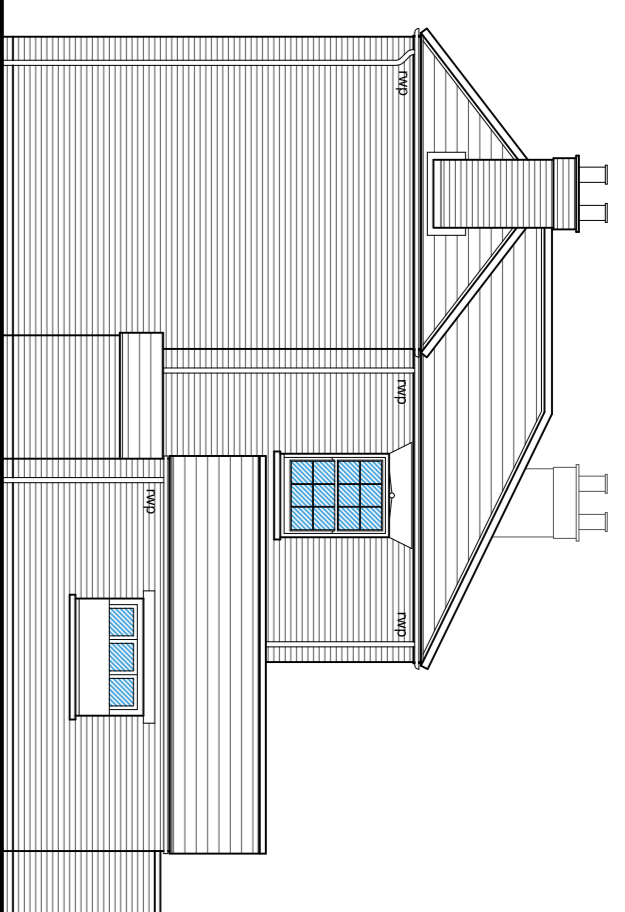
- Indicates brickwork
- Indicates roof lines
- Indicates glazing

SITE PLAN KEY

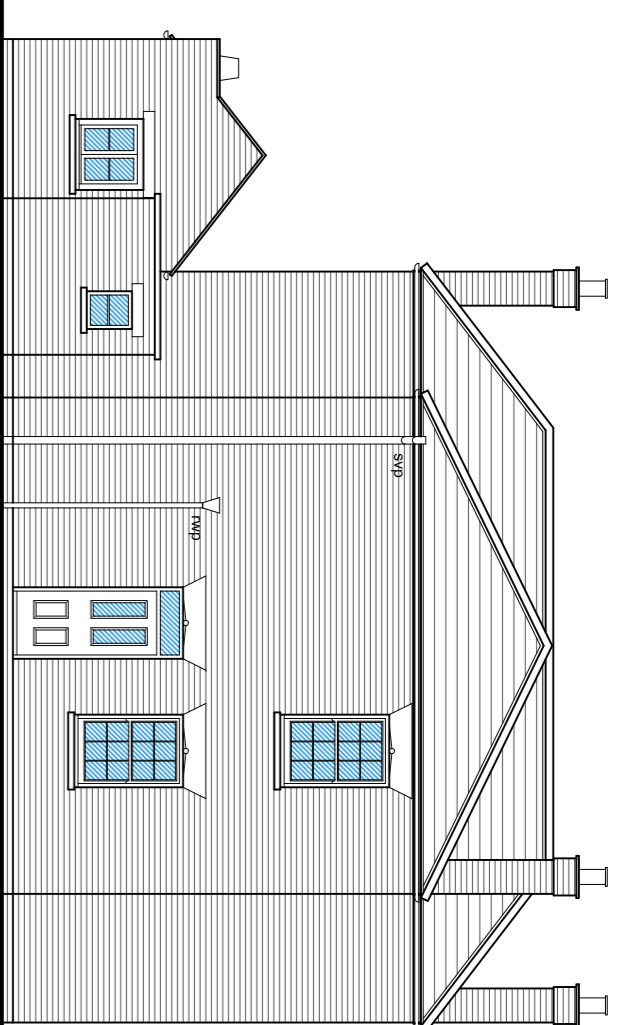
- Indicates existing buildings surveyed
- Indicates existing drain
- Indicates site access
- Indicates site levels to ordnance datum



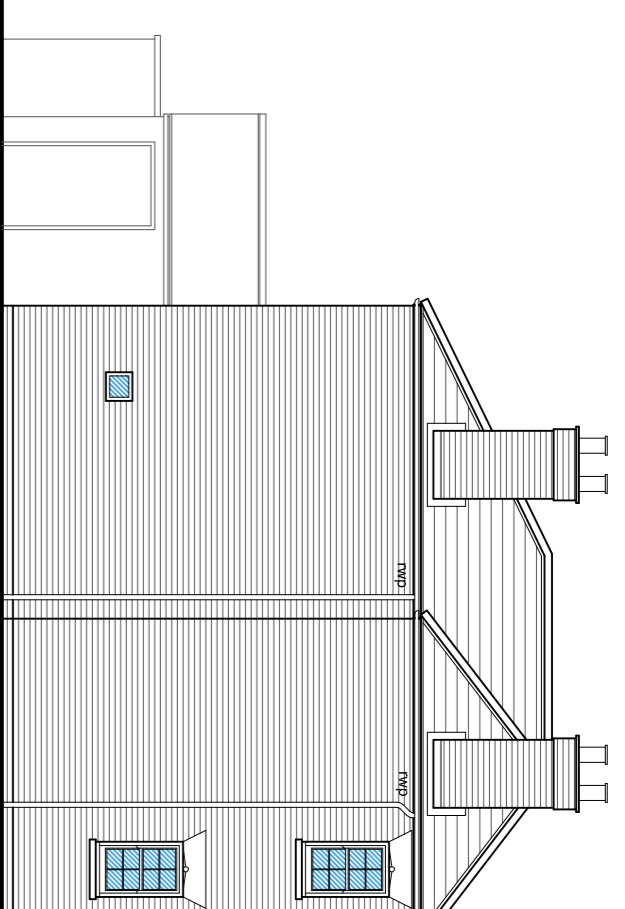
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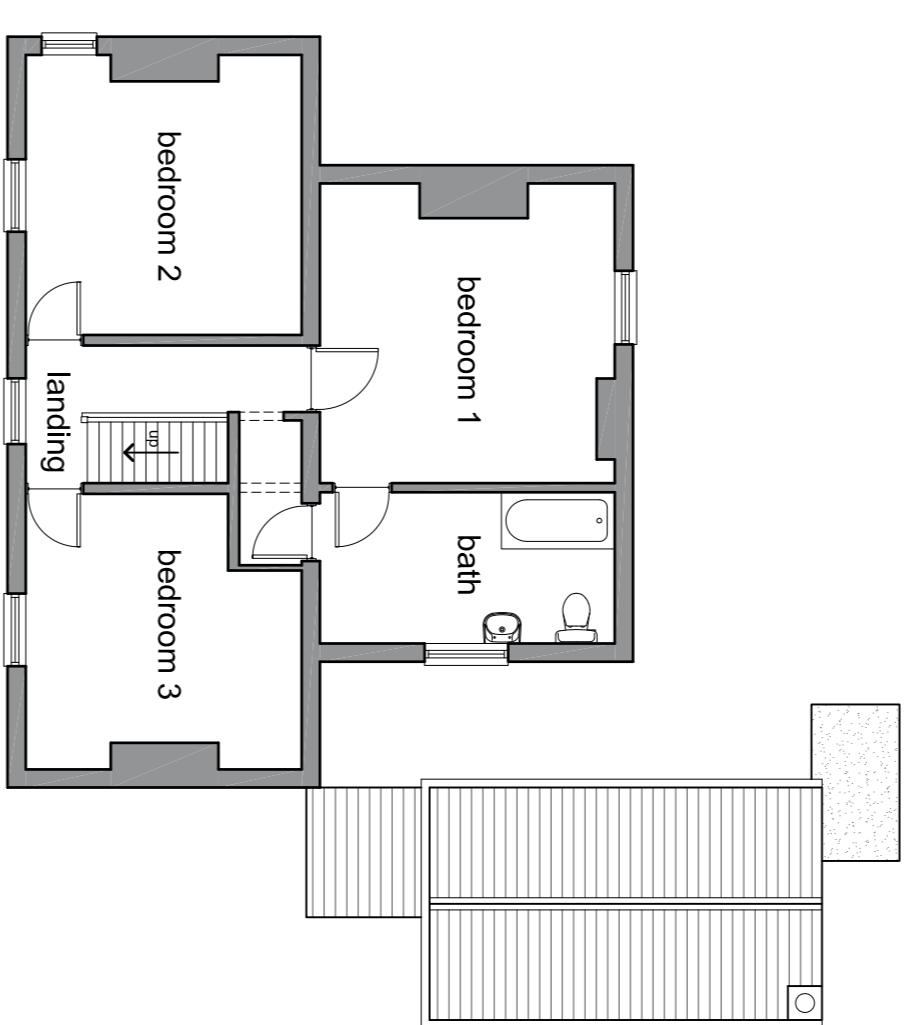
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Scale: 1:100



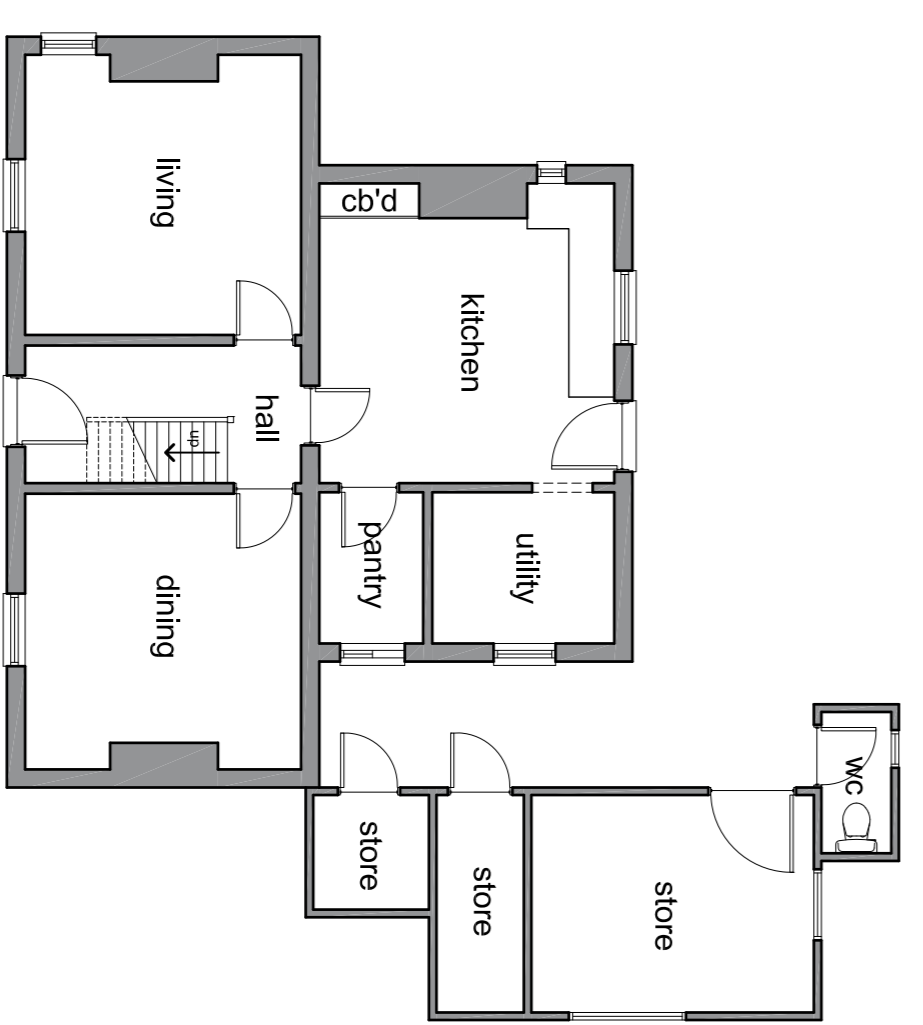
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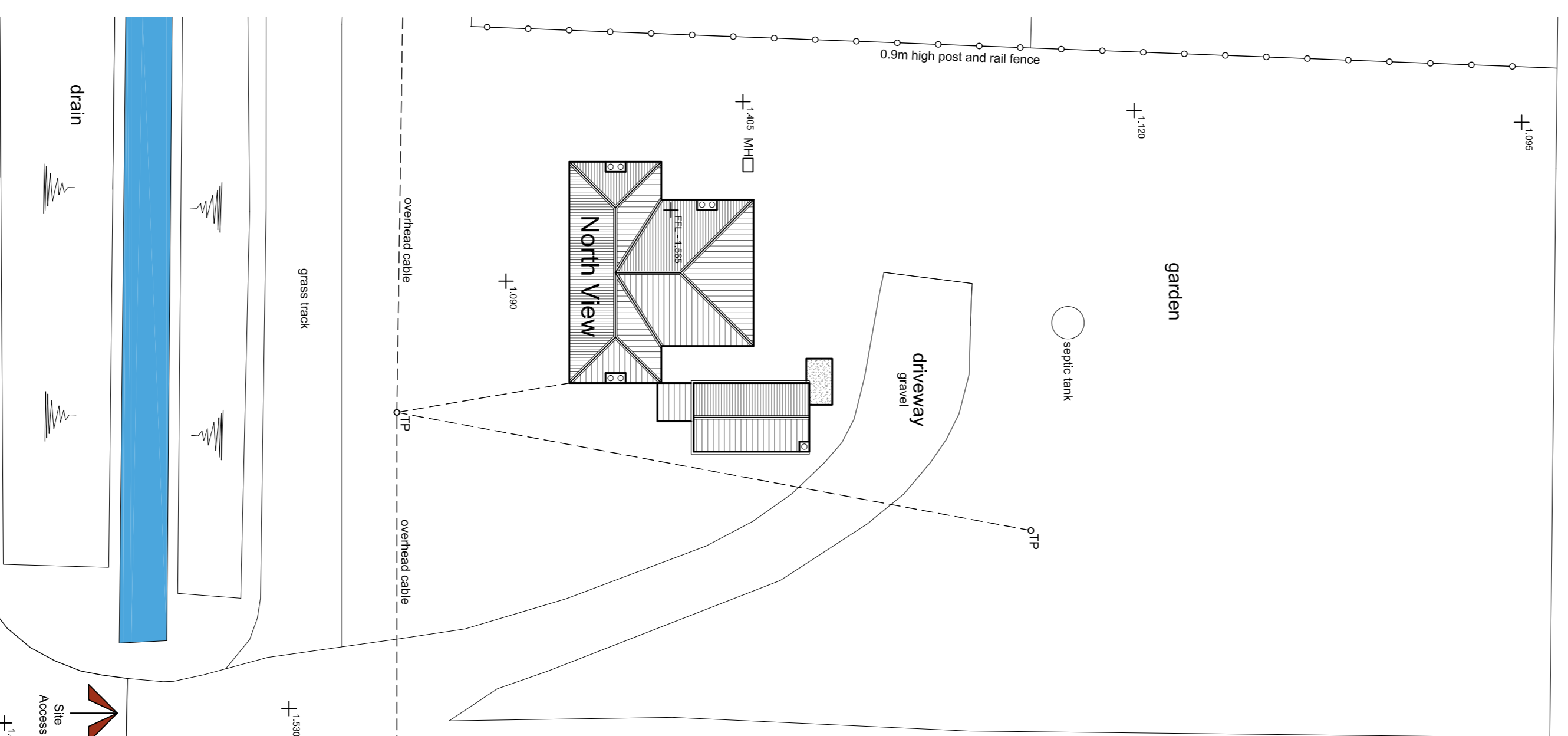
Side Elevation (E)
Scale: 1:100



First Floor Plan
Scale: 1:100



Ground Floor Plan
Scale: 1:100



Site Plan
Scale: 1:200



Location Plan
Scale: 1:1250

SWANN EDWARDS ARCHITECTURE

Swann Edwards Architecture Limited, Swann Edwards Architecture
Fen Road, Gifford, Wilsbeck, Cambs, PE13 4AA
t 01954 450594 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title: **Proposed Replacement Dwelling**
Date: **June 2017**
Scale: **As Shown**

Drawn by: **SHL**
Checked by: **SHL**
Revision: **01**

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F/YR18/0615/F

Applicant: Mr C Hawes

**Agent : Mr Richard Garnett
ARC Survey & Design Consultants Ltd**

9 - 15 Orange Grove, Wisbech, Cambridgeshire,

Erection of an additional storey to existing flats to form 1 x 2-bed and 2 x 1-bed flats and retention of external insulation and render (part retrospective)

Reason for Committee: Officer recommendation contrary to that of the Town Council

1 EXECUTIVE SUMMARY

This scheme proposes an additional storey to an existing flat complex which will deliver 3 additional residential units. It also seeks to regularise the installation of external render and the completion of this element of the scheme.

It is considered that the proposal is policy compliant scheme as it will deliver 3 residential units within a settlement which is identified as being a key area for growth.

There are no visual or heritage impacts arising and the scheme does not compromise residential amenity. Whilst there is no additional on-site parking provision proposed within the scheme the site is well located to the town centre and its offer and the FLP does allow for nil parking provision in such locations.

According the proposal may be favourably recommended.

2 SITE DESCRIPTION

- 2.1 No 9-15 Orange Grove is a three-storey block of flats situated to the west of the Churchill Road, one of the main approaches into the town, with direct access onto Orange Grove which runs parallel to this highway.**
- 2.2 The premises, which was previously a commercial property prior to its initial conversion during the 1980s, are relatively modern in appearance featuring large format horizontal windows and a flat roof with parapet. There is a small area of land associated with the premises this area is annotated as being for parking and refuse storage.**
- 2.3 The site is within a flood zone 1 location and is on the periphery of the Wisbech Conservation area.**

3 PROPOSAL

- 3.1 The scheme proposes the creation of an additional floor to the existing premises which feature a flat roof. This will see the roof height increase by 2.410 metres
- 3.2 A Thrutone slate roof product will be utilised and this will have an 80 degree roof slope back from the front parapet, with a marginal set-back.
- 3.3 The additional storey will deliver 3 additional residential flats; 2 x 1-bedroom units and 1 x 2-bedroom unit. They will be accessed via a communal staircase.
- 3.4 The application also seeks to regularise the external wall insulation that has been applied to the building; this element dates back to circa 2013.

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/0978/88/F	Conversion of workshop to 2 flats 9 Orange Grove Churchill Road Wisbech	Granted 13/10/1988
F/0486/83/F	Conversion of warehouse into 4 flats Canal Row (r/o Nos. 3-5 Norfolk Street) Wisbech	Granted 13/10/1983

5 CONSULTATIONS

5.1 **Town Council:** Object to the proposal, on the basis that:

- o approval of the proposal would constitute overdevelopment of the site
- o no provision is made for the on-site parking of vehicles; this would lead to additional on-street parking, to the detriment of highway safety

5.2 **Cambridgeshire County Council Highways Authority:** FDC will need to consider the parking shortfall and the impact that such a shortfall will have on the availability of kerb side parking within the area, and the impact this could have on local amenity. The continued acceptance of zero parking/reduced parking developments in this area will eventually lead to parking saturation and a Town Centre parking problem.

If FDC accept the parking shortfall, I am unable to raise any highway objections.

5.3 **Senior Archaeologist (CCC):** We have reviewed the above planning application and have no objections or requirements for this development.

5.4 **FDC Scientific Officer (Land Contamination):** Environmental Health have considered the details within the submitted Design and Access statement, together with the supporting drawings. [...] confirm that we have no objections towards the proposed scheme. This is because, it is not considered the scheme will give rise to adverse effect on neighbouring property and the environment.

5.5 **Local Residents/Interested Parties:** None received

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) July 2018

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 11: Presumption in favour of sustainable development.

Paragraphs 39 – 41: Pre-application engagement and front-loading

Para. 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Chapter 16: Conserving and enhancing the historic environment

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.

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.

8 KEY ISSUES

- **Background**
- **Principle of Development**
- **Design and Visual appearance**
- **Heritage considerations**
- **Residential amenity**
- **Highways and parking**
- **Flood risk**

9 BACKGROUND

- 9.1 This application was the subject of an earlier pre-application enquiry where the concept of delivering an extra floor on the existing premises was proposed. At that time the sketch details proposed the addition to be a larger mass, continuing up from the flank elevation walls on both sides with a slight set back to the front elevation which would slope back in a 'roof' format and would finish as a flat roof. Feedback was given regarding the design aspects of the proposal with the comments made having been incorporated into the present design proposals.

terms of the general principles of the scheme these were identified as being policy compliant.

10 ASSESSMENT

Principle of Development

- 10.1 The principle of delivering additional residential units at the site is acceptable in policy terms given that Wisbech is identified as a primary market town within the settlement hierarchy for the District (Policy LP3 of the Fenland Local Plan). However this is not at the expense of the visual amenities of the area and Policy LP16 and Policy LP18 would be particularly relevant in this regard, noting that the site is within Wisbech Conservation Area. Consideration must also be given to the servicing requirements of the proposed units.

Design and Visual appearance

- 10.2 It is acknowledged that external wall insulation and thin coat render was applied to all elevations, excepting a small section, during 2013. Google street view images from 2009 appear to indicate that the front elevation of the premises did have a render finish (sandstone in colour), albeit without the external wall insulation application.
- 10.3 There is a mix of materials featuring along the Churchill Road environs, and these include painted brickwork and render. There is no particular detailing that is sacrificed as a result of the application of the external insulation/render and given the stand alone nature of the building in design terms and the existing form and placement of the windows the external render does not compromise the character and form of the original premises. Accordingly this aspect of the proposal may be deemed policy compliant
- 10.4 As indicated in the background section above the scheme has been the subject to a pre-application enquiry. At that time Officers offered the view that whilst the general principle of the scheme could prove policy compliant revisions were required in terms of design. These revisions essentially required the additional storey to be delivered to be marginally set back from the main elevations and that it should be delivered in a different material, e.g. a roof style addition as opposed to a continuation of the render. It was felt that this would lessen the prominence of the additional storey in the streetscene.
- 10.5 There are several examples of multiple storey developments in the vicinity and against this backdrop the proposed addition to the building would be easily absorbed within the streetscene without detriment, indeed delivering the additional floor will add interest to the building and will visually uplift its design qualities.
- 10.6 It is considered that the proposal accords with the relevant policy framework in terms of scale, design and detailing. Precise details of materials may be secured by condition.

Heritage considerations

- 10.7 The proposal is accompanied by a heritage statement which is proportionate to the development proposed, thereby satisfying the requirements of Policy LP18.
- 10.8 Whilst Orange Grove is on the periphery of the Wisbech Conservation Area there are no particular conservation/heritage impacts relating to the scheme. As identified in the heritage statement there are no listed buildings within the vicinity

that are compromised by the development. Based on the above evaluation it is considered that there are no heritage impacts associated with the scheme and compliance with policy is achieved.

Residential Amenity

- 10.9 The additional floor represents no issues in terms of residential amenity, all windows, both front and side, will have an outlook over public space and there is no overlooking or overshadowing.
- 10.10 There is a small area of external space to the south of the building and this is available to facilitate refuse collection, given the nature of the development it is anticipated that the refuse collection will be shared and in essence the new residents will 'piggy-back' onto the existing arrangements.
- 10.11 It is considered that the proposal represents no issues in terms of residential amenity impact and as such compliance with Policies LP2 and LP16 is achieved.

Highways and parking

- 10.12 This is a town centre site with good links to services and facilities, the additional units would generate a parking requirement of 4 additional parking spaces when applying the standards outlined under Appendix A of the FLP.
- 10.13 Whilst the comments of the Town Council and Local Highway Authority are acknowledged against the backdrop of Appendix A to the FLP which allows for a nil parking provision in town centre sites a refusal could not be sustained on this basis. There is a public car park and on-street parking in the locality and it is considered that the additional parking need generated by this development could be absorbed within the locality without detriment to local amenity or highway safety.

Flood risk

- 10.14 The site is within a flood zone 1 area and as such there are no issues to reconcile with regard to Policy LP14 of the FLP.

11 CONCLUSIONS

- 11.1 This policy compliant scheme will introduce an additional 3 residential units within a settlement which is identified as being a key area for growth. There are no visual or heritage impacts arising and the scheme does not compromise residential amenity. Whilst there is no on-site parking provision proposed within the scheme the site is well located to the town centre and its offer and the FLP does allow for nil parking provision in such locations. According the proposal may be favourably recommended.
- 11.2 As this is a partially retrospective submission it is not necessary to apply the start date condition, it is considered appropriate however to secure details of the windows and slate prior to the commencement of the relevant parts of the work.

12 RECOMMENDATION: Grant

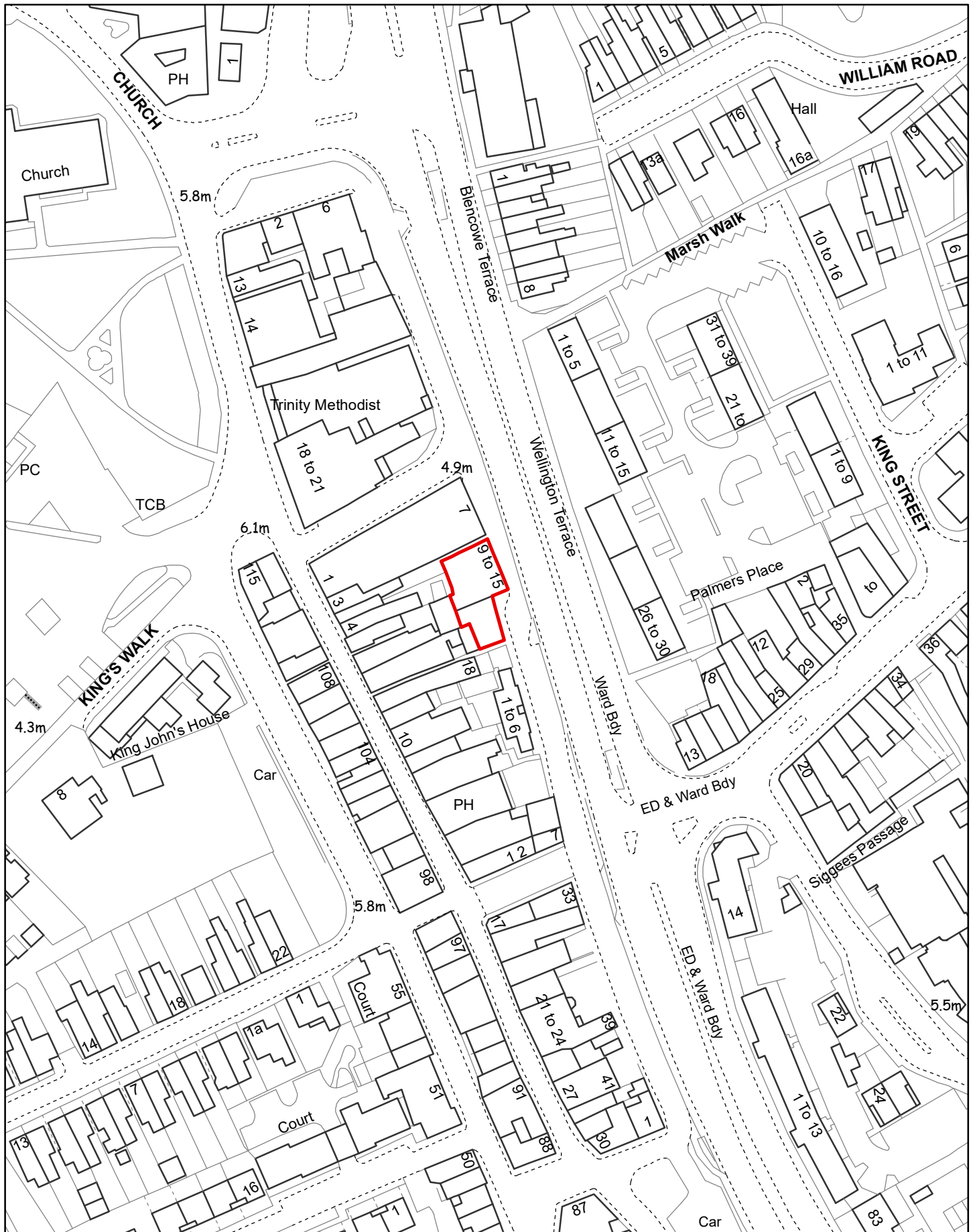
1. Prior to the commencement of the relevant parts of the work brochure details of the following items shall be submitted to and approved in writing by the Local Planning Authority.

- (i) Roof slates
- (ii) Velux windows

The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason - To safeguard the visual amenities of the area in accordance with Policies LP16 and LP18 of the Fenland Local Plan, adopted May 2014.

2. Approved plans



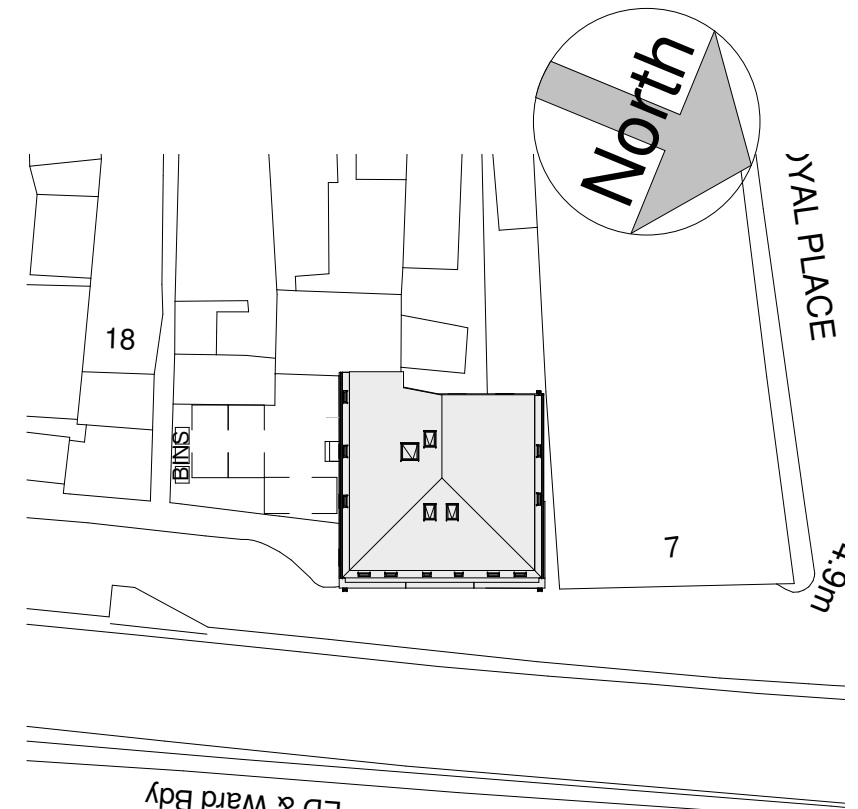
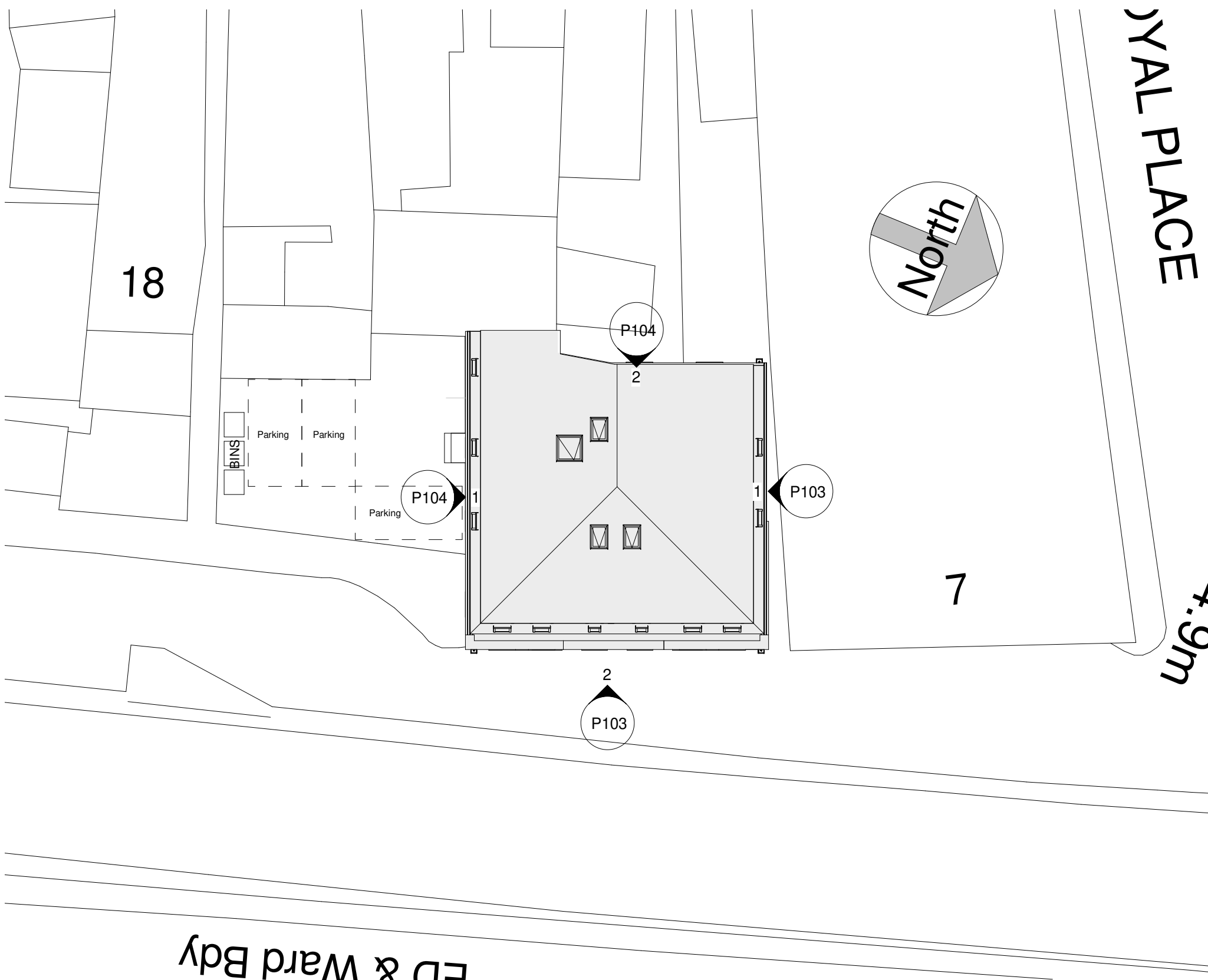
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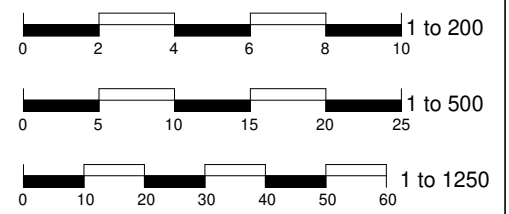
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1 Proposed Site Plan
1 : 200

2 Proposed Block Plan
1 : 500



Page 196

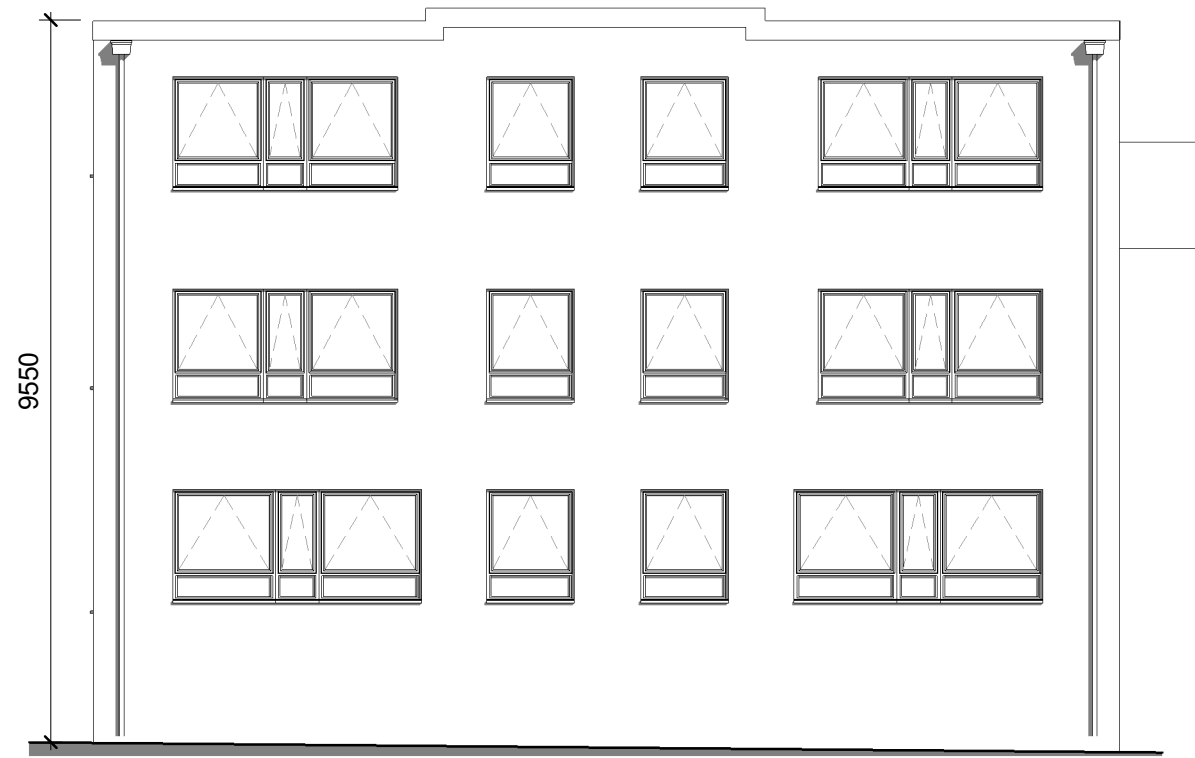
ARC Survey & Design Consultants Ltd
Architectural Services
Chartered Building Surveyors
10 Thurlaston Close,
Peterborough, PE3 6LD
T: 01733 753727 / 07787 536417
e: info@arcsurvey.co.uk
e: arcpb.co.uk

No.	Description	Date

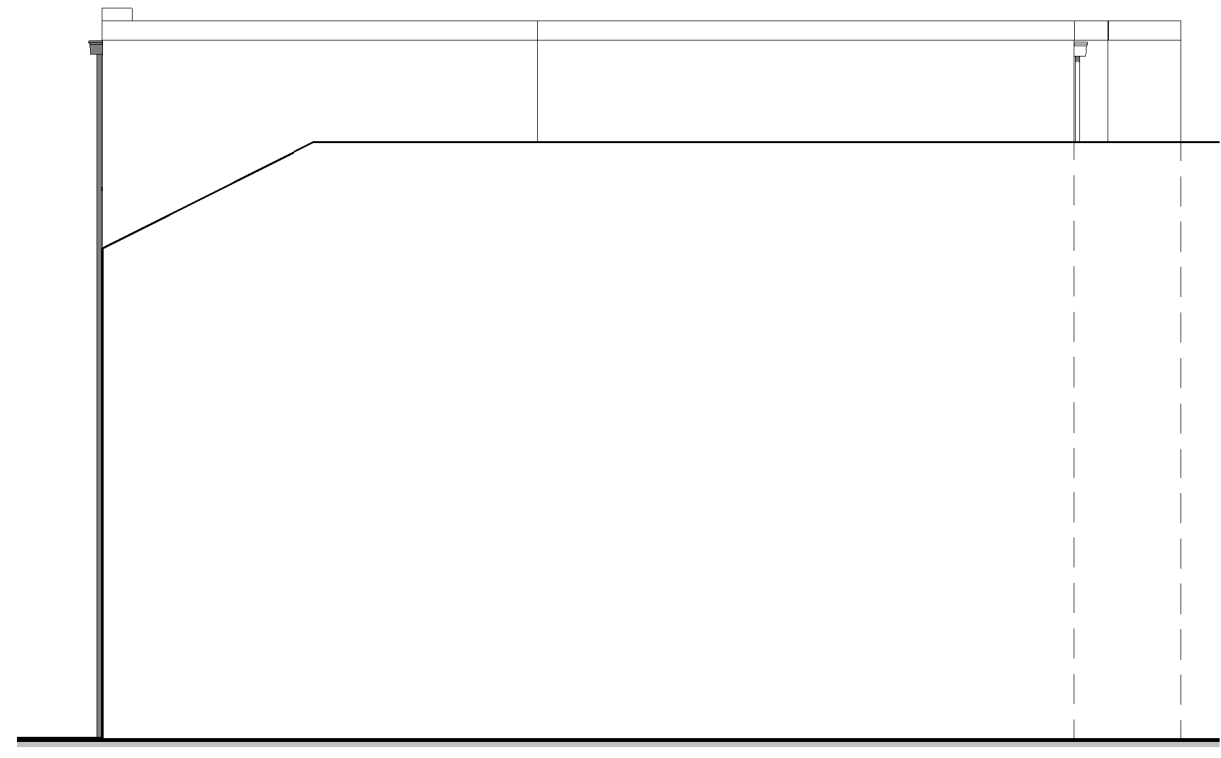
9 to 15 Orange Grove, Wisbech

Proposed Roof Extension of 3 flats

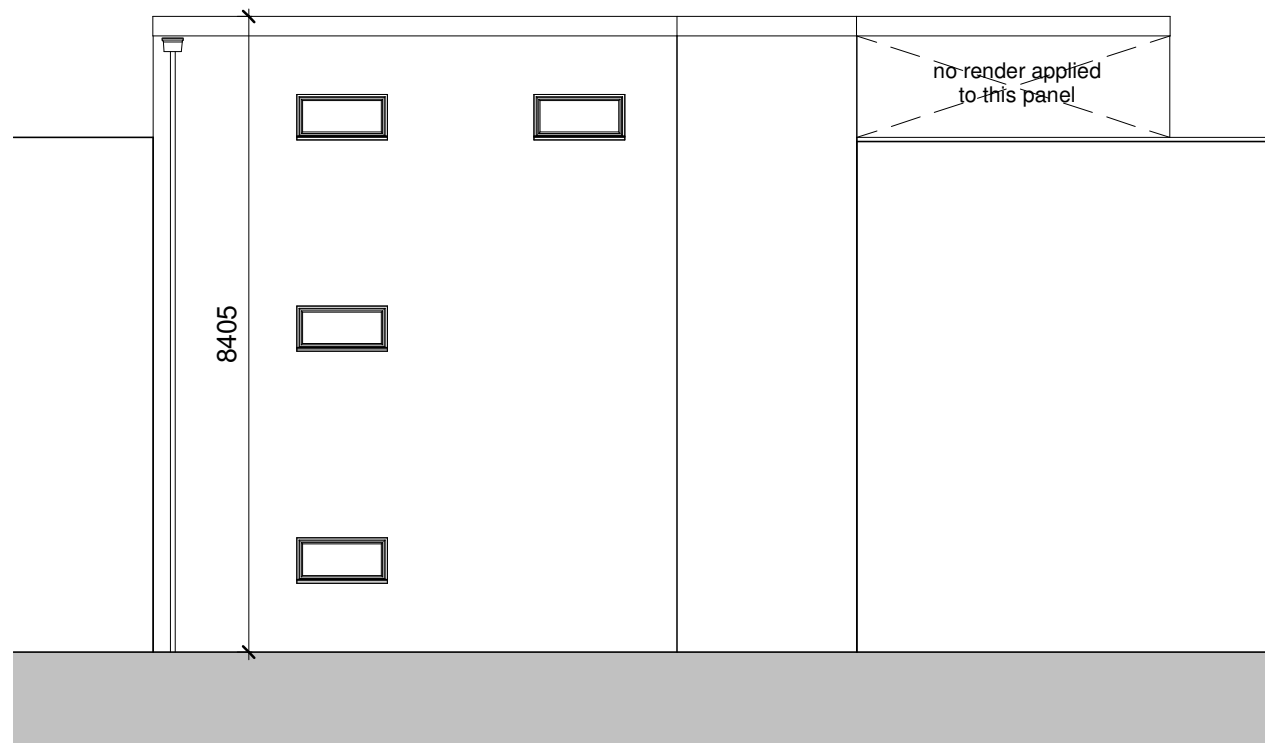
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Project number	1828	
Date	20.06.2018	
Drawn by	RG	
Paper	A3	Scale As indicated



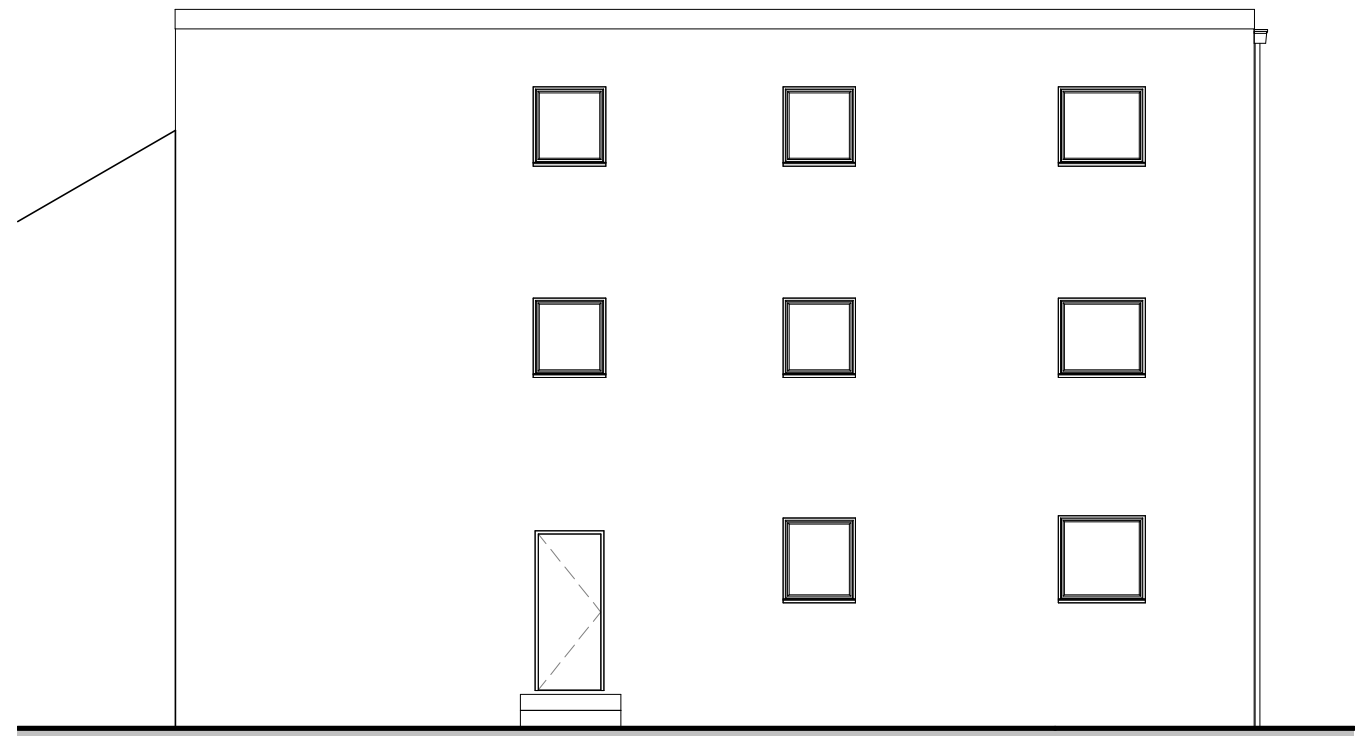
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north
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west
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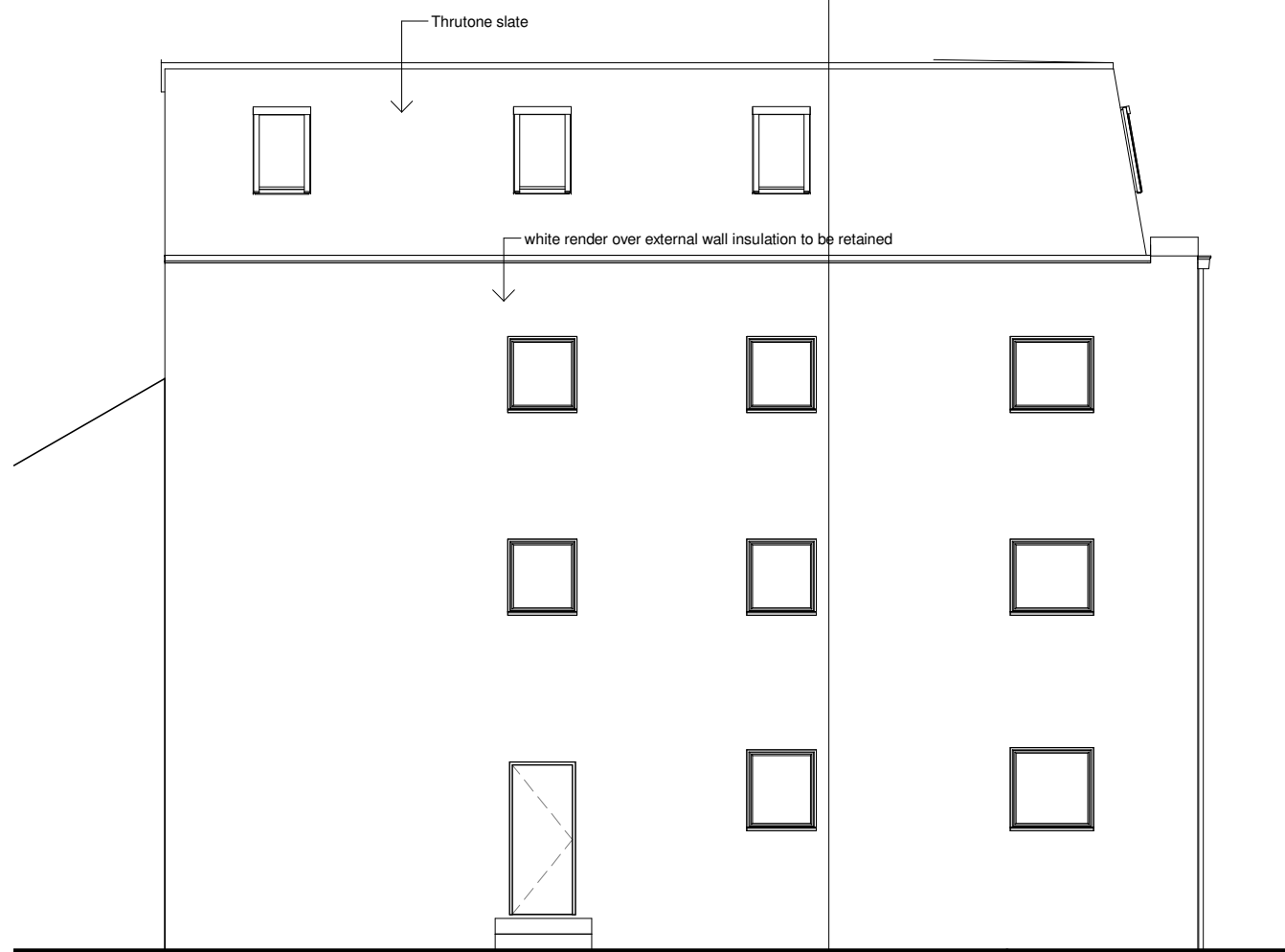
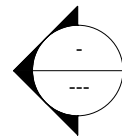
south
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No.	Description	Date
A	Revision 1	05.07.2018

9 to 15 Orange Grove, Wisbech

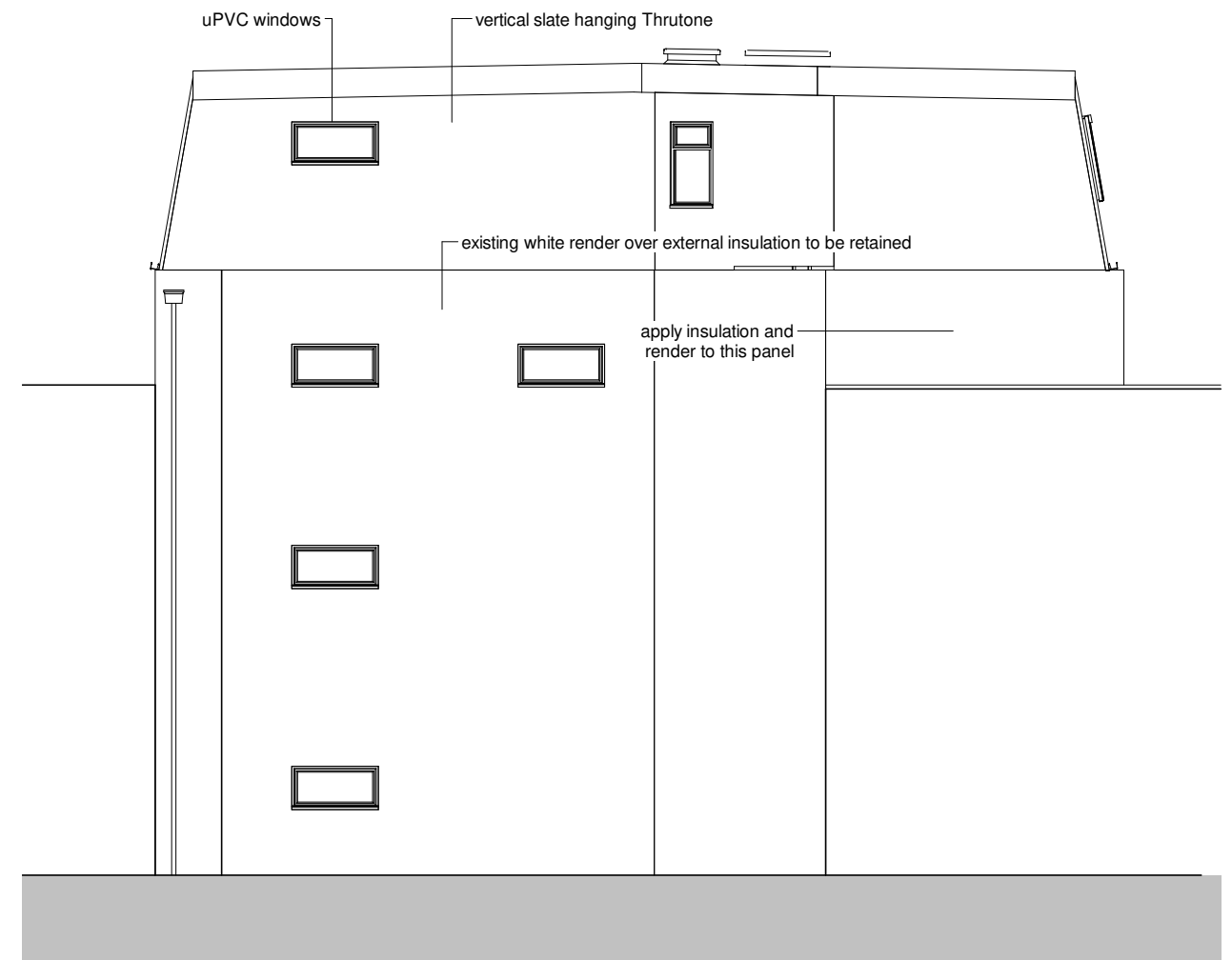
Proposed Roof Extension of 3 flats

Elevations Existing		
Project number	1828	E002
Date	20.06.2018	
Drawn by	WBJ	
Paper	A3	
Scale	1 : 100	



south proposed
1 : 100

External wall insulation and render specification.
Total thickness 120mm with white/cream silicone render finish



west proposed
1 : 100

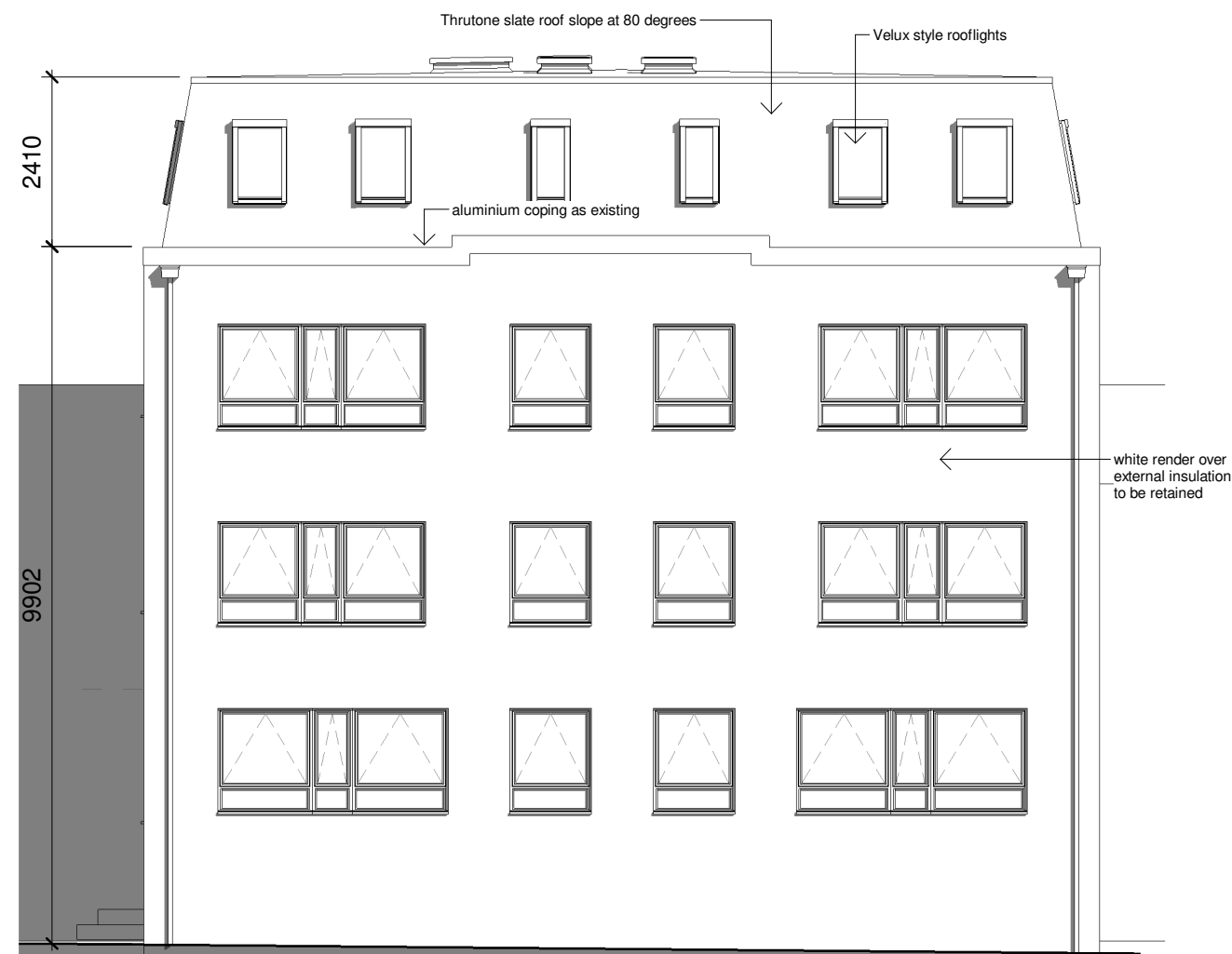
No.	Description	Date
A	Revision 1	05.07.2018

9 to 15 Orange Grove, Wisbech

Proposed Roof Extension of 3 flats

Elevations Proposed

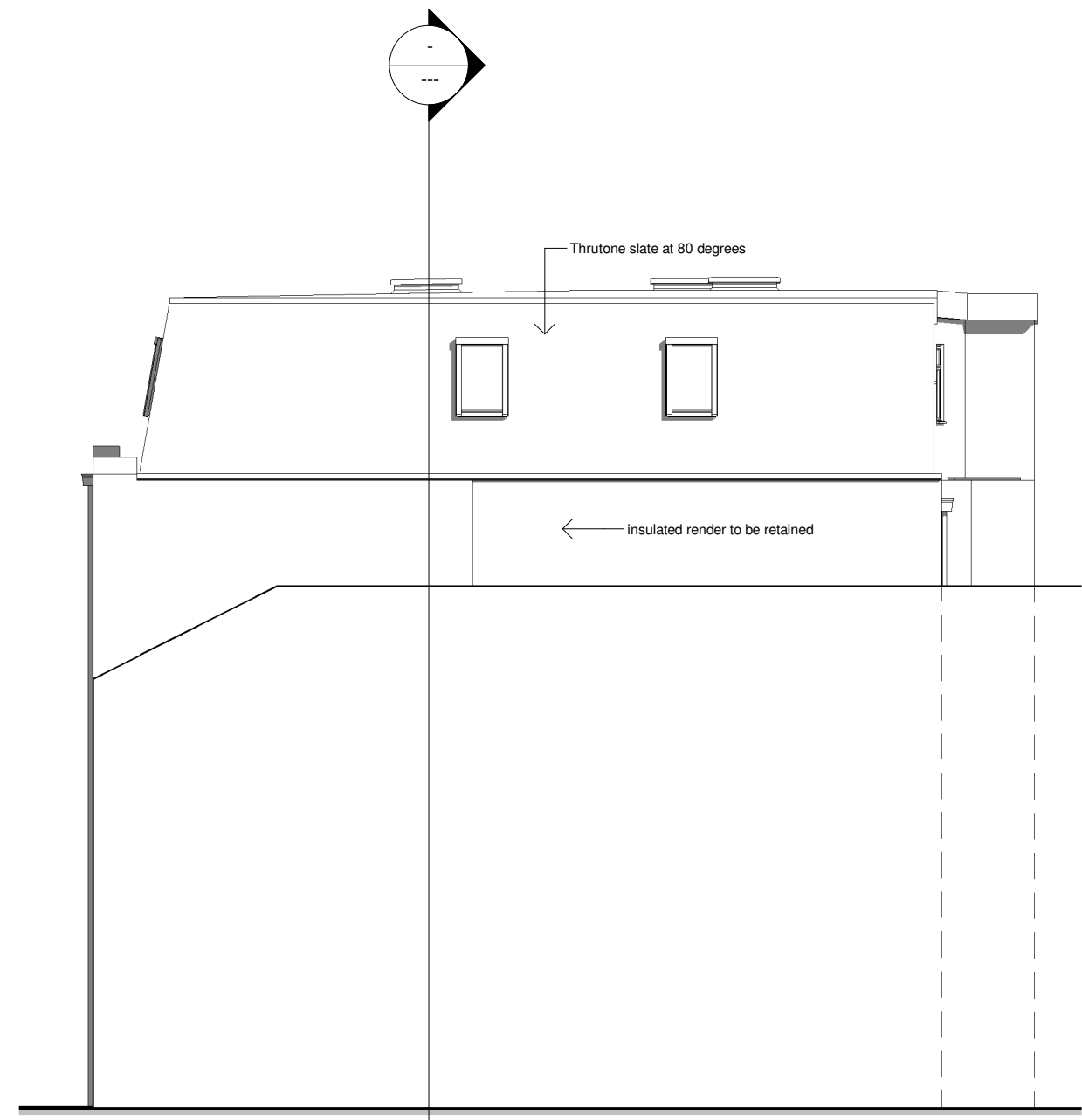
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Date	20.06.2018	
Drawn by	WBJ	
Paper	A3	
Scale	1 : 100	



east proposed
1 : 100

External wall insulation and render specification.

Total thickness 120mm with white/cream silicone render finish



north proposed
1 : 100

No.	Description	Date
A	Revision 1	05.07.2018

9 to 15 Orange Grove, Wisbech

Proposed Roof Extension of 3 flats

Elevations Proposed

Project number	1828	P103
Date	20.06.2018	
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Scale	1 : 100	

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F/YR18/0568/F

Applicant: Mr G Patrick

**Agent : Mrs Alex Patrick
Alexandra Design**

Land East Of The Haven, Seadyke Bank, Murrow, Cambridgeshire

Erection of 5no industrial buildings (B1) and offices and 1.8 metre high fencing

Reason for Committee: Number of representations received contrary to officer recommendation, and called in by Councillor Booth due to benefits to local economy.

1 EXECUTIVE SUMMARY

The application site is located in the open countryside where development is restricted to that demonstrably essential for “agriculture”. No justification has been provided for the development on grounds of essential need. The site is located in an unsustainable location outside the four market towns where employment uses are directed. Development of the site would represent a visual intrusion which would adversely affect the character and appearance of this part of the open countryside. As such the proposal would be contrary to relevant national and local policies. For these reasons it is recommended that the application is refused.

2 SITE DESCRIPTION

- 2.1 The application site forms part of an area of open agricultural land measuring some 140m wide by 40 m deep and located to the north of Seadyke Bank Road (C class road), some 640m to the east of its junction with Silver’s Lane.
- 2.2 The application site is open, and level with the road which adjoins its southern boundary. Little Seadyke Drain runs 3m past the northern site boundary. Along its western and eastern boundaries the site is adjoined by traveller sites, these boundaries are respectively screened by 2.5m high mature hedging and a large earth bank. Directly opposite and to the south lies a builder’s yard and associated dwellings. To the east lies open land and ponds connected with Willow Croft Fisheries.
- 2.2 Seadyke Bank Road is unlit and without any footways on either side. A telegraph line runs through the site.

2.3 The site is located in Flood Zone 3.

3 PROPOSAL

3.1 The application seeks full planning permission for 5 industrial buildings (B1) with total gross internal floor area of 575m² on a site covering 5746m².

3.2 The units are set in line about 10.5m from the rear boundary, the strip of land between the rear of the proposed units and the Little Seadyke Drain represents the Internal Drainage Board's buffer zone required for maintenance purposes. Each unit is about 12m wide by 8m deep, and height to eaves of 3m and with a domed roof. The walls and roof will be of profiled steel, a Sedum covering will provide a green finish to the roof. A 3.7m wide shuttered opening in front of each unit provides the main entrance.

3.3 A detached small building measuring about 4.7m wide and 4.3m deep with timber clad walls, and a pantile pitched roof will provide office facilities and will be sited alongside each unit. Each unit will have a separate access to Seadyke Bank with parking and turning facilities to its front. 1.8m high Triton mesh fencing on the boundary will secure every plot.

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

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=P7U4QEHE01U00>

4 SITE PLANNING HISTORY

F/91/0259/F-Continued use of land for the stationing of a mobile home - Granted 14.08.1991.

F/0772/89/F - Change of use from orchard land to gypsy caravan site (part retrospective) to provide 8 transit caravan sites and 6 permanent caravan pitches - Granted 28.03.1990.

F/1261/87/F - Stationing of a mobile home on land adj Conifer Place, Seadyke Bank - 17.03.1988.

5 CONSULTATIONS

5.1 **Anglian Water:** Recommends conditions regarding the submission and approval of foul and surface water drainage strategies before the commencement of any development.

5.2 **Cambridgeshire Constabulary:** Supports the application.

5.3 **Environment Agency:** No objections but recommends that the mitigation measures detailed in the FRA are implemented.

5.4 **Environmental Health Officer:** No objections but recommends that the applicant demonstrates that the impact of noise on residential amenity will not be an issue.

5.5 **Highway Authority:** Recommends deferral to rationalise access to a single point instead of individual accesses, provision of visibility splay and provision of footway/cycleway to link the site with the adjacent village.

5.6 **North Level IDB:** No objections in principle but consent under the Board's byelaws will be required.

- 5.7 **Parson Drove Parish Council:** Supports the application and recommends approval as it considers that the proposed development will contribute to the sustainability of the village.
- 5.8 **Ward Councillor:** Councillor Booth supports the application and has requested referral to Committee in the event officers are minded to refuse.
- 5.9 **Representations:** Letters of support from 7 separate sources have been received, the comments are summarised as follows:
- The site lies outside the residential area, the proposed development will help encourage small business.
 - Attract employment opportunities for local residents, and allow expansion of small business.
 - Would like to take up a unit.
 - Visually improve the area.

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) (2018)

Para 2- Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Para 10 - Presumption in favour of sustainable development.

Para 81 - Create conditions in which businesses can invest, expand and adapt.

Para 83 - Supporting a prosperous rural economy.

Para 84 - Local business and community needs met on sites adjacent or beyond existing settlements.

Para 103 - Manage growth to achieve sustainable transport.

Para 149 - Mitigating and adapting to climate change.

Para 155 - Planning and flood risk – Directing development away from areas at highest risk of flooding.

Para 170 - Decisions should contribute to and enhance the natural and local environment.

Para 212 - The Framework is a material consideration which should be taken into account in dealing with applications.

8 KEY ISSUES

- Principle of Development
- Sustainable Location
- Character and Appearance
- Residential Amenity
- Economic Benefits
- Flood Risk

9 ASSESSMENT

9.1 Section 6 of the NPPF requires that planning policies should support the sustainable growth and expansion of all types of business and enterprise in rural areas. The key consideration is whether the type and scale of the use accords with the objectives of LP3 and LP6, and whether the use is appropriate to the site and its locality.

9.2 The main issues therefore in the consideration of this application are:

- Whether the site is a sustainable location for the development proposed having regard to the development plan and the accessibility of the site.
- The effect of the proposed development on the character and appearance of the area.

Sustainable Location

Spatial Strategy

9.3 Policy LP1 reflects the presumption in favour of sustainable development contained in the NPPF. Policy LP3 sets out the overall spatial strategy for the district, and seeks to focus the majority of new development in and around the four market towns of March, Wisbech, Chatteris and Whittlesey. It also sets out a hierarchy of places and establishes criteria for development within these.

9.4 Within the hierarchy Murrow is identified as a ‘small village’ where development will be considered on its merits but will normally be limited in scale to residential infilling or a small business opportunity.

9.5 The site is located in the open countryside some 560m to the east of Murrow which is considered to be an ‘elsewhere ‘ location for the purposes of Policy LP3. Policy LP3 requires that in such areas development will be restricted to that which is demonstrably essential to the effective operation of local agriculture,

horticulture, forestry, outdoor recreation, transport or utility services or development in connection with minerals or waste.

- 9.6 Policy LP6 seeks to encourage employment opportunities and economic growth, and sets out that to achieve this the Council will facilitate the delivery of 83ha of new employment land within the four identified market towns. It also sets out a number of criteria against which employment proposals will be assessed.
- 9.7 The proposed development specifically conflicts with criteria 1, 2, 4, 5, 7 and 8 of Policy LP6. Criteria 1 and 2 relate to the spatial strategy and locations for growth which are set out in Policy LP3. Criterion 4 relates to access by public transport, criterion 5 to the site's suitability in terms of physical constraints, criterion 7 to the effect on landscape character and criterion 8 to infrastructure capacity.
- 9.8 Policy LP15 seek to reduce the need to travel generally and to increase the options available to undertake necessary journeys. It also expects that new development should be located so as to maximise accessibility and provide well designed, safe and convenient access.
- 9.9 The application site is located outside the established settlement limits of Murrow. The Local Plan policies referred to do not set out settlement limits, or development boundaries, which would establish whether proposals are within the settlement or within the countryside. Nor is there any reference to these in the supporting text of the policies.
- 9.10 This notwithstanding, Policy LP12 does allow for some development in rural areas where it contributes to the sustainability of that settlement, does not harm the open character of the countryside, and subject to a number of other criteria being met. Criterion a) of Policy contemplates development adjacent to the existing developed area of villages, however, this does not apply where the settlement is listed in the settlement hierarchy as a 'small village' and it is set out that in these settlements only infill sites will normally be considered favourably.
- 9.11 Within this context, the application site is located 560m to the east of the easternmost edge of the settlement of Murrow and set against sparse and sporadic development consisting of residential and tourism related uses, traveller caravan sites and a builder's yard. Given that the application site is not physically part of the settlement of Murrow in that there is a great degree of separation, it is considered that the proposal does not amount to infill development in the accepted meaning and therefore conflicts with Policy LP3. For the same reasons Policy LP12 also does not support the proposal.
- 9.12 Criteria 1 and 2 of Policy LP6 require employment developments to comply with the spatial strategy set out in Policy LP3 and, consequently the development will conflict with these criteria.

Public Transport

- 9.13 Criterion 4 relates to access by public transport. There are bus stops in Murrow, some distance from the application site. The distance from these bus stops to the application site is not walkable, and there are not continuous footways. This is likely to deter public transport use, particularly in the winter months when daylight is restricted. Access by public transport is therefore not practical and would conflict with these criteria.

Landscape Character

- 9.14 The application site is located in open countryside and unscreened by any planting. Development of the site will therefore be highly visible intrusion which would materially affect the existing landscape character.

Physical Constraints

- 9.15 The access route from the village along Seadyke Bank is narrow, straight, unlit and does not have footways. The road is lightly trafficked and the likelihood of vehicle conflicts is therefore low. Within this context, the highway in the vicinity of the site would have the capacity and geometry to accommodate the number of and type of vehicle movements that would be generated by the use as currently proposed. The proposal would not conflict with criteria 5 and 8 of Policy LP6 or with the relevant requirements of Policy LP15.
- 9.16 The above notwithstanding, whilst the proposal meets with some of the criteria set out in Policy LP6, the proposal conflicts with criteria 1 and 2 and also with Policy LP3 which seeks to direct new commercial development to larger settlements. Compliance with some of the other criteria does not override this fundamental conflict.
- 9.17 The Council's spatial strategy seeks to direct new developments to locations that offer the best access to services and facilities, reduce the need to travel, and make best use of existing infrastructure. The application site is low on the settlement hierarchy and does not meet the criteria for suitable development in this position in the settlement hierarchy. Whilst some limited weight can be given to employment development in a rural area, this does not overcome the weight that has to be given to an up to date development plan.
- 9.18 It is considered that the application site is not a suitable location for the development proposed having regard to the development plan and the accessibility of the site. It would not comply with the relevant requirements of Policies LP3 and LP6 of the Local Plan.

Character and Appearance

- 9.19 Policy LP16 expects a high standard of design that makes a positive contribution to the local distinctiveness and character of the area, responds to the character of the local built environment and does not adversely impact on the landscape character of the area.
- 9.20 The proposed development would introduce buildings of a utilitarian design onto the site, and expanses of hardstanding for accesses and parking/turning areas. The site is in a highly prominent and visible location in the open countryside. The effect of the development on the character and appearance of the area and the landscape character would be to cause significant harm. The proposal would therefore not accord with the requirements of policy LP 16.
- 9.21 Paragraph 84 of the NPPF recommends that local business and community needs may have to be found adjacent or beyond existing settlements, in locations not well served by public transport. In these instances the NPPF states that development should be sensitive to its surroundings and opportunities to make the location more sustainable should be exploited. In this context the NPPF

encourages the use of previously developed land well related to existing settlements.

- 9.22 As already described, the application site is located in the open countryside and its development would not be sensitive to the surrounding area, nor is there opportunity to improve sustainability. The site does not comprise previously developed land; it is distanced from the nearest settlements. For these reasons it is considered that the proposal would not meet the overarching ambitions of the NPPF to achieve sustainability whilst providing for local needs.

Residential Amenity

- 9.23 There are residential uses in the vicinity of the application site. The Environmental Health Officer has recommended that the applicant demonstrates that noise will not be an issue. The proposed development is for B1 (Light Industrial) use which by definition can be carried out without detriment to residential amenity. For this reason it is considered that a noise survey will not be necessary.

Economic Benefits

- 9.24 It is accepted that there will be some economic benefit arising from the proposed development, in terms of the creation of local employment, and local spend during and after the implementation of the development. Having said this, any benefits are not considered to outweigh the harm of allowing development of an unsustainable location in the open countryside as discussed above.

Flood Risk

- 9.25 The site is within Flood Zone 3. A Flood Risk Assessment (FRA) has been submitted. The FRA simply acknowledges the location of the site in Flood Zone 3, and states that as the building will be open fronted in the event of a flood water will be allowed to run through the building and that soakaways will be used for rain water drainage.
- 9.26 The Environment Agency (EA) has stressed that it is for the local planning authority to apply the Sequential Test, subject to this the EA has no objections but recommends that the mitigation measures detailed in the revised FRA are implemented.
- 9.27 The site is located within Flood Zone 3. However, given the nature of the development, there will be no issue with regards to flood risk, as the use is classified as 'less vulnerable' and is therefore acceptable within these flood zone areas.

The proposal can be considered to accord with Policy LP14 in this regard.

10 CONCLUSIONS

- 10.1 It is considered that the proposed development does not accord with the relevant policies in the development plan with regard to the location of new development and the settlement hierarchy and as such the proposal is contrary to the development plan. There are no material considerations to indicate that the decision should be made other than in line with the policies of the development plan. For these reasons it is concluded that the application should be refused.

11 RECOMMENDATION

11.1 Refuse for the following reasons.

1) Policy LP1 reflects the presumption in favour of sustainable development contained in the NPPF. Policy LP3 of the Fenland Local Plan 2014 outlines a settlement hierarchy and aims to steer development in the first instance to the most sustainable locations which consist of Fenland's 4 market towns, growth villages, limited growth villages, small villages and other villages.

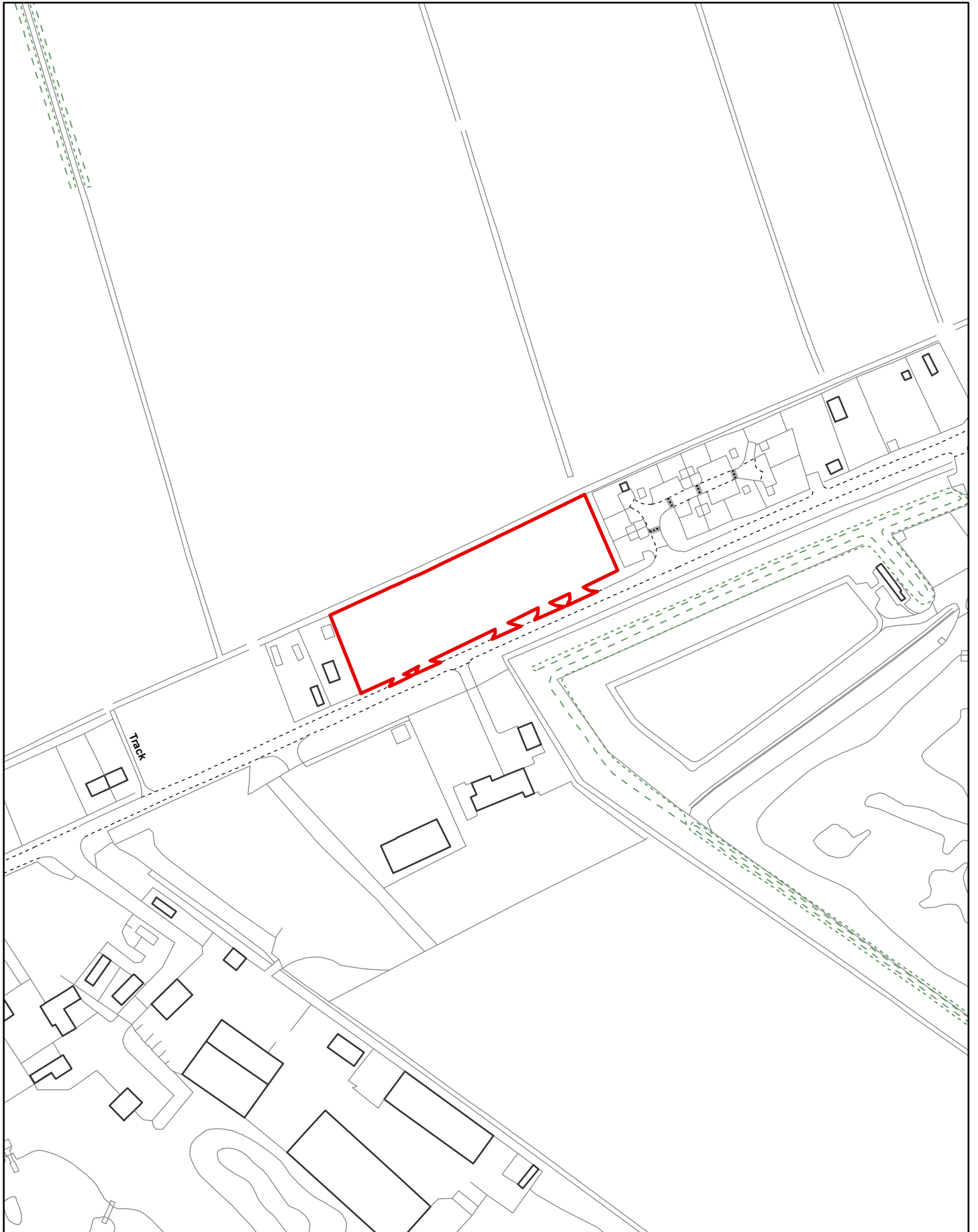
The site lies in the open countryside and is considered as 'Elsewhere' development as identified under Policy LP3. For development to be acceptable in 'Elsewhere' locations, the proposal must clearly demonstrate that it is essential for the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services.

Policy LP6 seeks to encourage employment opportunities and economic growth and lists 9 criteria for business proposals to be assessed against. The assessment criteria include: the Council's spatial strategy (Policy LP3); availability of and accessibility to public transport services; site suitability in terms of physical constraints; infrastructure capacity and impact in terms of landscape character.

The development is located outside the established settlement limits of Murrow and in open countryside with poor integrated and sustainable public transport links where essential 'agricultural' use has not been demonstrated. It is therefore considered that the proposed use would conflict with the principles of the NPPF and Policies LP1, LP3, LP6 and LP15 of the Fenland Local Plan 2014.

2) Policy LP16 seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area. The development represents an intrusion into the open countryside and without any supporting justification such as why the business must be sited in the open countryside to weigh against the detrimental impact of this intrusion, the proposal is considered to be contrary to LP16 of the Fenland Local Plan 2014.

Case Officer Date:	Team Leader Date:
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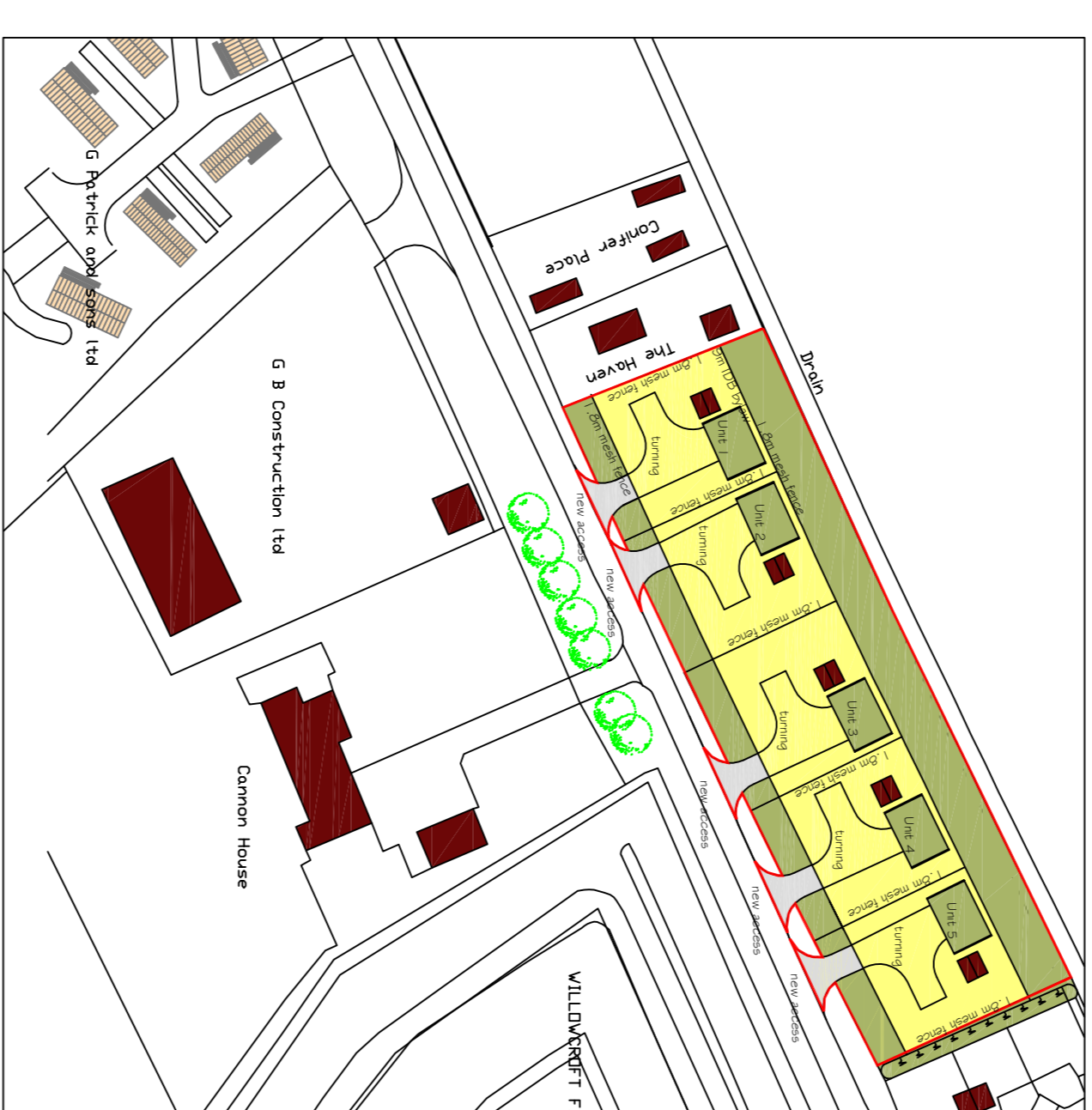
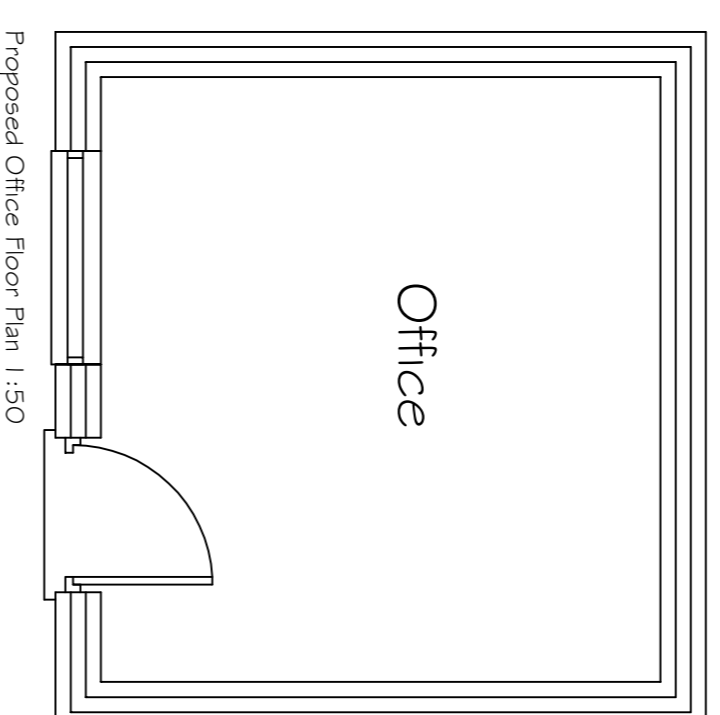
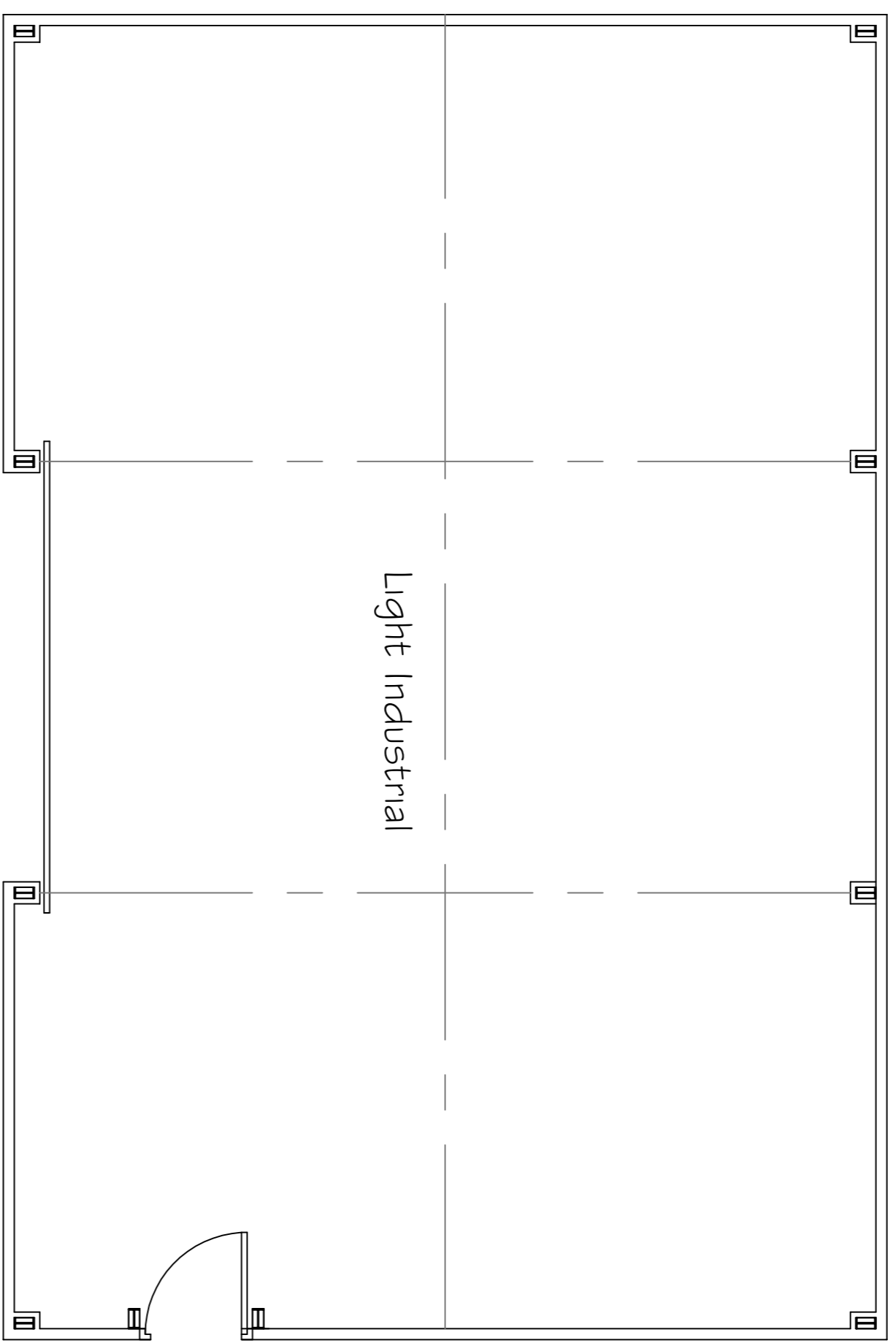
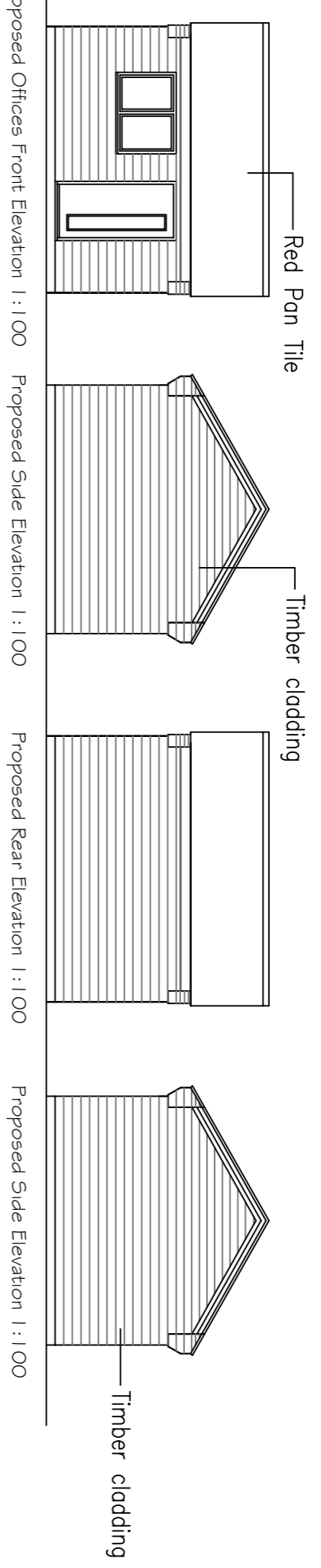
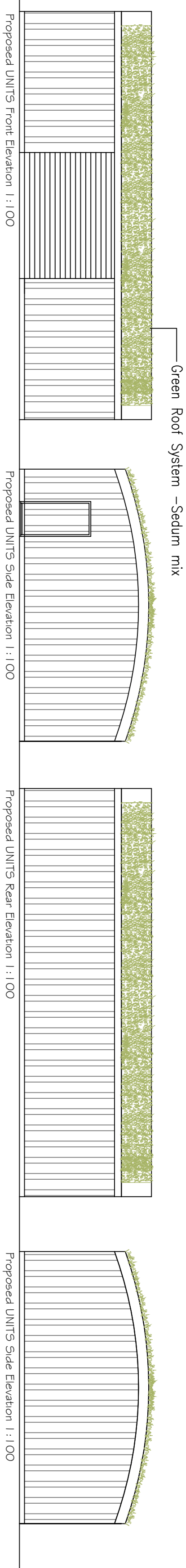
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Triton Mesh fencing to be used for all boundary treatments

Revisions:	
Reference:	Pages:
SKETCH/36	1 of 3
Scale:	
QS SHOWN	
Project:	Proposed Light Industrial Site
Site Address:	Land North East of GB Construction Seddyke Bank Murrow Wisbech
Client:	G Patrick and Sons Seddyke Bank Murrow Wisbech
	
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