

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 6 MAY 2020

1.00 PM

**VIRTUAL MEETING VIA ZOOM VIDEO
CONFERRING SYSTEM**

Committee Officer: Jo Goodrum
Tel: 01354 622285
e-mail: memberservices@fenland.gov.uk

Due to the Covid-19 outbreak and the restrictions by the Government on gatherings of people, this meeting will be conducted remotely using the Zoom video conferencing system. There will be no access to this meeting at the Council offices, but there will be public participation in line with the procedure for speaking at Planning Committee.

You can view the meeting by visiting https://youtu.be/_kO5iivhxFY

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 5 - 8)
To confirm the minutes from the previous meeting of 26 February 2020.
- 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/YR14/0977/O
Pike Textile Display Limited, 16 North End, Wisbech, Cambridgeshire. Erection of 21 dwellings (outline application with all matters reserved) (Pages 9 - 30)

To determine the application.

6 F/YR19/0958/O

Lavender Mill, Fallow Corner Drove, Manea. Erect up to 29 dwellings (outline application with matters committed in respect of access) (Pages 31 - 48)

To determine the application

7 F/YR19/1028/F

Land North Of March Braza Club, Elm Road, March, Cambridgeshire. Erect 6 no dwellings (2 x single storey 3-bed and 4 x 2-storey 3-bed) involving formation of a new access (Pages 49 - 62)

To determine the application

8 F/YR19/1075/F

Land South Of 1, Otago Road, Whittlesey, Cambridgeshire. Erect 1no dwelling (2-storey, 3-bed) and boundary close boarded fence approx 1.8m high (Pages 63 - 78)

To determine the application

9 Items which the Chairman has under item 3 deemed urgent

Monday, 27 April 2020

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

Note:

1. Since the introduction of restrictions on gatherings of people by the Government in March 2020, it has not been possible to hold standard face to face public meetings at the Council Offices. This led to a temporary suspension of meetings. The Coronavirus Act 2020 has now been implemented and in Regulations made under Section 78 it gives local authorities the power to hold meetings without it being necessary for any of the participants or audience to be present together in the same room.

It is the intention of Fenland District Council to hold Planning Committee meetings for the foreseeable future as online meetings, using the Zoom video conferencing system. If you wish to view the meeting you can do so by accessing www.youtube.com/user/FenlandCouncil.

2. The Council has a scheme to allow public speaking at Planning Committee. If you wish to speak at the Planning Committee, please contact Member Services, memberservices@fenland.gov.uk or 01354 622285, to register your wish to speak by Noon on the day before the meeting.

When registering to speak you will need to provide:

- Your name
- E-mail address
- Telephone number
- What application you wish to speak on
- In what capacity you are speaking, ie supporter/objector.

You will be speaking remotely via the Zoom video conferencing system and will receive an e-mail confirming that you are registered to speak along with the relevant details to access the meeting. You will also be contacted by the Council's ICT Team to check that you can access Zoom. You can choose to speak being either seen and heard, or just heard, and we would also ask that you submit a written representation in case of any issues with the software. If you do not wish to speak via a remote link, you are able to just submit a written representation.

Please note that public speaking is limited to 5 minutes in total for each of the following groups:

- Local Parish/Town Council
- Objectors
- Supporters
- Applicant/agent

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PLANNING COMMITTEE



WEDNESDAY, 26 FEBRUARY 2020 - 1.00 PM

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

APOLOGIES: ,

Officers in attendance: Stephen Turnbull (Legal Officer), Jo Goodrum (Member Services & Governance Officer), Nick Harding (Head of Shared Planning) and Gavin Taylor (Senior Development Officer)

P71/19 PREVIOUS MINUTES

The minutes of the meeting of 29 January were confirmed and signed.

P72/19 F/YR19/1070/F ERECT A DWELLING (2-STOREY 4-BED), DETACHED GARAGE, AND FRONT BOUNDARY TREATMENTS (FENCE, GATES AND PIERS) AT A MAX HEIGHT OF 2.1M HIGH (APPROX), LAND SOUTH OF 72 FIELDSIDE ACCESSED FROM, LAKE DROVE, COATES, CAMBRIDGESHIRE

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

Gavin Taylor presented the report to members and requested that officers be delegated with the responsibility of amendments to the wording of condition 2 relating to bio diversity enhancements.

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

- Councillor Mrs Mayor asked for the addition of native trees to be included on the site as well as the native hedgerow which had been mentioned in the Officer's presentation.

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

Mr Brand stated that the overall site has outline planning permission for two dwellings. The land owners are a local family and the plot provides sufficient space for a family house and there have been negotiations and compromises with the Planning Officers, following the withdrawal of the previous application as detailed within the officer's report.

Mr Brand added that all of the objectors to the application are unaware of the outline planning permission and also that the scheme is supported by the Town Council. There have been no objections from any of the statutory consultees. He stated that all of the neighbourhood comments that have been made have been addressed in the report.

He concluded by saying that the proposal is for a self-build dwelling, which will provide much needed family housing for local people, and the scheme has been negotiated with officers to bring

a sensitive addition to the village.

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

- Councillor Mrs Mayor reiterated her comment with regard to condition 2 and the planting schedule with regard to trees and hedgerows and asked that they all be native trees.
- Councillor Sutton stated that in his opinion, the site is in the open countryside, and he would be minded to recommend refusal, but as the proposal already has outline planning permission and therefore he will have to support the officer's recommendation.
- Councillor Hay stated she was going to reiterate the comments made by Councillor Sutton and the site already has outline planning permission, albeit that it was granted on appeal there are no reasons for refusal. The building is acceptable and therefore she will support the officer's recommendation.
- Councillor Mrs Mayor stated that she is familiar with the area personally and she was surprised to see the access point is off Lake Drove. There is already a property further down Lake Drove however; she added that she is surprised that anybody would wish to develop in that location. However, as there is another property towards the west with access off Lake Drove, she has no problem with supporting the officer's recommendation.

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

P73/19

F/YR19/1085/F

ERECT A DWELLING (2-STOREY 5/6-BED) WITH AN INTEGRAL GARAGE INVOLVING THE DEMOLITION OF EXISTING GARAGE, LAND SOUTH OF, 72 FIELDSIDE, COATES, CAMBRIDGESHIRE

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

Gavin Taylor presented the report to members and requested that officers be delegated with the responsibility of amendments to the wording of condition 3 relating to bio diversity enhancements as per agenda item 5.

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

Mr Brand stated that the overall site has outline planning permission, for 2 dwellings. This application is for a family home and there is sufficient space for a family dwelling. There have been no objections from statutory consultees. It is a self-build plot of a modern and innovative design and will add interest to the area. He concluded by stating that the proposal complies with the Local Plan and national policy and asked members to support the application. He confirmed that the request for the condition of native trees to be planted is acceptable.

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

- Councillor Mrs Mayor questioned that on page 37, it states that Whittlesey Town Council have made no comment on this application, however she believes that they have. Gavin Taylor responded and stated that records have been checked and comments were received on the previous application F/YR19/1070/F, but not on the application F/YR19/1085/F.

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

- Councillor Mrs Mayor expressed the view that during the officer's presentation, it was mentioned that there had been discussions, concerning the reduction in the scale of this property. She stated that in her opinion she does not feel it is an appropriate dwelling for this location and she has reservations and concerns about it.
- Councillor Sutton stated that the Planning Officer has worked closely with the Agent and applicant on this application and all parties should be congratulated. Councillor Sutton stated that he will support the officer's recommendation.

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

P74/19 PLANNING APPEALS.

Gavin Taylor presented the report to members with regard to appeal decisions in the last month.

1.43 pm

Chairman

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F/YR14/0977/O

Applicant: Ropemaker Properties

**Agent : Barker Storey Matthews
Barker Storey Matthews**

Pike Textile Display Limited, 16 North End, Wisbech, Cambridgeshire

Erection of 21 dwellings (outline application with all matters reserved)

Officer recommendation: Grant subject to prior completion of Section 106

Reason for Committee: Major application with Statutory Consultee view at variance to officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This scheme proposes the redevelopment of a brownfield site situated in a sustainable location within one of the Primary Market Towns of the district.
- 1.2 It is acknowledged that the scheme detail/supporting evidence has failed to address concerns highlighted by the Lead Local Flood Authority. However this evidence deficit when weighted against the policy benefits in delivering 21 residential units on this brownfield sustainable site is accepted; having due regard to the fact that the requirements of the LLFA may be conditioned.
- 1.3 Changes to the definition of affordable housing in the NPPF has also enabled the scheme to move from a non-viable development to one where the developer is able to offer a development which delivers a level of affordable housing which is policy compliant and this factor has also been given appropriate weight in arriving at a positive recommendation.
- 1.4 It is considered that the scheme overall represents a sustainable development which raises no significant issue in terms of planning policy, excepting that there will be a requirement to demonstrate that there are no flood risk issues arising.
- 1.5 Detailed matters will of course be addressed as part of any subsequent reserved matters submission; however it is considered that the site has the capacity to deliver a development which achieves full policy compliance.

2 SITE DESCRIPTION

- 2.1 The site in question is located on the main northern access into Wisbech – A1101 Leverington Road/North End - in an area of mixed commercial and residential use with the Asda store on its north side.
- 2.2 This application relates to a 0.47 hectare cleared site located to the west of North End situated perpendicular to the Wisbech Asda store. The site was formerly the Pike Textile factory, but the buildings were demolished under previous consent.

- 2.3 However, the site still represents a brownfield site. The site is reasonably flat and lies within Flood Zone 3 an area considered to be at highest risk. Grade II listed terraced housing sits to the immediate east of the site.
- 2.4 Adjacent to the site on the south side are two grade II listed buildings namely Dennick & Son Ltd, 13 North End which is former warehouse converted to flats

3 PROPOSAL

- 3.1 The application is for outline permission for 21 dwellings comprising the following:
- 1 three-bed townhouse
 - 4 three bed semi-detached dwellings
 - 4 two bed houses and
 - 12 x one-bed flats
- 3.2 The layout demonstrates the site can achieve two parking spaces per unit. Pre-application advice was given in 2014 which appeared favourable to the principle of housing.
- 3.3 All details are reserved including access, although an indicative layout forms part of the submission to demonstrate how the site could potentially be developed, this scheme details a new access road off North End.
- 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=NDL6C8HE08001>

4 SITE PLANNING HISTORY

F/YR13/0696/DE1	Demolition of existing buildings	Prior approval not required 14.10.2013
14/0011/PREAPP	Residential Housing Development	

5 CONSULTATIONS

- 5.1 **Wisbech Town Council** has no objection to the application.
- 5.2 **CCC Highways** *The trip generation from the proposed residential dwellings is likely to be comparable to the previous industrial use and assessment demonstrates that that the development will have a negligible impact on the existing highway network. I therefore have no objections in principle. When the reserve matters application is submitted I would like to see the carriageway widths, junction radii and visibility splays to be dimensioned along with parking bay and turning area geometry.*

Recommends conditions to secure details of layout of site including roads, footways, cycleways, buildings, visibility, parking and turning, surface water drainage and street lighting.

- 5.3 **FDC Environmental Health:** *The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development, as it is unlikely to have a detrimental effect on local air quality or the noise climate.*

A Phase 1 / desk study has been submitted, this is noted and accepted by Environmental Health, the study suggests that due to the sites industrial history an intrusive investigation is needed to characterise the site and ensure that it is suitable for use. The contamination condition is required for this site.

- 5.4 **Environment Agency:** *The site is located in Flood Zone 3 (high risk) of our flood maps. Accordingly, the proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment with this application are implemented and secured by way of a planning condition on any planning permission.*

The NPPF requires Local Planning Authorities to steer new development to areas at the lowest probability of flooding by applying a flood risk Sequential Test.

If the Sequential Test is passed the site must also be subject to the Exception Test. There are two parts to the Exception Test both must be approved by your Authority before the Exception Test can be considered to have been passed. Our advice to you as a statutory consultee on development and flood risk matters, is that in order to fully consider whether the application has satisfied Part 2 of the Exception Test, you should seek further advice from your Emergency Planner and/or other organisations that are better placed to advise you on issues of evacuation and rescue.

We cannot advise you on issues of evacuation and rescue because we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users and professional partners including your Authority. [...] *recommend that your Authority append a condition for the provision of a Flood Plan for the development, which should include an appropriate method of flood warning and evacuation to ensure the safe use of the development in extreme circumstances. [...].* Provided informatives relating to flood resilience, flood warning and foul drainage and recommended foul drainage condition.

- 5.5 **CCC (Lead Local Flood Authority):** Originally objected to the scheme and following re-consultation noted that they maintained their objection to the grant of planning permission reiterating their earlier comments, i.e.

- i) Drainage strategy does not provide sufficient detail
- ii) Inappropriate discharge rates
- iii) Old climate change allowances used

The agent has endeavoured to resolve this matter and has submitted a revised surface water management strategy (January 2020). This has been reviewed by the LLFA who have again maintained their objection to the grant of planning permission for the following reasons:

- Anglian Water agreement required: [...] an in principle agreement from the sewer undertaker is required to discharge into their system at an agreed rate. Although it is thought that the site currently drains into an existing Anglian Water sewer, no assumption should be made that this historic connection still exists

and therefore the application must be assessed as if there is no existing connection.

- Pre-development runoff rates required [...] the pre-development QBAR greenfield and brownfield runoff rates have not been provided. This is required to determine how much betterment will be provided during a 1 in 2 year rainfall event. As outlined in paragraph 6.3.8 of the SPD, brownfield (previously developed land) sites must reduce the existing runoff from the site as part of the redevelopment. Where possible, in order to provide betterment, redevelopments should look to reinstate greenfield runoff rates. Recommends informatives relating to pollution control.

5.6 Cambridgeshire Police: *The proposal is acceptable in the format shown but I would request that consideration be given, at reserved matters application stage, to external lighting of un-adopted areas and boundary treatments to the site and individual plots. We would expect further consultation at reserved matters stage to ensure that adequate measures have been included in the proposals to reduce crime risk and reduce fear of crime commensurate with the area.*

5.7 FDC Housing: *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 21 dwellings are proposed I would anticipate the provision of 5 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.

The applicant is proposing a mix of 2 and 3 bedroom houses and 2 bedroom flats. Analysis of the Fenland housing register and the Cambridgeshire Strategic Housing Market Assessment indicates significant demand for these unit types.

In accordance with Policy LP5 of the Local Plan, all units should meet the lifetime homes standard where appropriate and viable.

Ideally, all affordable housing should meet the Homes & Communities Agency's quality and design standards to ensure the homes can be included within a housing association's HCA framework delivery agreement.

5.8 CCC 106 Officer: (March 2020) - Based on the indicative mix, 12 x 1- bed (including 5 starter homes), 4 x 2-bed and 5 x 3- bed this would generate the following contributions:

- Early years at Peckover – £6,314
- Primary at Ramnoth – £13,579

We would still need to calculate the actual contribution at reserved matters approval to ensure the final mix is captured. Assuming that there is agreement on the viability I would be happy to include a cap of £30,000 in the s106.

[Works at] Peckover [...] are complete, although these have been done to provide places in anticipation of future development in the town and therefore it is appropriate to secure s106 against this investment by the County Council.

- 5.9 **PCC Section 106 Officer:** (May 2019) confirmed that the submitted viability appraisal had demonstrated that there were viability issues preventing the delivery of affordable housing commuted sum and other S106 contributions.
- 5.10 **CCC Archaeology** *This application area is located within the industrial heart of Post-Medieval Wisbech and is on the site of a former foundry (Ordnance Survey map 1885), the history of which would require a documentary study as part of any planning consent and also archaeological evaluation. We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition [...].*

- 5.11 **FDC Conservation Officer:** Raises no objection following consideration of the scheme in terms of its impact on the setting of the adjacent listed buildings. Considers it would be achievable to develop this site for residential use in a manner which would be sympathetic to the setting of the adjacent listed buildings.

Offered guidance regarding the scheme development in terms of design; this guidance is covered in the relevant section of this report below.

- 5.12 **Natural England:** Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. [FDC] should apply [NE] Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. Makes observations regarding biodiversity enhancements, landscape enhancements and impact risk zones.

- 5.12 **Local Residents/Interested Parties:** One letter of objection received regarding the following issues:

- *Drainage, have problems every year with drains not working properly and bubbling up in houses when it rains*
- *The noise from these properties will be significant with the entrance and exit facing our property and others*
- *Traffic or Highways problem with this road the amount of traffic and damage to the roads which already suffer with sinking and crumbling.*

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 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

7 POLICY FRAMEWORK

- 7.1 **National Planning Policy Framework (NPPF)**
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. 12 - Presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making
Para. 39 - Pre-engagement and front loading
Para. 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise
Paras. 54-57 - planning conditions, obligations and viability
Chapter 5 - Delivering a sufficient supply of homes
Chapter 9 - Promoting sustainable transport
Para. 118 - Planning policies should [...] give substantial weight to the value of using suitable brownfield sites within settlements for homes [...].
Para. 127 - achieving well designed places
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change.
Chapter 15 - conserving and enhancing the natural environment
Paras. 178 - 179 ground conditions and pollution, risks arising from contamination
Chapter 16 - Conserving and enhancing the historic environment
Annexe 2: Glossary - Affordable housing definition

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2019

Context C1 - Relationship with local and wider context and C2 - Value heritage, local history and culture

Identity I1 - Respond to existing local character and identity; I2 Well-designed, high quality and attractive

Built form B1 - Compact form of development; B2 - Appropriate building types and forms

Movement M3 - well-considered parking, servicing and utilities infrastructure for all users

Nature N3 - Support rich and varied biodiversity

Uses U2 - A mix of home tenures, types and sizes

Homes and Buildings H1 - Healthy, comfortable and safe internal and external environment, H3 - Attention to detail; storage, waste, servicing and utilities

Lifespan L3 - A sense of ownership

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP8 – Wisbech

LP13 – Supporting and Managing the Impact of a Growing District

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

LP18 – The Historic Environment

8 KEY ISSUES

- **Background**

- **Principle of Development**
- **Impact on the Character of the Area**
- **Residential Amenity**
- **Flood Risk**
- **Heritage impact**
- **Infrastructure provision and Affordable Housing**

9 BACKGROUND

- 9.1 This application has been lodged with the LPA for some time and the applicant's agent has been asked on numerous occasions to withdraw the application (as evidenced on the case file). The applicant has been reluctant to entertain this as they sought to retain the application as a live submission and move towards a positive resolution.
- 9.2 It is understood that major delays occurred partly due to interest in the site by a third party wish to purchase and use for an alternative means. However, that alternative proposal does not appear to have materialised.
- 9.3 In order to move this matter forward to a conclusion the application has been amended to withdraw its viability argument and now proposes starter home provision which would accord with the revised definition of affordable housing in the NPPF. Further work has also been commissioned to resolve the outstanding objection from the Lead Local Flood Authority and this is explored further below.

10 ASSESSMENT

Principle of Development

- 10.1 The site is within Wisbech which is identified in the settlement hierarchy as expressed in Policy LP3 as being a Primary Market Town where most of Fenland's growth should be situated; therefore the scheme accords with policy.
- 10.2 In addition the proposal would result in a development of a brownfield site. Therefore in principle the proposal is considered to be acceptable subject to compliance with other policies regarding character of the area, flooding, residential amenity, heritage impact and infrastructure provision.

Impact on the Character of the Area

- 10.3 Policy LP16(d) considers the impact on character of the area. Whilst no details of design are submitted for determination it is considered that the indicative scheme submitted demonstrates that a suitable scheme could be achieved which does not compromise the existing character of the area.
- 10.4 Careful consideration will need to be given going forward to ensure that the development has no adverse impact on the adjacent listed building, with this being covered in detail below.
- 10.5 It is considered that a detailed scheme could be delivered at reserved matters stage with fully accords with Policy LP16 of the FLP and the aims of the national Design Guide.

Residential Amenity

- 10.6 Policies LP2 and LP16 identify the need to ensure appropriate levels of amenity for both existing and future occupants. Whilst this application is in outline format an illustrative layout accompanies the submission which shows the quantum of development proposed and how it could be delivered on the site.
- 10.7 As indicated in the site description to the north is the Asda car park and the south commercial buildings both of which allows for flexibility in terms of layout. There is residential development to south-east with roof lights serving principal rooms (Granary Court) however this constraint can be factored in at reserved matters stage.
- 10.8 With regard to noise impacts and reverse sensitivity no issues were highlighted by Environmental Health as part of their consultation and it is clear that there are a number of residential units which have similar relationships to the commercial units within this urban location.
- 10.9 Overall it has been demonstrated that the site can be developed for the quantum illustrated without detriment to residential amenity; subject to detailed design and compliance with Policy LP16(e) and LP2 achieved.

Flood Risk

- 10.10 The site is within Flood Risk Zone 3 where development is considered to be at highest risk of flooding. With regard to the sequential and exception tests the agent highlights that the land falls within the West Wisbech Broad Location for Growth with the Council's own Flood Risk Sequential and Exception Test Evidence report concluding that:
- “For a range of wider sustainability benefit reasons the west side of Wisbech has been identified as an appropriate location for new residential development. This is supported by evidence in the Wisbech SFRA, the fact that the Council considers the Exception Test can be passed, and the Environment Agency’s response confirming that this approach has its conditional support providing that residual risk can be mitigated against through an approved area FRA and a comprehensive master plan for the area. The Council considers that the proposed strategic allocations and broad locations provide the most appropriate way of utilising land in accordance with the identified flood risk status while at the same time taking into account wider sustainability issues which would be of benefit to the community’.*
- 10.11 In early 2018 FDC adopted a Flood Risk Sequential Test Methodology which clearly identifies that it will normally be the case for sites within the existing built up urban area of Wisbech that fall within flood zones 2 & 3 and where the proposal is for the redevelopment of a site last used for Use Classes A, B, C or D that the Council will accept that the Sequential Test will normally be passed. Additionally in such scenarios it will also be considered that the first part of the exception test will also be deemed to be satisfied. The second part of the exception test is also satisfied following the submission of a site specific FRA which has been accepted by the Environment Agency.
- 10.12 It is noted that the LLFA are maintaining an objection to the scheme as they consider an in principle agreement is required from the sewer undertaker (Anglian Water) to discharge surface water into their system at an agreed rate. In addition they require evidence with regard to the pre-development runoff rates required to determine how much betterment will be provided during a 1 in

2 year rainfall event. Paragraph 6.3.8 of the SPD identifies that brownfield (previously developed land) sites must reduce the existing runoff from the site as part of the redevelopment and where possible, in order to provide betterment, redevelopments should look to reinstate greenfield runoff rates.

- 10.13 Whilst ideally the LPA would secure this information prior to determination Officers are mindful of the outline status of this application and the benefits of bringing forward this development. Members will recall that a similar pragmatic response was applied with regard to the scheme to redevelop the Dennicks Yard site at Gorefield (F/YR15/0699/O) with a condition being applied to secure an appropriate surface water drainage scheme.
- 10.14 It is considered such an approach is equally applicable in this instance and that an approval could be forthcoming on this basis. This would give the applicant a level of certainty in further developing the scheme for the site whilst also safeguarding the site in terms of flood risk and surface water disposal; as clearly the developer will need to demonstrate compliance with the condition prior to any development above ground. Notwithstanding such an approach officers have asked the agent for the scheme to ascertain, in consultation with their drainage consultants, the likely turnaround times to secure an in principle agreement with Anglian Water and to establish whether they are able to provide the run off rates requested.
- 10.15 Such an approach has been discussed informally with the LLFA and they remain uncomfortable with conditioning this element given that the applicant has not yet demonstrated that they will be reducing the rate of surface water runoff from the site, as they have not provided the existing rate of runoff from the site. If run off is increased this could create an increased flood risk downstream. The LLFA also identify that they have approach such matters in a consistent manner.
- 10.16 Whilst officers have sympathy with this stance it is clear that conditioning this aspect is the only way to move forward with an approval, given that a suitable condition will not compromise the ultimate potential of the scheme to satisfy the requirements of both national and local planning policy. Officers are therefore comfortable to recommend this approach.

Heritage impact

- 10.17 The FDC Conservation Officer has assessed the proposal and considers that the site could be delivered for residential use, in a manner which would be sympathetic to the setting of the adjacent listed buildings. It is further acknowledged that the new build dwellings erected behind the converted warehouse circa 2004 provide a physical separation between the rear aspect of the listed buildings and the site.
- 10.18 Taking account of this separation and noting that the indicative site plan shows the positioning of proposed dwellings through the site in question it is felt the bulk of the proposed scheme will not unduly impinge or overwhelm the setting of the listed buildings so as to have a harmful impact.
- 10.19 This advice is caveated by the need to ensure that *'any new building adjacent to the listed warehouse fronting North End does not seek to rival or mimic the warehouse as it is felt this would detract from the listed buildings presence within the streetscene and its setting. The dwelling that forms part of the scheme*

fronting North End should assimilate with adjacent dwellings (19 and 20 North End) to its north side, aligning with that building line and be no more than two storey in height and of a ridge height similar to 19 and 20 North End.'

- 10.20 Based on the above evaluation and mindful of the site context it is considered that there is scope to secure a scheme at reserved matters stage which will accord with national and local planning policy in so far as it relates to safeguarding heritage assets.
- 10.21 The requirement to secure archaeological investigation also accords with national and local planning policy and may be secured by condition.

Infrastructure provision and Affordable Housing:

- 10.22 The scheme attracts the following S106 obligations, which were been revised during the consideration of the scheme as a result of pooling and capacity.
- 10.23 The original stance of the applicants was to proceed to make a case for a nil contribution on the grounds of viability and such a case was accepted. However during 2019 the County revisited the likely education contributions in light of the quantum of development put forward in the viability work and the amounts calculated reduced to a level that the developer's agent was more comfortable with accepting.
- 10.24 The education requirements have been revisited given the passage of time and County Officers have confirmed that whilst the S106 will be expressed in a formula given that the exact housing mix is unknown the contribution can be capped at £30,000; based on the quantum of development proposed in the viability exercise the outturn for education would be:
- Early years at Peckover – £6,314
 - Primary at Ramnoth – £13,579
- 10.25 It is noted that the Peckover Project has been delivered however Planning Guidance does allow for forward funding for education Paragraph: 008 Reference ID: 23b-008-20190315 *'When local authorities forward-fund school places in advance of developer contributions being received, those contributions remain necessary as mitigation for the development.'*
- 10.26 In addition to the above a change in the definition of affordable housing in the NPPF has enabled the developer to reconsider their position with regard to affordable housing on the site. Officers identified that the indicative scheme of 1 x 3 bed town house, 4 x 3 bed semi-detached dwellings, 4 x 2 bed semi-detached dwellings and 12 x 1 bed flats had the potential to provide either Starter homes or just discount market to be sold at 80% of the market value with an ongoing 106 obligation to retain the discounted rate. Adopting such an approach would mean that the development would meet the national definition of affordable housing enabling FDC to secure 25% affordable housing, whilst significantly reducing the developer contribution.
- 10.27 There would in addition be a public realm contribution of £1880 which would be directed to Parkour equipment or a BMX track at Wisbech Park - with a 10 year clawback on this amount in the agreement.
- 10.28 The components of the Section 106 will therefore be -

- 25% affordable housing which meets the definition contained within the NPPF
- Early years contribution (Peckover) £6,314*
- Primary contribution (Ramnoth) £13,579*
- *total contributions to be capped at £30,000 as they will be expressed as a formula in the S106*
- Public realm Contribution £1,880

11 CONCLUSIONS

- 11.1 The redevelopment of this underutilised brownfield site accords with national and local planning policy and will ultimately see an overall uplift in the environmental quality of the area.
- 11.2 Whilst it has not been possible to fully address the concerns of the LLFA with regard to surface water disposal and run off rates it is considered that the condition identified below will ensure satisfactorily safeguards in respect of flood risk.
- 11.3 Changes to the NPPF in respect of the definition of affordable housing has had a positive impact on the overall scheme proposals; in that it is now possible to deliver the full quotient of affordable housing on the site and this is welcomed.

12 RECOMMENDATION: Grant application subject to

- (i) the prior completion of a S106 agreement, and
- (ii) the following conditions

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the appearance; ii. the landscaping; iii. access; iv. layout; and v. scale. <p>herein after called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development. Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and</p>

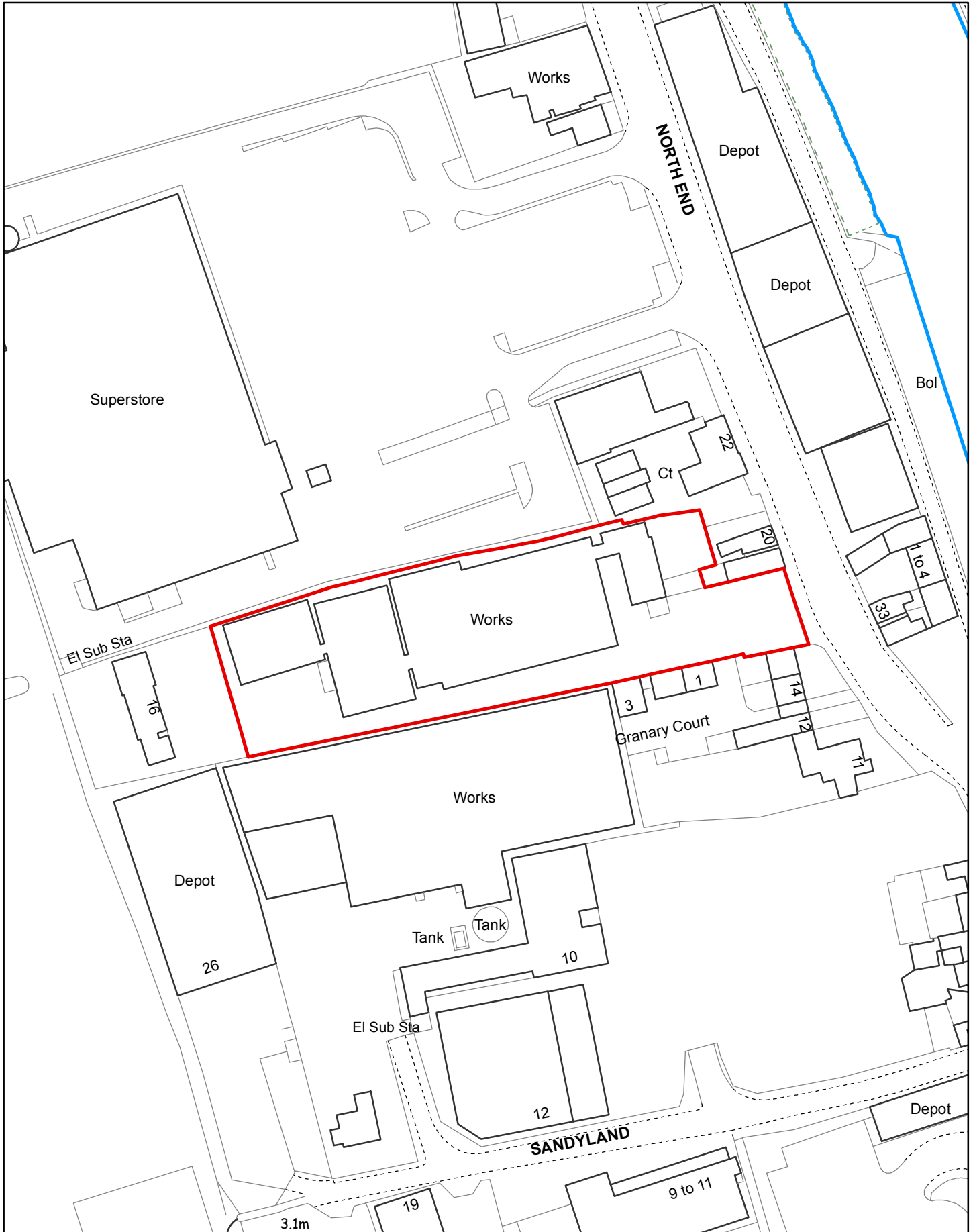
	Compulsory Purchase Act 2004.
4	<p>Details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority as part of the Reserved Matters. The development shall be carried out and thereafter retained in accordance with the approved details.</p> <p>Reason In the interests of visual amenity of the area in accordance with Policy LP16 of the Fenland Local Plan (2014).</p>
5	<p>The plans and particulars to be submitted under conditions 1 and 2 shall include a Landscape Management Strategy, including details of any phasing. The Strategy shall cover the following details:</p> <ul style="list-style-type: none"> - Long term design objectives throughout the build out of development; - Management responsibilities throughout the build out of the development; and - Maintenance schedules including replacement planting for any trees/shrubs which fail for the course of the development and 5 years thereafter. <p>The Landscape Management Strategy shall be implemented in accordance with a timetable contained therein.</p> <p>Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, accordance with Policy LP16 of the Fenland Local Plan (2014)</p>
6	<p>The hard and soft landscaping scheme to be submitted as reserved matters under conditions 1 and 2 shall include the following details:</p> <ul style="list-style-type: none"> • Planting plans including trees, species, numbers, size, density of planting and proposed time of planting as well as means of protection and maintenance; • An implementation programme (if phased); • A landscape buffer to the west of the site; • Hard surfacing materials; • Boundary treatments; • Refuse areas; • Any external lighting; and • Measures to promote biodiversity <p>The approved hard and soft landscaping details shall be implemented prior to any dwelling being occupied.</p> <p>If within a period of five years from the date of the planting of any tree or shrub that tree or shrub or any tree or shrub planted in replacement for it is removed uprooted or destroyed or dies or becomes in the opinion of the Local Planning Authority seriously damaged or defective another tree or shrub of the same species and size as that originally planted shall be planned at the same place unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, in accordance with Policy LP16 of the Fenland</p>

	Local Plan (2014)
7	<p>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:-</p> <ul style="list-style-type: none"> - Hours of working - Site compounds/storage areas - Details of wheel cleaning or road cleaning equipment; <p>The development shall thereafter take place in accordance with the approved Construction Management Plan.</p> <p>Reason: In the interests of the amenity of the area and highway safety, in accordance with Policies LP2, LP15 and LP16 of the Fenland Local Plan (2014)</p>
8	<p>No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.</p> <p>(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.</p> <p>(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.</p> <p>(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.</p> <p>No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).</p> <p>(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p> <p>(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.</p>

	<p>(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason - To control pollution of land or water in accordance with Paragraphs 120-121 of the National Planning Policy Framework (2012).</p>
9	<p>Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable.</p> <p>Reason - To ensure a satisfactory form of development in accordance with Policies LP2 and LP16 of the Fenland Local Plan (2014).</p>
10	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment for Pile Textiles, North End, Wisbech by Cannon Consulting Engineers for Ropemaker Properties Ltd dated October 2014 ref: CCE/Q131/FRA-01 and email from James Howard at Cannon Consulting Engineers to Emily Crook dated 3 February 2015 and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> 1. Finished floor levels of proposed dwellings will be set a minimum 1.0m above existing ground level. 2. Flood resilient and resistant measures will be incorporated into the dwellings, to 300mm above finished floor levels. 3. All dwellings will be 2 storeys. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants and in accordance with Policy LP14 of the Fenland Local Plan 2014.</p>
11	<p>A Surface Water Drainage scheme based on sustainable drainage principles shall be submitted to and approved in writing by the Local Planning Authority as part of the Reserved Matters. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall include:</p> <ol style="list-style-type: none"> a) Full calculations detailing the existing surface water runoff rates for the QBAR 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and

	<p>including an allowance for urban creep, together with an assessment of system performance;</p> <p>c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;</p> <p>d) Full details of the proposed attenuation and flow control measures;</p> <p>e) Site Investigation and test results to confirm infiltration rates;</p> <p>f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</p> <p>g) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>h) Measures taken to prevent pollution of the receiving groundwater and/or surface water.</p> <p>i) Evidence of an agreement in principle from Anglian Water Services (AWS) should the surface water scheme rely on the discharge of surface water into the AWS water network.</p> <p><i>The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF/ PPG</i></p> <p><i>Reason - To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development</i></p>
12	<p>A scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Authority as part of the Reserved Matters. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.</p> <p>Reason: To prevent the increased risk of pollution to the water environment.</p>
13	<p>No development shall take place within the application site area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority</p> <p>Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan.</p>
14	<p>No part of the development shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed estate roads and private drives within the development have been submitted to and approved by the local planning authority. The estate roads and private drives shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.</p> <p>Reason: To ensure a satisfactory means of access in accordance with policies LP15 and LP16 of the Fenland Local Plan.</p>
15	<p>Within 6-months of the commencement of development, a scheme for the provision of external lighting, to include street lighting, shall be submitted to</p>

	<p>and approved in writing by the Local Planning Authority. The approved details shall be installed prior to occupation of any dwellings and retained thereafter in perpetuity.</p> <p>Reason: In order to ensure adequate safety and security on site in accordance with Policies LP16 and LP17 of the Fenland Local Plan, adopted May 2014.</p>
16	The development hereby permitted shall be carried out in accordance with the following approved plans and documents



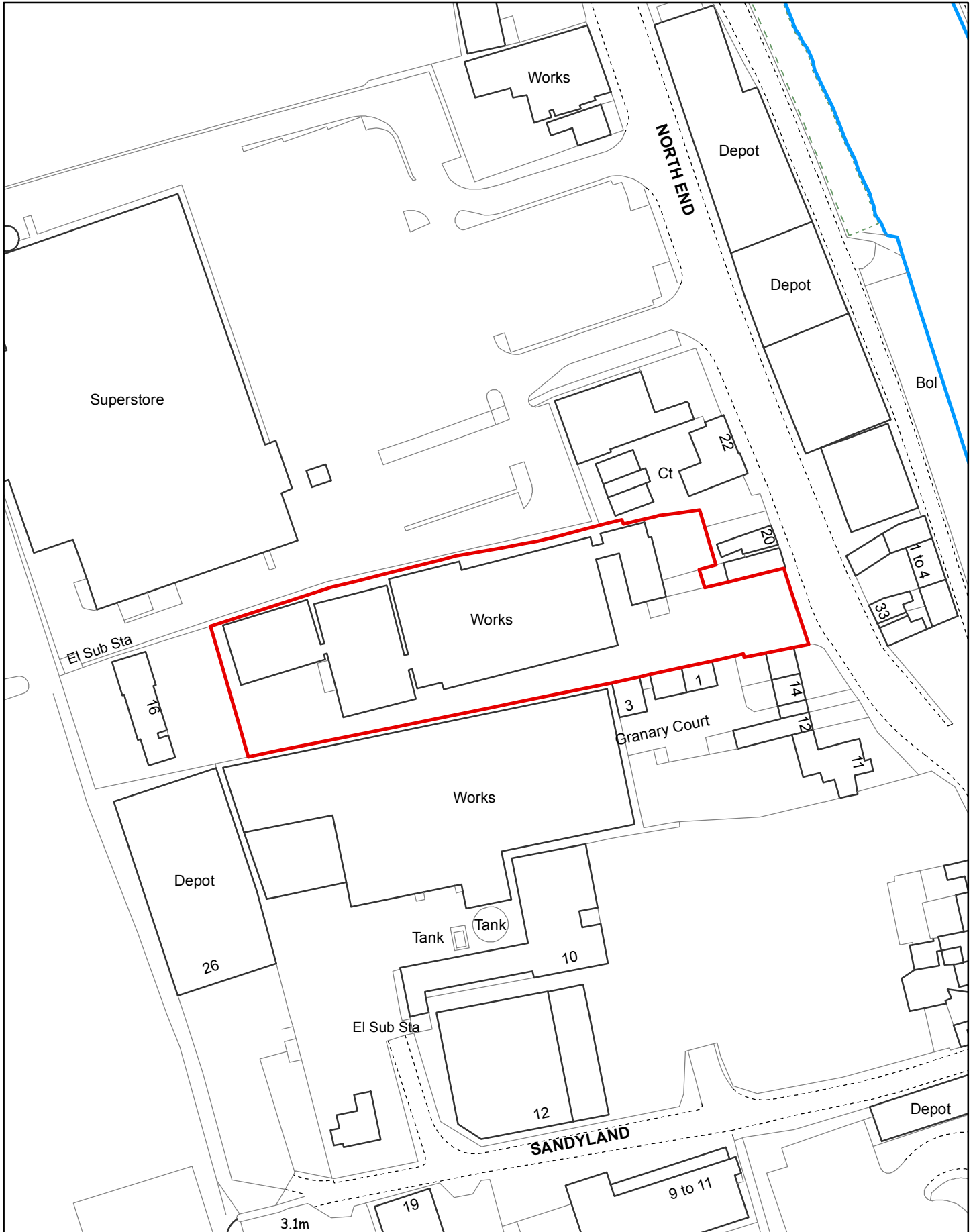
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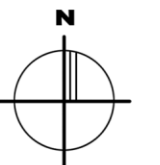
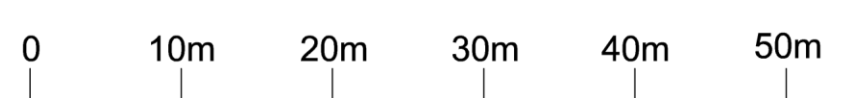
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APPLICATION NO: F/YR14/0977/O

SITE LOCATION: Pike Textile Display Limited, 16 North End, Wisbech

UPDATE

Anglian Water have commented on the application as follows:

- (i) They have assets in the area and that the site layout should take this into account
- (ii) The foul drainage from this development is in the catchment of West Walton Water Recycling Centre that will have available capacity for these flows, and advising how the applicant should proceed if they wish to connect to this network
- (iii) The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option [...] the surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. In accordance with Anglian Water's surface water policy, where a Brownfield site is redeveloped, no historic right of connection will exist, and any sewer connections will be treated as new. The site will be treated as if it was Greenfield and therefore discharge rate limited to the equivalent 1 in 1 year Greenfield rate, the proposed discharge rate is higher than we would expect for a site of this size. [...] we request a condition requiring a drainage strategy covering the issue(s) to be agreed, i.e.

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason - To prevent environmental and amenity problems arising from flooding.

Officer Comment: It is a requirement of condition 11 that a surface water drainage scheme comes forward as part of the reserved matters and as such the recommended condition is not considered necessary in this instance. Due to the required timings to submit the information there would not be a scenario where any hard-standing areas would come forward in advance of a drainage strategy being agreed.

Recommendation: Grant as per recommendation on pages 19-24 of the Agenda

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F/YR19/0958/O

Applicant: Mr K Jordan & M Judd

**Agent : Mrs Alison Hutchinson
Hutchinsons**

Lavender Mill, Fallow Corner Drove, Manea,

Erect up to 29 dwellings (outline application with matters committed in respect of access)

Officer recommendation: Grant

Reason for Committee: Manea Parish Council's comments are contrary to the Officer recommendation

1 EXECUTIVE SUMMARY

This application is a re-submission of an earlier planning application which was granted planning permission in November 2016 under reference: F/YR16/0107/O for the same development. There have been no substantial changes in national policy since the previous decision and the previous scheme was determined against the current Local Plan. The principle of this redevelopment to provide up to 29 dwellings is therefore considered to be acceptable.

The outline planning permission has now timed expired (in November 2019) and the demolition of the buildings has been implemented under the prior notification approval. The applicant has not been able to sell the site or submit a reserved matters application for the detailed design of the residential scheme, hence this application seeks a fresh (but identical to F/YR16/0107/O) outline planning permission for the site.

Whilst the application is in outline form, with only the means of access committed for determination at this stage, an indicative site layout plan has been provided. The layout plan is that which was previously shown in 2016 and continues to provide sufficient detail in order to demonstrate that the scheme should not have any unacceptable impacts with regard to the relationships with adjoining residential properties. This will however require a further assessment at the reserved matters stage.

The application has demonstrated that technical considerations, such as flood risk, drainage, biodiversity and highway impacts, have all been considered to the satisfaction of the relevant consultees.

The proposal has been through a revised viability exercise following the extensive demolition/clearance costs which has concluded that none of the planning policy infrastructure requirements can be fulfilled from the scheme. Whilst this creates conflict with Local Plan Policies LP5 and LP13 it is not considered reasonable to refuse the scheme on this basis.

Overall the proposal is considered to be acceptable subject to the imposition of planning conditions.

2 SITE DESCRIPTION

- 2.1 The site is located to the south west of the village of Manea to the rear of existing properties that front Westfield Road to the north and onto Fallow Corner Drove to the west and south. The site is known as Lavender Mill and was formerly a commercial grain store that is now been cleared of all buildings. The hardstanding has been broken up and left on the site to be re-used for the base of the roads when development starts.

3 PROPOSAL

- 3.1 This application is identical in all respects to the previous application apart from the need to demolish the buildings (which has taken place under F/YR18/0871/DE1). The application proposes a development of up to 29 dwellings with access committed at this stage.
- 3.2 The application is accompanied by the same indicative site plan as that previously approved which shows an arrangement of bungalows and houses served by the existing access onto Fallow Corner Drove which would include a 1.5m public footpath along the section of the Drove to meet with the existing footpath at its junction with Westfield Road. The proposal also includes an on-site area of children's' play.
- 3.3 The application is accompanied by the following updated documents:
- Planning Statement
 - Design & Access Statement
 - Ecological Appraisal and Update letter
 - Flood Risk Assessment
 - Drainage Strategy Addendum
 - Transport Assessment
 - Geo-Environmental Desk Study Report
 - Statement of Community Involvement
 - Viability Assessment

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

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

4 SITE PLANNING HISTORY

- 4.1 The site has been cleared following the necessary permissions of Natural England for the grant of a bat licence for the demolition of the buildings in advance of any reserved matters application being lodged pursuant to F/YR16/0107/O. Following the approval by Natural England an application for prior notification of the proposed demolition was granted in February 2018 by the LPA under reference F/YR18/0871/DE1.
- 4.2 In addition conditions 4 (archaeology) and 10 (contamination) of the outline planning permission were discharged (reference F/YR19/3029/COND) approved in March 2019.

F/YR19/3029/COND	Details reserved by conditions 4 & 10 of planning permission F/YR16/0107/O (Erection of 29 dwellings involving demolition of existing buildings (Outline with matters committed in respect of access))	Approve the submission elements of these conditions. 16/05/2019
F/YR18/0171/DE1	Demolition of former grain store buildings	Further details not required 13/03/2018
F/YR16/0107/O	Erection of 29 dwellings involving demolition of existing buildings (Outline with matters committed in respect of access)	Granted 11/11/2016

5 CONSULTATIONS

5.1 Manea Parish Council: *Welcome proposals to develop the site and clear a blot on the landscape. However members strongly object the application in its present form. Reasons:*

1. *There is no provision for public open space*
2. *No affordable housing provision*
3. *In the revised viability study, all s106 provision has been removed, this is totally unacceptable. Manea is a growing village, identified in the emerging LDF as a growth village. Members are not prepared to support significant proposals without a provision for contributions to infrastructure or community gain.*
4. *Members wish to ensure that the roads and footpaths are built to an adoptable standard*
Members are so concerned about the lack of community support, they wish to see that the proposals, both outline and full are debated by the planning committee, to ensure that Manea Parish Council can verbally express their concerns to members.

5.2 PCC Ecologist: No objection to the proposal subject to the use of a suitably worded biodiversity condition to secure the following: a) provision of a range of bird nesting and bat roosting features, b) hedgehog gaps in fences and c) design of any external lighting, plus a separate condition to secure full landscaping details.

5.3 FDC (Section 106 Services): *The applicant submitted 4 HCA DAT appraisals as part of their viability submission. Taking into account the adopted land value, build cost, interest rates, external works and infrastructure costs, design & professional fees, the anticipated revenue along with all other input it is accepted that there are viability issues preventing the delivery of an Affordable Housing commuted sum or any other S106 contributions. In addition the viability appraisal has been reviewed by Cambridgeshire County Council and they have also reached the conclusion that the proposal is not viable and consequently unable to provide any S106 contributions.*

- 5.4 CCC (Growth and Economy):** The education costs are indicative only as this is an outline application however the following costs are summarised: Early years: £52,278, Primary: £209,112, Secondary: £360,984 and Libraries £1,095.
- 5.5 Environment Agency:** No objection. *No comments relating to fluvial and tidal flood risk for this site as the proposed dwellings are located within flood zone 1. With regard to safe access and egress the LPA must be satisfied that the entrance and exit to the site which is within flood zone 2 and flood zone 3 will not impact on the safety of people.*
- 5.6 CCC (Lead Local Flood Authority):** No objection in principle to the proposed development. *The submitted documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving across the private drive areas with attenuation provided in the subbase of the permeable paving structure. Surface water will then be discharged at a controlled rate of 5l/s into the adjacent watercourse. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual. Request a condition in relation to a detailed surface water drainage scheme for the site been submitted and approved.*
- 5.7 Anglian Water:** *The foul drainage from this development is in the catchment of Manea-Town Lots Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity. Request a condition requiring an onsite foul water drainage strategy.*
- 5.8 CCC (Highway Authority):** No highway objections subject to the same highway conditions that were previously imposed (full details of the widening of the road and provision of footpath to the north side of Fallow Corner Drove).
- 5.9 Designing Out Crime Officers:** Support. While it is considered the area to be one of low to medium vulnerability to the risk of crime, further consultation should take place with regards to the design and layout and boundary treatments, including details of external lighting should outline planning approval be given. No further comments at this stage.
- 5.10 Cambridgeshire Fire & Rescue Service:** Request that adequate provisions be made for fire hydrants which may be secured through condition.
- 5.11 FDC (Leisure Services):** FDC would not want to adopt any more open spaces, nor play areas. These should be added to the development by the developer and then retained and managed by the developer or offered to the local Parish Council to manage.
- 5.12 FDC (Environment & Health Services):** No objection. Note and accept the submitted information. It is unlikely to have a detrimental effect on local air quality and the noise climate. *Given the scale of the proposed development a construction management plan should be submitted prior to commencement of development, which outlines procedures to ensure that any potential disturbance caused to existing nearby residencies will be to a minimum. Due to the former site usage, known asbestos presence and content of the Geo-environmental Investigation report provided by Calabrian (Report 6071/1) which does confirm the existence of ground contamination, a planning condition should be imposed to ensure that remediation works are undertaken, with a follow-up validation/closure report*

submitted and approved before discharge of condition. This will address the matters stated on page 22 of the aforementioned report which states that made ground beneath garden and landscaped areas should either be removed (to landfill or redistributed beneath hardstand) or isolated beneath a minimum 600mm thick cover layer of 'clean' soils (this soil could be sourced from natural material on site such as foundation and sewer arisings). Also a condition should be imposed in the event that additional contamination which has not been previously identified is found and a full assessment including remediation scheme of these to be carried out.

5.13 Local Residents/Interested Parties: 1 letter of representation received, whilst not objecting to the proposed development has concerns over the road safety aspect of Fallow Corner Drove.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

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

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

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context

Identity

Built Form

Movement

Nature

Public Spaces

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

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

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

8 KEY ISSUES

- **Principle of Development**
- **Design and Impact on the Character and Appearance of the Area**
- **Access and Highway Safety**
- **Flood Risk and Drainage**
- **Residential Amenity**
- **Biodiversity**
- **Viability / Planning Obligations**
- **Archaeology**
- **Other considerations**

9 ASSESSMENT

Principle of Development

- 9.1 Local Plan Policy LP3 defines Manea as a Growth Village where development and new service provision either within the existing urban area or as a small village extension will be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns.
- 9.2 Accordingly the policy allows for residential development within the existing urban area or as small village extensions to Manea, subject to compliance with Policy LP12 Part A. For villages, new development will be supported where it contributes to the sustainability of the settlement and does not harm the wide open character of the countryside. Any proposal needs to satisfy the criteria set out in LP12 (a – k) as well as other policies of the Local Plan.
- 9.3 As discussed above the principle of residential development has been previously established through outline planning permission F/YR16/0107/O. That permission was granted in November 2016 and was thus determined against the policies of the current Local Plan. In relation to the NPPF whilst a revised version is now to be considered (compared to that considered under F/YR16/0107/O) there are no material changes inasmuch as there remains a presumption in favour of sustainable development and the delivery of new housing in sustainable brownfield locations is to be encouraged.
- 9.4 Policy LP12 also seeks to involve the community in planning decisions by requiring clear evidence of community support for development exceeding the specified threshold. Under the previous application for the site the applicant had undertaken public consultation in order to gain the views of local residents and the Parish Council in respect of the proposed scheme. This application has not included any updated public consultation, however due regard has been given to the appeal decision relating to a residential scheme in Manea (F/YR14/0838/O) in which the Planning Inspector concluded that: if the scheme was otherwise acceptable a lack of community support, in the context of LP12, should not result in a scheme being refused. The Inspector further noted that it was 'highly unusual for any new housing scheme to be supported by the local community [.....]'. This appeal

decision is clearly material to the consideration of the current application and the support or otherwise of the local community should not be the determinant of whether the scheme is acceptable.

9.5 It should be noted that whilst the Manea Parish Council object to the details of the scheme they welcome the redevelopment of the site. In addition the application has received 1 letter of representation (which is not an objection) to the Council's consultation on the application.

9.6 As such the proposal is compliant with Policies LP3 and LP12 and can therefore be considered to be an appropriate scheme for the village subject to the detailed Reserved Matters.

Design and Impact upon the Character and Appearance of the Area

9.7 Whilst the design and layout of the proposal is not committed for formal determination as part of this outline planning application the scheme is supported by an indicative layout which provides an indication as to how 29 dwellings could be accommodated at this site. The indicative layout is identical to that previously approved.

9.8 The site is located back from the highway and would result in development in depth. The site has now been cleared of a number of industrial buildings and it is likely that a number of 2 storey and single storey properties would be accommodated at the site. The replacement of the industrial use would be of benefit to the local area in terms of design considerations and as such a positive impact would be evident upon the character and appearance of the local area. Accordingly the proposal would comply with Policy LP16 in this regard.

Flood Risk and Drainage

9.9 The proposed dwellings would be located within Flood Zone 1 with the access road located in a location on the edge of a 'Protected' Flood Zone 3 area with a small area of Flood Zone 2 between the two zones, having regard to the Environment Agency's flood zone mapping. Given the previous Outline Planning Permission (which approved the very same access) and that there is no Environment Agency objection to the scheme an objection based upon this would not be sustainable here.

9.10 An informative can be added to ensure that no built development is located within Flood Zones 2 or 3.

9.11 The Environment Agency, Anglian Water and the County Council (as the Lead Local Flood Authority) are content with the details submitted. Planning conditions will need to be imposed in order to deliver the mitigation and measures which are proposed. Subject to these conditions the proposal is considered to comply with Policy LP14.

Access and Highway Safety

9.12 The vehicular access to the site is to be taken from Fallow Corner Drove. The technical details relating to this have been considered by the County Council and deemed to be acceptable. The proposed access would be 5.5m in width with a 1.8m wide footpath on either side. The Parish Council objection relates to adoption of the roads and footpaths. The indicative plans indicate that these would be adopted. The County Council have not requested a condition in relation to this but in the event that the road was not to be adopted it would be appropriate to include a management requirement – a condition is therefore proposed.

9.13 The proposal would also require improvements to Fallow Corner Drove in order to widen the road and provide a pedestrian footpath on the northern side. These works are within the public highway and can be secured via a Grampian condition: they are necessary in order to ensure the development is acceptable. Accordingly the proposal complies with Policy LP15 subject to conditions.

Residential Amenity

9.14 It is considered that the redevelopment of the site for residential would have an acceptable impact upon the amenity of local residents.

9.15 With regard to the proposed residential use the indicative layout indicates (subject to plot 6 being a bungalow) that no unacceptable impacts would arise. This will need to be re-assessed at the reserved matters stage. No unacceptable impacts in terms of overlooking, overshadowing or overbearing impacts need arise from the development.

9.16 The level of residential amenity to the future occupiers of the site is considered to be acceptable as evidenced by the indicative layout. Again this will need to be reassessed at the reserved matters stage.

9.17 Overall the proposal would provide an appropriate level of amenity to the occupiers of nearby properties. The site would also be capable of providing an acceptable level of amenity to future occupiers. Accordingly the proposal satisfies Policy LP16 in this regard.

9.18 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. The scheme will allow the redevelopment of the site to deliver housing in a sustainable location, in keeping with its surroundings with access to services, facilities and public transport links and which will provide a better amenity and environment for existing residents in the immediate area. The proposal also includes an on-site childrens' play area and its long-term maintenance can be secured through planning condition.

Biodiversity

9.19 The original Ecology Appraisal (October 2014) which comprises a desk based review, a Phase 1 Habitat Survey and further Bat Studies has been submitted with this application together with a brief ecology letter (October 2019). This confirms that three bat boxes were installed as part of the Natural England bat license requirements following the demolition of the buildings on site.

9.20 All the buildings on site have been removed including those which had evidence of bats recorded, the works were carried out under an appropriate protected species licence from Natural England. Three bat roost boxes have been temporarily installed on retained fencing around the periphery of the site. It will however be necessary to secure details for the provision of permanent bat roosting features within the new development which can be secured through planning condition.

9.21 The Council's Ecologist has no objection to the proposal subject to measures to enhance the biodiversity of the site which includes the bat boxes referred to above as well as bird nesting features. Other details such as hedgehog gaps in fences,

design of external lighting and full landscaping details are matters which can be secured at the Reserved Matters stage when these details will be considered.

- 9.22 Accordingly the proposal accords with Policy LP19 of the Local Plan with regard to ecological matters.

Viability / Planning Obligations

- 9.23 The previous application was the subject to viability testing by the applicant which confirmed it could not support the provision of affordable housing and the full education contributions. The previous S106 agreement secured education contributions of £98,078 and on-site open space. Viability issues have been re-examined following the demolition (with costs having increased in relation to the demolition and clearance as well as the increased build costs since the previous viability assessment) and have therefore been found to be even more marginal resulting in the development being unable to fund any infrastructure contributions.
- 9.24 The viability assessment of the scheme has been considered and accepted by the Council's S106 Officer. The assessment has confirmed that the redevelopment is unable to provide a viable development whilst also providing policy compliant planning obligations.
- 9.25 The on-site public open space children's play (LAP) provision is no longer to be secured under a planning obligation as the Council's Leisure Services Officer has confirmed that FDC does not wish to adopt any space on site. In relation to the Local Plan requirement (Policy LP16 informed by Appendix B) this does not require the provision of on-site public open children's play space due to the size of the site. The provision of an off-site contribution would not be viable as it would add further costs to the development. Given the location of the site, and the provision of open space on the indicative layout, it would be desirable to provide some open space on site but not strictly necessary under Policy LP16 and Appendix B of the Local Plan. This can be assessed at reserved matters stage and a condition can be utilised to deal with the future management of the open space should one be provided.
- 9.26 For viability reasons the proposal is therefore unable to comply with Policies LP5 and LP13 of the Local Plan insomuch as it is unable to provide any of the infrastructure which would be necessary. The NPPG identifies that viability concerns need to be taken into account and that a flexible approach needs to be adopted. In this case it is considered that bringing forward the development now is sufficient to outweigh the deficiency in infrastructure which this development cannot provide at this time.

Archaeology

- 9.27 The site has been subject to an archaeological evaluation and the results were submitted in the report and consequently discharged through application F/YR19/3029/COND. The results indicated that the site has been heavily disturbed by previous use of the site as a grain mill and no archaeological features were identified. No further archaeological work is considered necessary.

10 CONCLUSIONS

- 10.1 The proposal seeks to redevelop a brownfield site within the developed footprint of Manea. As set out above the site previously benefitted from Outline Planning

Permission and there have been no material changes which would indicate that the principle of this redevelopment to provide up to 29 dwellings is unacceptable.

- 10.2 Whilst the application is in outline form, with only the means of access committed for determination at this stage, an indicative site layout plan has been provided. The layout plan is the same as that which was previously considered in November 2016 and it is considered that this retains sufficient detail in order to demonstrate that the scheme would not have any unacceptable impacts with regard to the relationship with adjoining residential properties. This will require a further assessment at the reserved matters stage.
- 10.3 The application has demonstrated that technical considerations, such as flood risk, drainage, biodiversity and highway impacts, have all been considered to the satisfaction of the relevant consultees. Subject to a number of conditions the impacts here are again considered to be acceptable.
- 10.4 The proposal has been through a viability exercise which has concluded that none of the infrastructure requirements can be fulfilled from the scheme. Whilst this creates conflict with Local Plan Policies LP5 and LP13 it is not considered reasonable to refuse the scheme on this basis.
- 10.5 Overall the proposal is considered to be acceptable subject to the imposition of planning conditions (set out below).

11.0 RECOMMENDATION

GRANT subject to conditions listed below:

Conditions

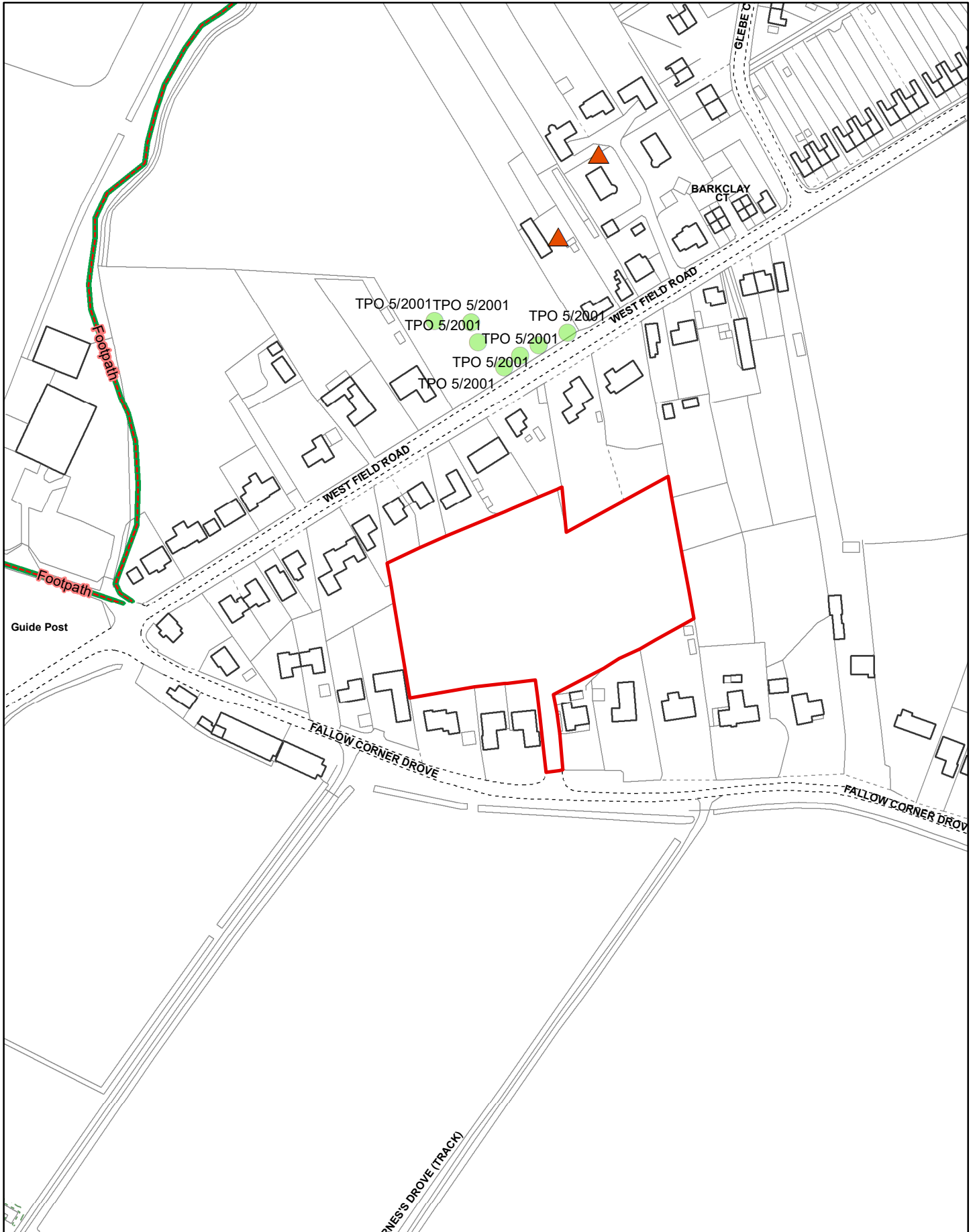
1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the layout of the site; ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the landscaping <p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be</p>

	<p>approved.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p>Prior to the commencement of development and notwithstanding the submitted plans, a full detailed scheme shall be submitted detailing the widening of Fallow Corner Drove to a minimum width of 5.5m, between the proposed site access (on Fallow Corner Drove) and Westfield Road. The plans shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details, constructed and completed prior to the first occupation of the development hereby approved.</p> <p>Reason - To ensure that the areas of widening can be delivered in engineering terms in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.</p>
5	<p>Prior to the commencement of development, a full detailed scheme shall be submitted detailing the provision of a 1.5m footway along the northern side of Fallow Corner Drove, connecting the proposed site footway network with the existing footway network along Westfield Road. The plans shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details, constructed and completed prior to the first occupation of the development hereby approved.</p> <p>Reason - To ensure that the footway provision can be delivered in engineering terms in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.</p>
6	<p>Prior to the occupation of the first dwelling hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).</p> <p>Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014.</p>
7	<p>As part of the Reserved Matters submission a surface water drainage scheme for the site, based on sustainable drainage principles, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by Thomas Consulting and shall also include:</p> <p>a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;</p>

	<p>b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;</p> <p>c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;</p> <p>d) Full details of the proposed attenuation and flow control measures;</p> <p>e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</p> <p>f) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>g) Measures taken to prevent pollution of the receiving groundwater and/or surface water</p> <p>The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development</p>
8	<p>As part of the Reserved Matters submission a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.</p> <p>Reason: To prevent environmental and amenity problems arising from flooding</p>
9	<p>As part of the Reserved Matters submission 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.</p> <p>Reason - To ensure that the precise height of the development can be considered in relation to adjoining dwellings and to reduce the risk of flooding to the proposed development and future occupants and in accordance with Policies LP14 and LP16 of the Local Plan 2014.</p>
10	<p>No development approved by this permission shall be occupied until the completion of the remedial works as detailed within the Geo-environmental Investigation report (6071/1) by Calabrian have been carried out on site. Prior to first occupation of the development hereby approved the validation/closure report shall be submitted to and approved in writing by the Local Planning Authority this includes the following:</p> <p>(a) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p>

	<p>(b) The validation/closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason - To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.</p>
11	<p>If, during the development, contamination is encountered which has not previously been identified 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, an amendment to the remediation strategy detailing how this contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.</p> <p>Reason - To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.</p>
12	<p>No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. site compound & storage areas. iii. loading and unloading of plant and materials iv. storage of plant and materials used in constructing the development v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate vi. wheel washing facilities vii. measures to control the emission of dust and dirt during construction viii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>Reason: To prevent harm being caused to the amenity of the area in accordance with the provisions of Policies LP2 and LP16 of the Fenland Local Plan (Adopted May 2014).</p>
12	<p>As part of the Reserved Matters submission details of a range of bird nest boxes and bat roosting features shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the numbers, designs and location within the site. The agreed details shall then be implemented and retained in perpetuity.</p> <p>Reason: To protect the habitats of protected species in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>

13	<p>Prior to the first occupation of the development hereby approved, a landscape management and maintenance plan for the Local Area of Play within the development site shall be submitted to and approved by the Local Planning Authority in writing. The landscape management and maintenance plan shall be carried out as approved in accordance with the specified schedule contained therein.</p> <p>The plan shall include the following details:</p> <ul style="list-style-type: none"> - long term design objectives - management responsibilities - maintenance schedules <p>Reason: To protect the visual amenity value of the landscaping, and the biodiversity value of the habitat within the site in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
14	<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 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>



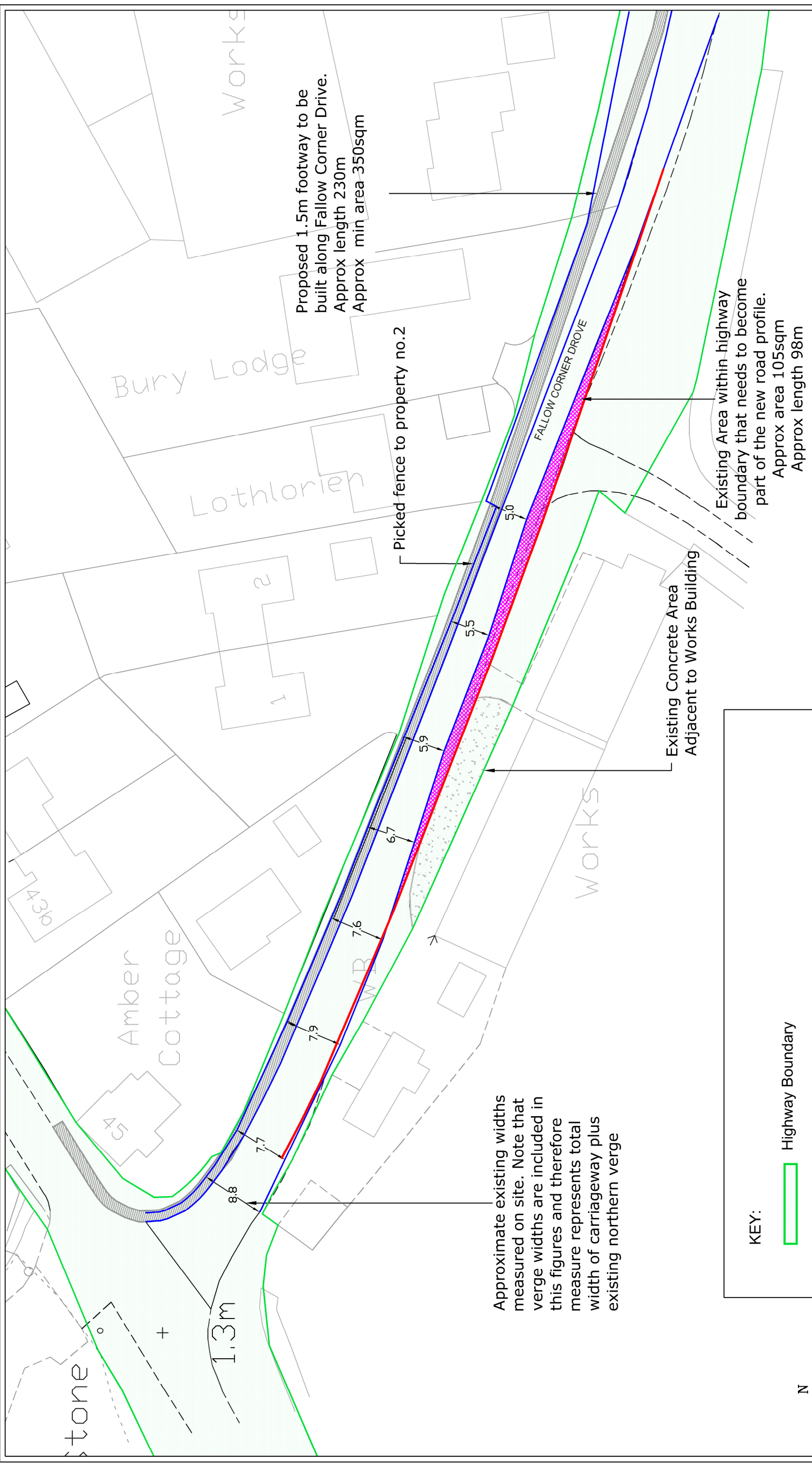
Created on: 12/11/2019

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F/YR19/0958/O

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Proposed 1.5m footway to be built along Fallow Corner Drive.
 Approx length 230m
 Approx min area 350sqm

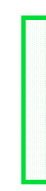



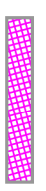
Picked fence to property no.2

Existing Concrete Area Adjacent to Works Building

Existing Area within highway boundary that needs to become part of the new road profile.
 Approx area 105sqm
 Approx length 98m


Approximate existing widths measured on site. Note that verge widths are included in this figures and therefore measure represents total width of carriageway plus existing northern verge

KEY:

-  Highway Boundary
-  Existing Measurements taken on site by ITL
-  6m off set line to accommodate a 5.5m road and a 0.5m strip
-  Proposed 1.5m wide footway to north of Fallow Corner Drive
-  Existing area to become part of the new road profile



IT Project: LAVENDER MILL, MANEA		Rev: -	Date: -
Drawing Title: PROPOSED FOOTWAY ALONG FALLOW CORNER DRIVE	Drawing No: IT1440/SK/02	Description: CAD File: IT1440_SK_02.dwg	Date: -
Client: MR KEN JORDAN & MR MARK JUDD	Date: JAN 2016	Scale: 1:500	Approved By: SW
Sheet 1 of 1	Drawn By: EC	Approved By: SW	
A3			<small>Notes: Dimensions should not be scaled from this drawing. Crown copyright (2015). All rights reserved. All trademarks / Trademarks of the address holder.</small>

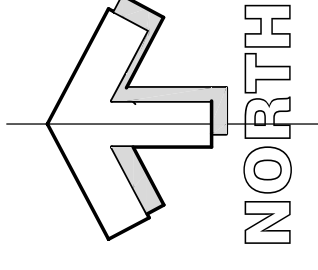


Intermodal
TRANSPORTATION
Hunters Court
Dehiden Road
Saffron Walden
Essex CB11 4AA

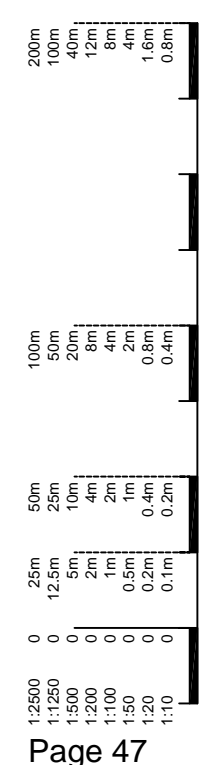
Tel: +44 (0)1799 529529
 Fax: +44 (0)1799 529530
 e: enquiries@inter-modal.co.uk

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NOTE;
 ACCESS ARRANGEMENTS ARE TO BE CONSIDERED
 UNDER THIS APPLICATION AND ARE NOT TO BE A
 RESERVED MATTER



LAVENDERS MILL, M A N E A, CAMBS.

B ANNOTATION ADDED WITH REGARDS ACCESS NOT BEING A RESERVED MATTER 13.JA.2016 APF

Revision	Notes	Date	Drawn	Checked

Client	MESSRS JORDAN & JUDD
Project	RESIDENTIAL DEVELOPMENT
Address	LAVENDER MILL FALLOW CORNER DROVE M A N E A MARCH CAMBRIDGESHIRE
Drawing	ILLUSTRATIVE LAYOUT

Drawing No.	14:097 - 2	Revision	B
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Scale	Paper Size	Drawn	Checked
1 : 500	A2	APF	

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 chartered architectural technologist

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F/YR19/1028/F

Applicant: Mr T Stevens

**Agent : Morton & Hall Consulting
Ltd
Morton & Hall Consulting Ltd**

Land North Of March Braza Club, Elm Road, March, Cambridgeshire

Erect 6 no dwellings (2 x single storey 3-bed and 4 x 2-storey 3-bed) involving formation of a new access

Officer recommendation: Refuse

Reason for Committee: Town Council comments contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This site is in a prominent and well known location within the town and provides an opportunity for a high quality development which respects and enhances the area.
- 1.2 The proposal put forward has an absence of frontage development, resulting in a lack of street presence and a poor relationship with its surroundings, entirely at odds with the prevailing character of the area. In addition, a large bin storage/collection area is located to the front of the site, visible from Elm Road and further detracting from and reducing the quality of the scheme when viewed from this main thoroughfare. Overall the scheme is considered to be significantly detrimental to the character and visual amenity of the area.
- 1.3 There are no issues to address in relation to flood risk or residential amenity and sufficient parking provision is proposed within the site. The Local Highways Authority is content with the access and development layout, however has advised that the access would only be acceptable from a highway safety point of view if the on street parking is removed from either side. This would require a parking prohibition Traffic Regulation Order (TRO) and can be dealt with by way of the imposition of a Grampian condition to ensure that this satisfactorily achieved.
- 1.4 The application site adjoins Norwood Nature Reserve and only a biodiversity checklist has been submitted for which all the answers are 'no', hence insufficient assessment has been undertaken and inadequate information submitted to enable the Local Planning Authority to ascertain whether the proposal would impact protected species.

2 SITE DESCRIPTION

The application site comprises of the bowling green and related buildings associated with the Braza Club. It is located on the western side of Elm Road, is presently open to the south adjoining the gravel car park, to the east is a Leyland cypress hedge and there are trees protected via TPO M/2/465/5 to the north and east. The site abuts Norwood Nature Reserve to the north west.

3 PROPOSAL

The application seeks full planning permission for 6 dwellings involving the formation of a new access directly from Elm Road.

- 3.1 Plot 1 measures 13.6m x 10m and 5.4m in height, forming a detached single-storey 3-bed dwelling
- 3.2 Plot 2 measures 13.6m x 9m and 5.4m in height, forming a detached single-storey 3-bed dwelling
- 3.3 Plots 3-4 and 5-6 measure 9.5m x 12m and 7.5m, forming 2 pairs of semi-detached 2-storey, 3-bed dwellings
- 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=Q1OUJXHE0D800>

4 SITE PLANNING HISTORY

F/YR17/0608/TRTPO	Works to a Beech tree covered by TPO M/2/465/5	Granted 18/08/2017
F/YR03/0718/F	Erection of single-storey extensions	Granted 19/08/2003
TP7074	Erection of a building for groundsman's tools	Granted 01/06/1959
TP6241	Extension of staff association club premises and provide bowling green and tennis courts	Granted 11/3/1958

5 CONSULTATIONS

5.1 Parish/Town Council

Recommend approval.

5.2 Environment & Health Services (FDC) (23/12/2019)

I refer to the above application for consideration and would make the following observations.

The Environmental Health Team note and accept the submitted information and have 'No Objections' in principle, as it is unlikely to have a detrimental effect on local air quality or the noise climate.

As the proposal involves the removal of existing structures, and is in relatively close proximity to areas containing known ground contamination, the following condition should be imposed in the event that planning consent is granted;

UNSUSPECTED CONTAMINATION

CONDITION: 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 LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

5.3 Environment & Health Services (FDC) (24/2/2020)

I note that we did receive a noise complaint last year, but like those from 2013 - 2015 it was not substantiated.

I acknowledge the proposals for a 1.8m timber fence for the external amenity areas and the intention to install double-glazed windows in the proposed dwellings. From experience, it is typical that an acoustic consultant would recommend these measures as a means of suitable attenuation in such circumstances.

If a noise impact assessment was undertaken with the results of which demonstrating that the existing premises is 'unlikely' to have a detrimental effect on occupants of proposed dwellings, and should planning consent then be granted, this would still not indemnify against action being taken in the event that this service received substantiated noise complaints which then warranted statutory nuisance action.

5.4 Environment & Health Services (FDC) (5/3/2020)

I have no adverse comments to make in respect of the above application following receipt of the latest supporting documentation.

Comments made on 23.12.2019 and 24.02.2020 are therefore still relevant from the standpoint of environmental health.

5.5 Arboricultural Officer (FDC)

The application is for the construction of 6 dwellings with associated garden areas and off-street parking; a new access road will be required off Elm Road.

The development does not require the removal of any trees but a section of Leyland cypress hedge will be removed to construct the new access.

I have no objection to the development but the developer must ensure all aspects of the submitted Arboricultural Impact Assessment and Tree Protection must be adhered to.

5.6 Cambridgeshire County Council Highways Authority (23/12/2019)

The row of parked vehicles along Elm Road will hamper vehicle to vehicle visibility at the access. Parking bay road markings/parking prohibition order will need to be agreed with CCC Policy and Regulation prior to the application being granted. This development will need to fund and implement the agreed scheme to address the visibility and access concerns.

The access road has no turning head. The layout needs to be amended so a small delivery vehicle can turn around. It is unacceptable for a vehicle to reverse out of the access road onto Elm Road.

Defer for amended plans

5.7 Cambridgeshire County Council Highways Authority (09/03/2020)

The access will only be acceptable from a highway safety point of view if the kerb side parking is removed either side of the access along Elm Road. Because this requires a parking prohibition TRO, the normal process is for the TRO/parking prohibition scheme to be approved prior to planning consent being granted. To date I have seen no scheme proposal for the double yellow lines. Given this is vital to making the development acceptable, I suggest this is frontloaded.

5.8 Anglian Water Services Ltd

The Pre-Development Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, more than 0.5 ha. However, if there are specific drainage issues you would like us to respond to, please contact us outlining the details.

5.9 FDC Head Of Environmental Services

The shared collection point at the entrance to the private road would mean that the refuse vehicle would not need to enter the site.

The bin store should be of sufficient size to accommodate up to 12 standard size 240 litre wheeled bins and be within 10m of the public highway. Residents shouldn't be expected to move the bins more than 30m to the collection point and would require notification of collection arrangements.

5.10 Local Residents/Interested Parties

A petition has been received from residents of Swan Court objecting to the proposal on the grounds there is insufficient parking proposed which will lead to additional parking on Swan Court where there are already parking issues and there are concerns regarding access for emergency vehicles.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context – C1

Identity – I1

Built Form – B1

Movement – M3

Homes and Buildings – H3

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP6 – Employment, Tourism, Community Facilities and Retail

LP9 – March

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

Delivering and Protecting High Quality Environments SPD 2014;

DM3 – Making a Positive Contribution to Local Distinctiveness and Character of the Area

DM4 – Waste and Recycling facilities

DM9 – Constraints of existing businesses

March Neighbourhood Plan 2017

H2 – Windfall Development

H3 – Local Housing Need

8 KEY ISSUES

- **Principle of Development and Loss of a community facility**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Parking and Highways**
- **Flood Risk**
- **Biodiversity**

9 ASSESSMENT

Principle of Development and Loss of a community facility

- 9.1 The application site is located within the settlement of March which is identified within the Settlement Hierarchy as a Primary Market Town; Market Towns are identified within Policy LP3 as the focus for housing growth, accordingly there is a presumption in favour of development within this location. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of residential or visual amenity, design, parking, highways, flood risk and biodiversity.

- 9.2 Policy LP6 of the Fenland Local Plan advises that proposals that would lead the loss of community facilities (such as a bowling green) will only be permitted if it can be demonstrated that the retention of the facility is no longer financially viable and that there is a lack of community need for the facility. A statement has been provided by the applicants (which remains confidential at their request) providing evidence in this regard, as such this policy is considered to be complied with.

Design considerations and visual amenity of area

- 9.3 To the east side of Elm Road extending from the railway line to the properties on Norwood Road are 2-storey semi-detached and terraced dwellings, which have their front elevations facing towards this road and are set back behind front gardens contributing to the open character of the area and forming the prevailing character; whilst there is the in depth development of Peterhouse Crescent, this is set back behind the frontage properties. To the north of the site are the single-storey dwellings of Swan Court, which provides some in depth development, however the properties along Elm Road have their front elevations facing towards this behind front gardens and open space, the historic terrace of 30-38 Elm Road is the only exception to this and these are considered to have more of a relationship with the dwellings on Norward Road when viewed from the south. The application site is enclosed by a Leyland cypress hedge, and whilst this contributes to the relatively verdant nature of the area is not considered to be of particularly high quality. There are a number of substantial trees which are protected via a Tree Preservation Order and provide a significant contribution to visual amenity.
- 9.4 The application proposes 6 dwellings located off a private drive, with dwellings facing towards this, having no relationship with Elm Road. Whilst there are in depth developments in the area, the dwellings at the entrance to these have principle elevations facing towards Elm Road with front gardens adding to the open character. The proposal has an absence of frontage development, with the side elevations of plots 1 and 6 facing towards Elm Road, behind a high hedge, resulting in a lack of street presence and a poor relationship with its surroundings, entirely at odds with the prevailing character of this area of Elm Road. In addition, a large bin storage/collection area is located to the front of the site, visible from Elm Road and further detracting from and reducing the quality of the scheme when viewed from this main thoroughfare.
- 9.5 This site is in a prominent and well known location within the town and provides an opportunity for a high quality development which respects and enhances the area, attempts to achieve this through proposing frontage development to Elm Road, removing the boundary hedge and providing open front gardens reflecting the prevailing character, have not been successful and as a result the scheme is considered to be significantly detrimental to the character and visual amenity of the area.
- 9.6 The proposal is therefore considered to be contrary to Policy H2 of the March Neighbourhood Plan 2017, Policy LP16 (d) of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments SPD 2014, paragraphs 127 and 130 of the NPPF 2019, and C1, I1 and B2 of NDG 2019 which seek to ensure that developments are of a high standard of design, make a positive contribution to the local distinctiveness and character of the area and that the local built environment and settlement pattern inform proposed development.

Residential Amenity/Health and wellbeing

- 9.7 To the north of the site are the single-storey dwellings of 3-7 Swan Court, these properties have limited rear gardens and at present low level boundary treatments. The application proposes 2 single-storey dwellings adjoining these properties at a distance of between 8m and 10.5m from the boundary and a minimum of 14m between dwellings. Overlooking is not considered to be an issue due to the single-storey nature of both existing and proposed dwellings; a 1.8m high fence is proposed to the northern boundary of the site which would ensure sufficient privacy and this could be conditioned to ensure it is provided.
- 9.8 To the east of the site on the opposite side of the Elm Road are the 2-storey dwellings of 21 – 33 Elm Road, the boundaries are approximately 13.5m distant with existing and proposed dwellings having a separation of at least 26.5m hence the residential amenity of these dwellings is not considered to be significantly affected.
- 9.9 The proposed dwellings have in excess of 1/3 of the plot for private amenity space in accordance with Policy LP16 (h). It is noted that the usability of the amenity space serving plot 1 would be reduced by the presence of a number of substantial protected trees, however due to the size of the plot this is still considered an acceptable provision. The relationship between proposed dwellings in relation to outlook, overshadowing and overlooking is considered to be acceptable.
- 9.10 Policy LP16 (f) of the Fenland Local Plan 2014 and DM4 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014 seek to ensure that developments provide adequate, well designed facilities for the storage and collection of waste. The proposal provides adequate storage and collection facilities, it is acknowledged that plots 2 and 3 would require occupants to carry bins in excess of the maximum accepted distance of 30m; however this is not considered significant enough to warrant a refusal in this regard.
- 9.11 Policy LP2 and LP16 of the Fenland Local Plan 2014 seek to avoid adverse impacts; the application site adjoins the Braza Club and as such there is potential for noise and disturbance. Policy LP16 (o) of the Fenland Local Plan 2014 and DM9 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014 seek to ensure that developments do not result in any unreasonable constraints or threaten the operation and viability of existing businesses by introducing 'sensitive' developments such as dwellings. The applicant's agent has provided a statement regarding the potential for noise and Environmental Health do not have any objections to the proposal.

Parking and Highways

- 9.12 Policy LP15 and Appendix A of the Fenland Local Plan 2014 require 2 parking spaces to be provided for each 3-bed dwelling. The submitted site plan details the required parking provision and sufficient depth behind spaces for these to be exited. The spaces are the minimum required depth and width of 2.4m x 4.8m, however in situations where there are obstructions on one side a width of 2.7m for each space would be required and where there are obstructions on both sides a width of 2.9m, in both cases a depth of at least 5m would be needed in order for these spaces to be considered usable. However as there is additional space before the dwellings, boundary treatments or access road is reached, whilst not ideal, the spaces are considered acceptable.

9.13 The Local Highways Authority (LHA) is content with the access and development layout, however has advised that the access would only be acceptable from a highway safety point of view if the on street parking is removed from either side. This would require a parking prohibition Traffic Regulation Order (TRO) and could be dealt with by way of the imposition of a 'Grampian' condition to ensure that this satisfactorily achieved. The LHA have advised this should be front loaded, however this is not considered reasonable as the matter could be dealt with by way of a condition.

9.14 Flood Risk

The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly there are no issues to address in respect of Policy LP14.

9.15 Biodiversity

Public Authorities have a duty under Section 40 of the Natural Environment and Rural Communities Act 2006 to have regard to conserving biodiversity in policy and decision making.

9.16 Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 170 of the NPPF 2019 seek to conserve, enhance and promote biodiversity. Paragraph 177 advises that the presumption in favour of sustainable development does not apply where a project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that it will not adversely affect the integrity of the habitats site.

9.17 The application site adjoins Norwood Nature Reserve and as such there is potential for protected species to be affected by the proposal, even if there is not a habitat within the application site itself. Only a biodiversity checklist has been submitted for which all the answers are 'no', hence insufficient assessment has been undertaken and inadequate information submitted to enable the Local Planning Authority to ascertain whether the proposal would impact protected species and as such it is considered contrary to the aforementioned policies.

10 CONCLUSIONS

The principle of developing this site is supported by Policy LP3, information has been provided to evidence compliance with LP6 in relation to the loss of the community facility and there are no issues in respect of residential amenity and flood risk. Overall however the scheme is considered to be unacceptable due its failure to respect the prevailing character and settlement pattern in the area, resulting in a development which lacks street presence and has a poor relationship with its surroundings, to the significant detriment of visual amenity and character of the area. In addition insufficient information has been provided in respect of biodiversity to ascertain whether protected species would be impacted or if mitigation would be required.

11 RECOMMENDATION

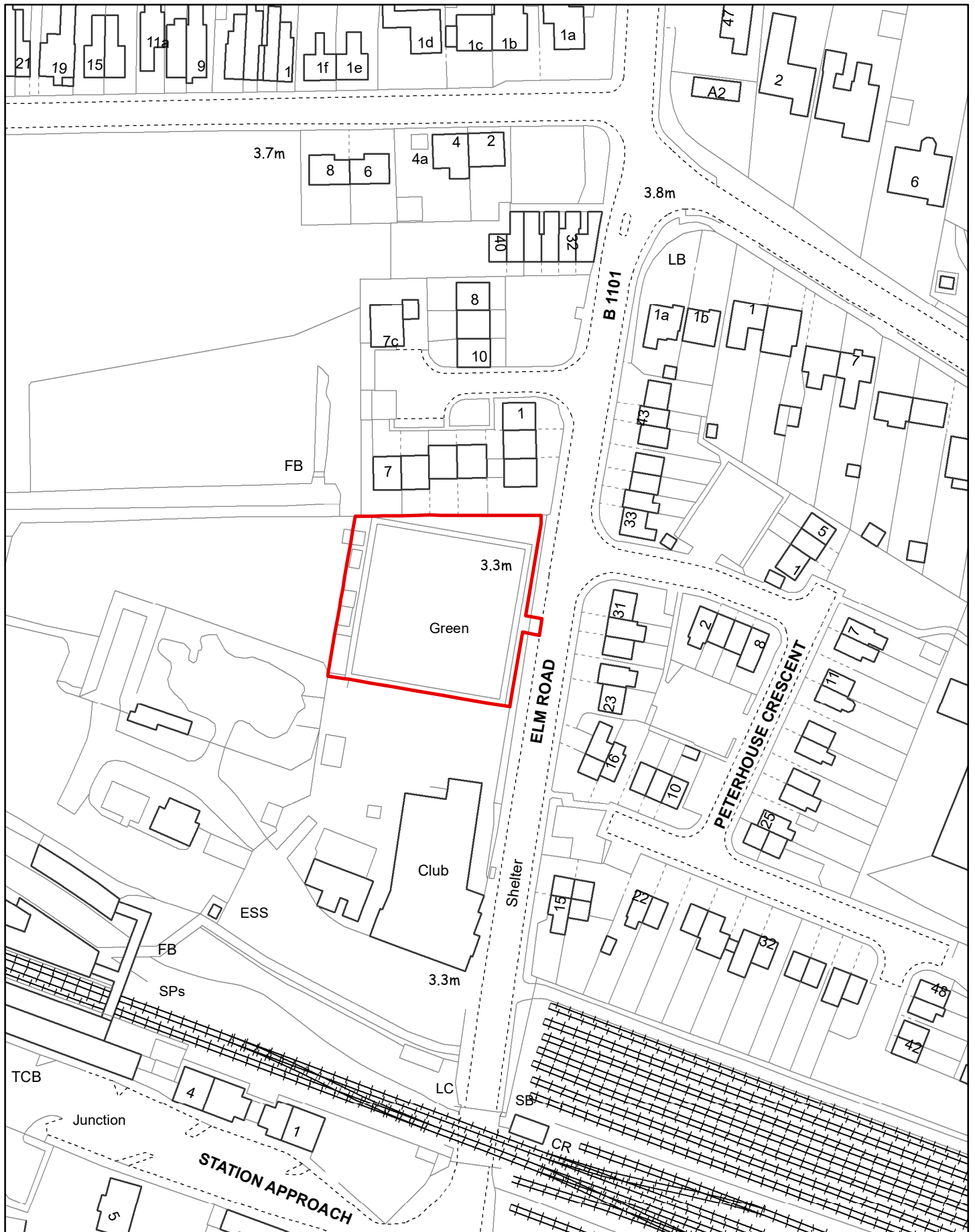
Refuse for the following reasons:

- 1 Policy H2 of the March Neighbourhood Plan 2017, Policy LP16 (d) of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments SPD 2014, paragraphs 127 and 130 of the NPPF 2019, and C1, I1 and B2 of NDG 2019 seek to ensure that developments are of a high standard of design, make a positive contribution to the local distinctiveness and character of the area and that the local built environment and settlement pattern inform proposed development.

The development proposal, by virtue of its design and layout would result in a scheme entirely at odds with the prevailing character of the area owing to its lack of a frontage to Elm Road, and if permitted would be to the significant detriment of the character and appearance of the area and the streetscene of Elm Road, contrary to the aforementioned policies.

- 2 Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 170 of the NPPF 2019 seek to conserve, enhance and promote biodiversity and Paragraph 177 advises that the presumption in favour of sustainable development does not apply where a project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that it will not adversely affect the integrity of the habitats site.

The application site adjoins Norwood Nature Reserve. Insufficient assessment has been undertaken and inadequate information submitted to enable the Local Planning Authority to ascertain whether the proposal would impact protected species. As such the proposal is considered contrary to the aforementioned policies.



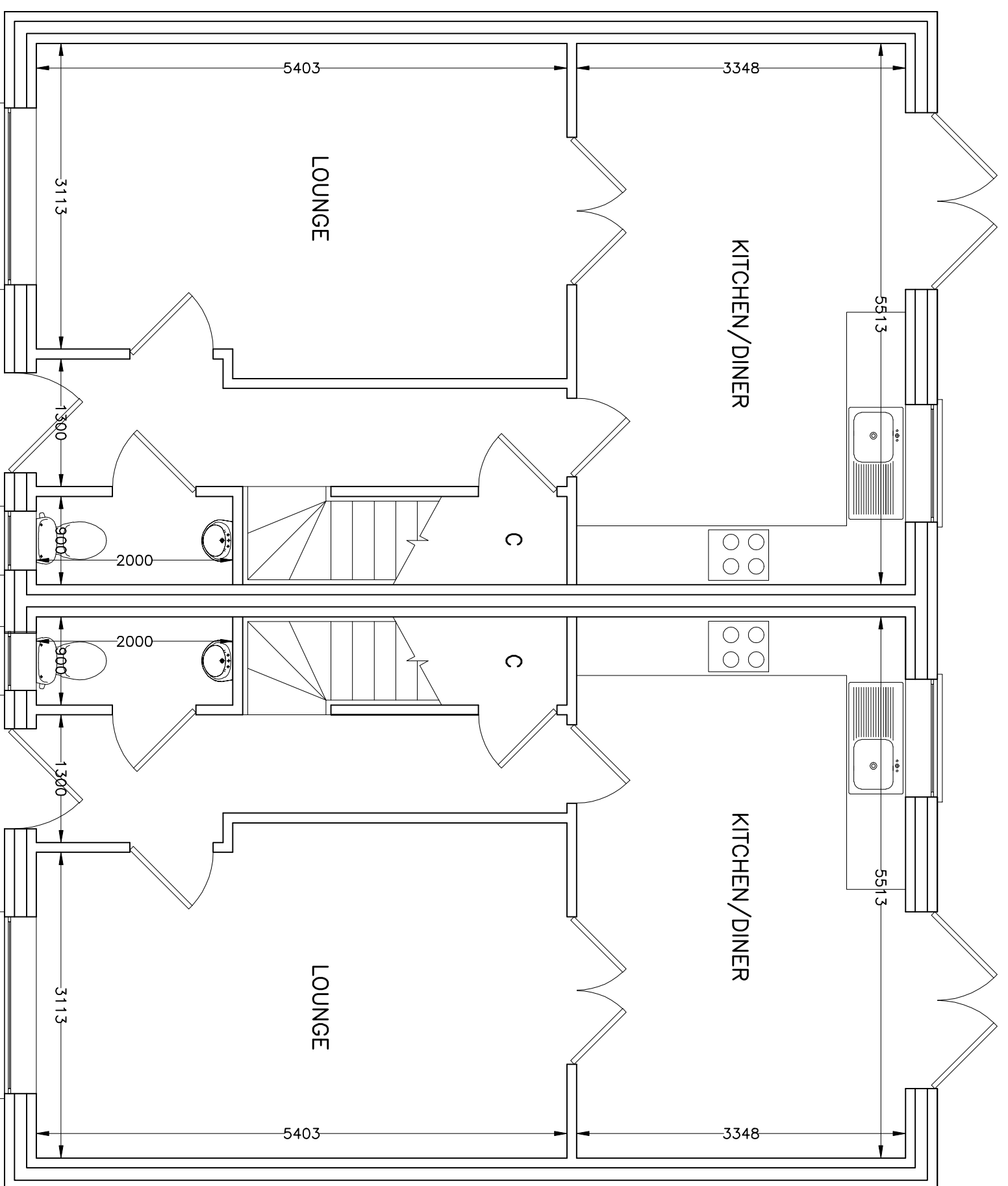
Created on: 05/12/2019

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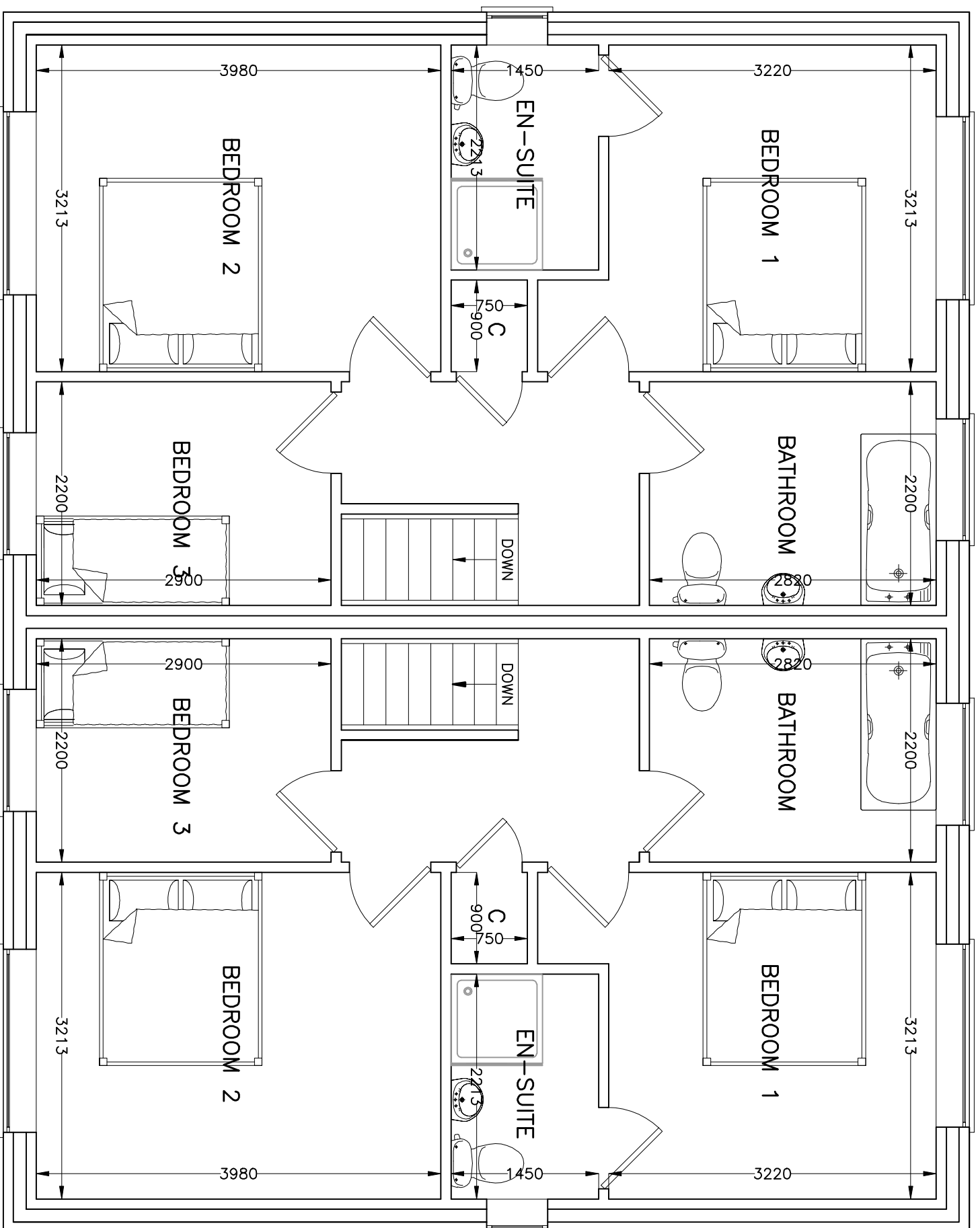
F/YR19/1028/F

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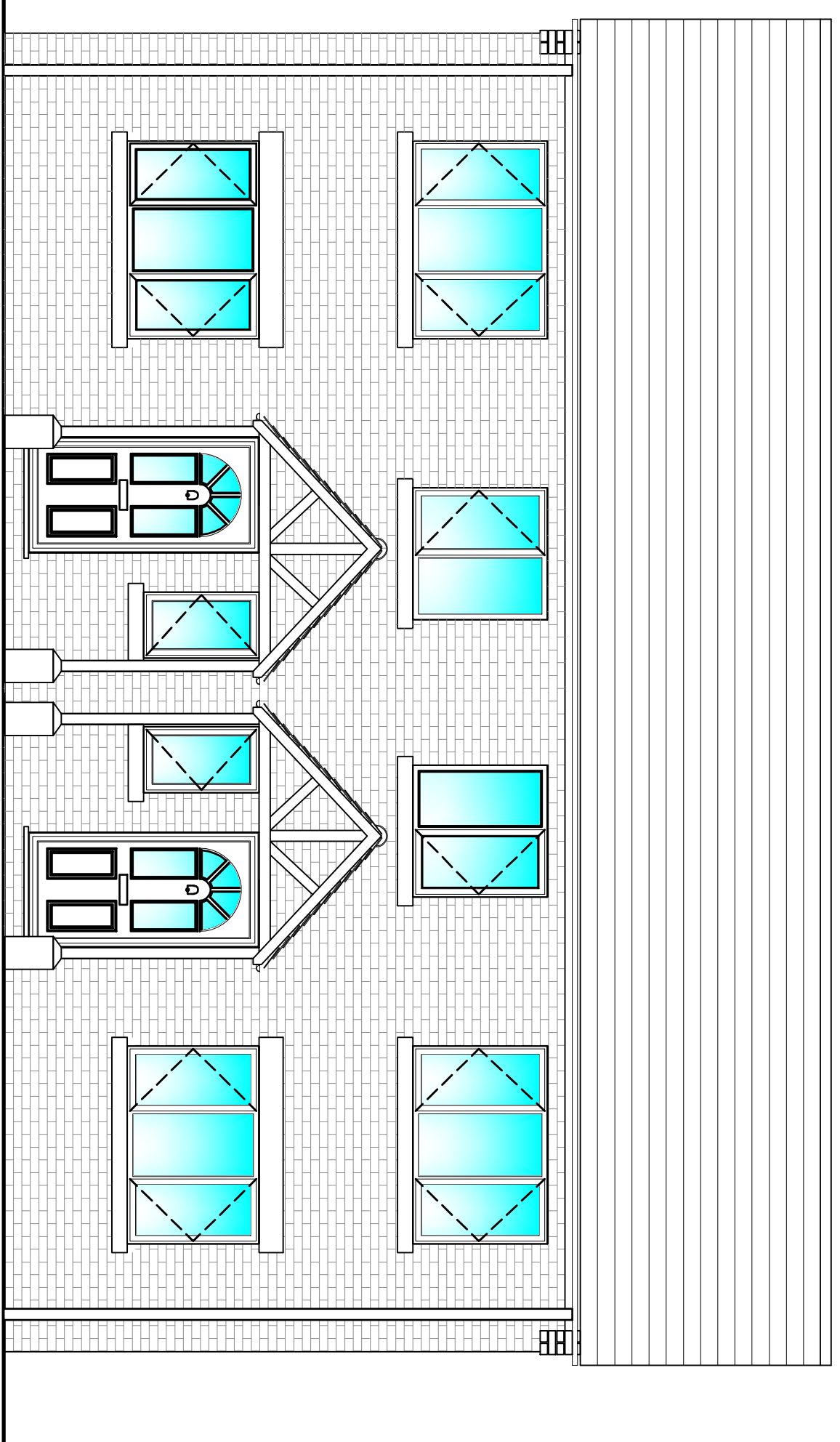




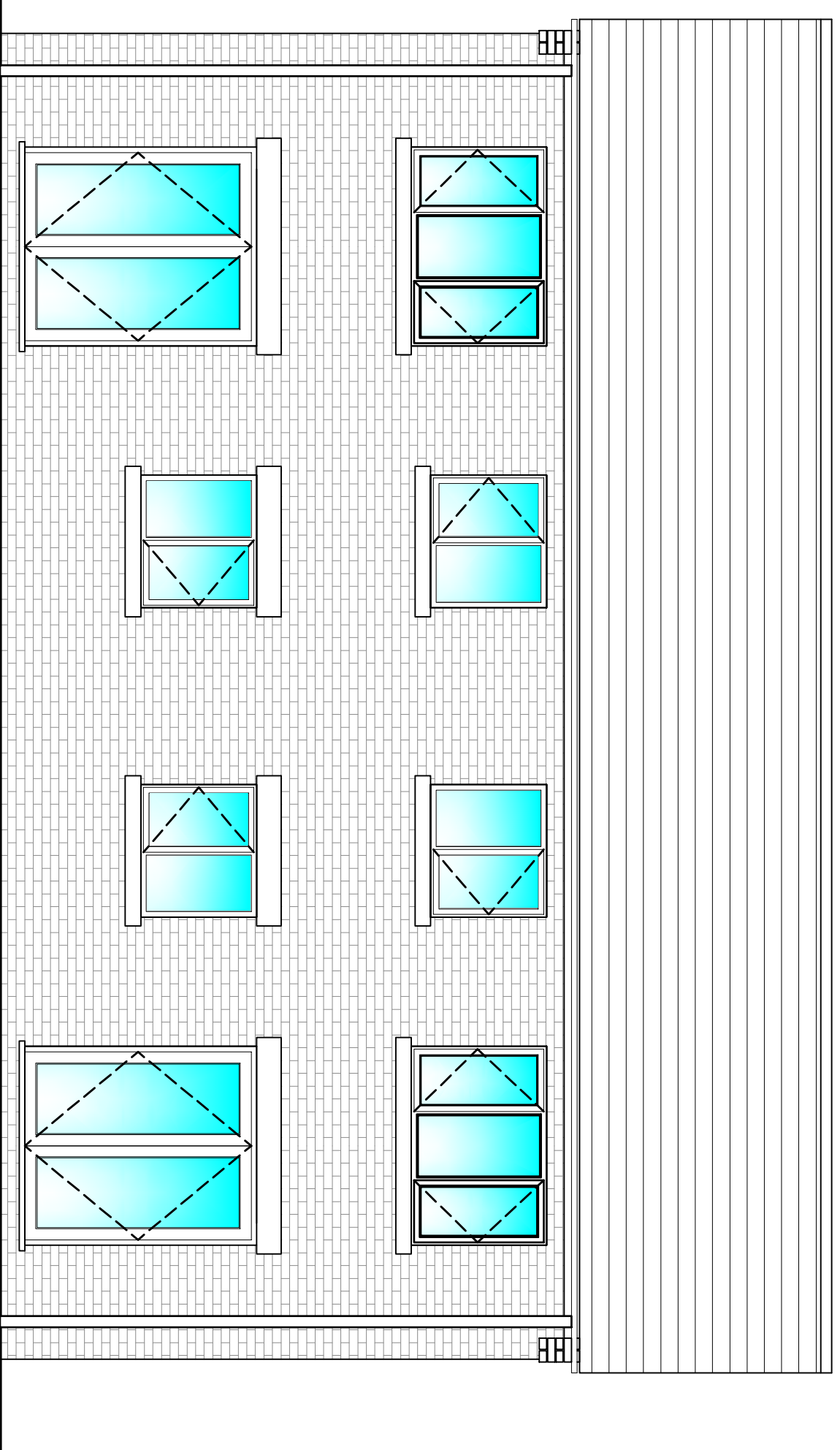
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(1:50)



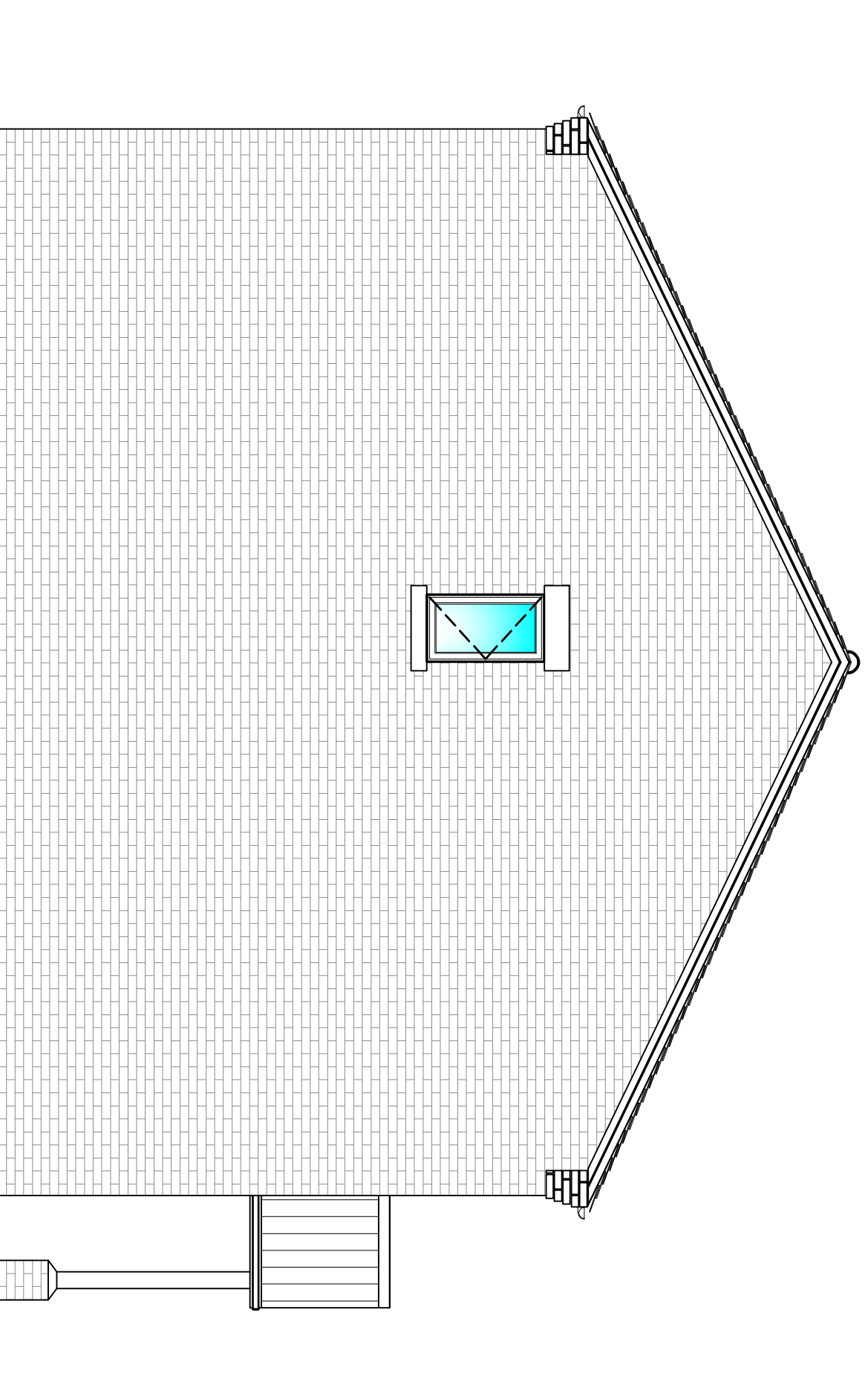
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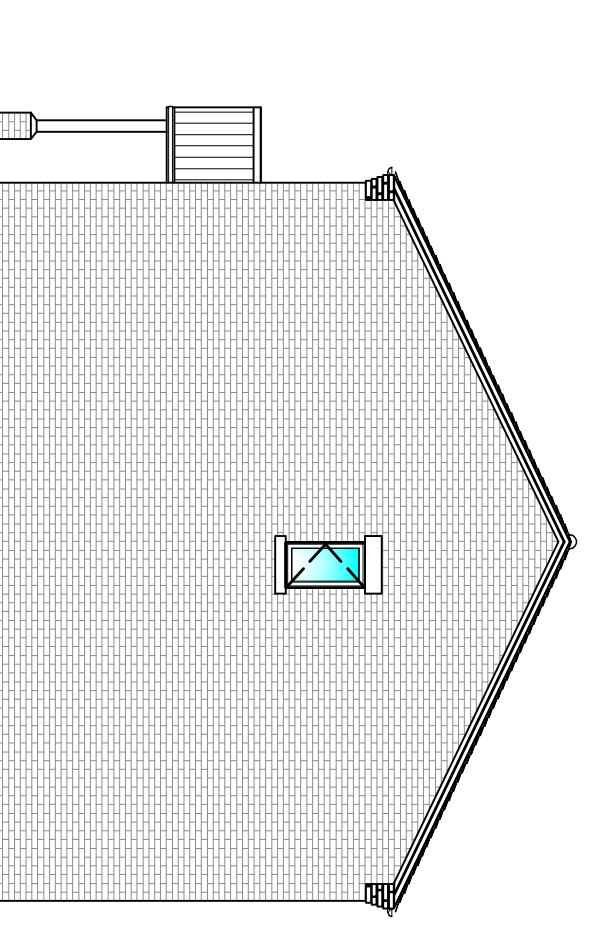
PROPOSED FRONT ELEVATION
(1:50)



PROPOSED REAR ELEVATION
(1:50)



PROPOSED LHS ELEVATION
(1:50)



PROPOSED RHS ELEVATION
(1:100)

MATERIALS
 WALLS : RED BRICK (SANDRINGHAM RED BLEND) OR SIMILAR
 ROOF : MARLEY MODERN PAN TILE GREY
 JOINERY : WHITE UPVC
 GUTTER : BLACK UPVC
 & DOWNPIPES

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 Contractor to check all dimensions on site before work starts or materials are ordered. Do not scale, if in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, products and workmanship are not fully specified, the contractor shall refer to the drawings and specifications to be inferred from the purpose stated in or otherwise stated in the contract documents.
 All products and materials to be handled, stored, prepared and used in accordance with the manufacturer's current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and also to obtain completion certificate and Form of 15, the '13' sign.

REVISIONS	DATE
B DRAWING UPDATED	FEB 20
A PLANNERS COMMENTS	NOV 19

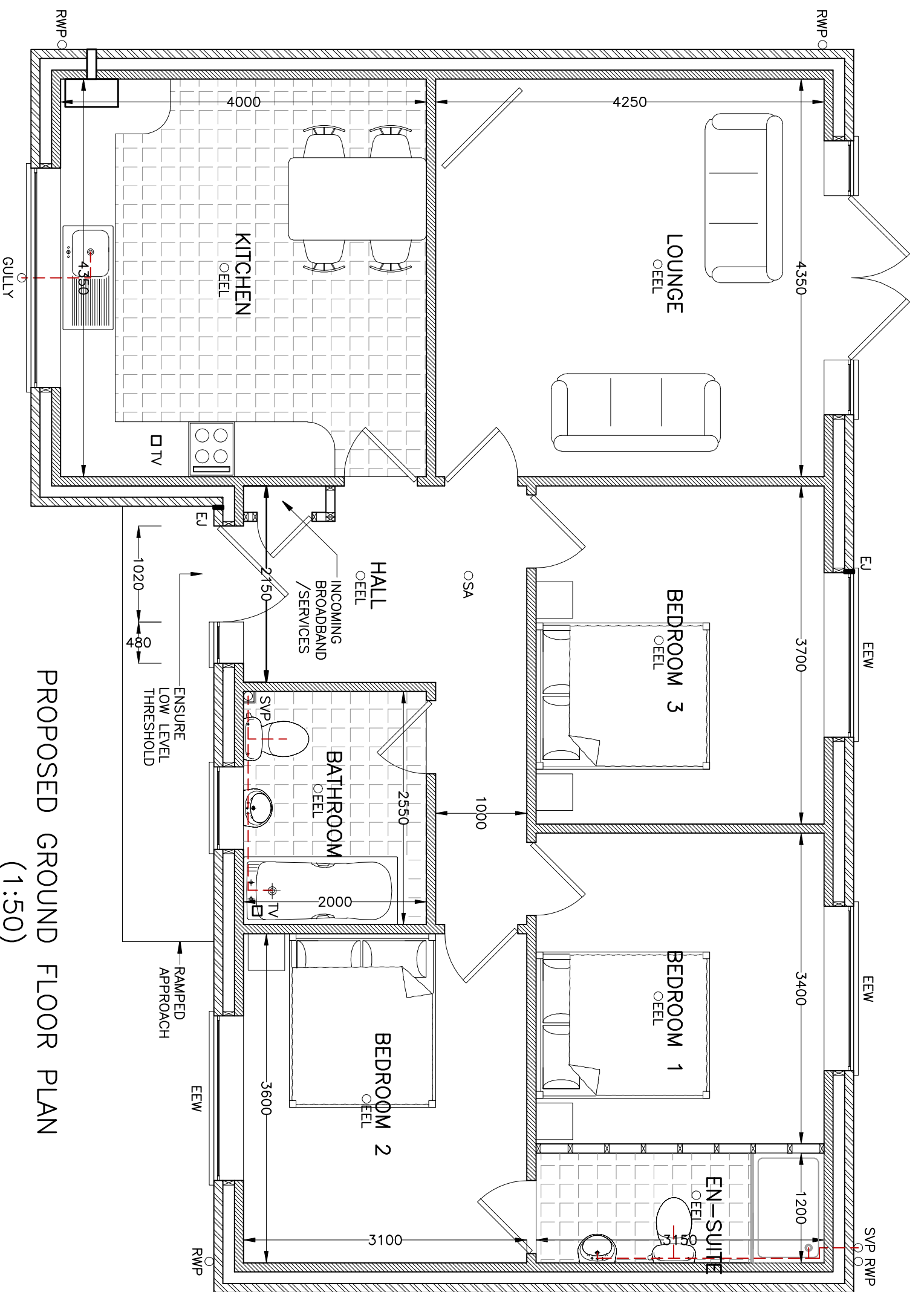
MORTON & HALL
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 1 Gordon Avenue,
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 PE15 5AU
 Tel: 01354 655454
 Fax: 01354 650467
 Email: info@mortonandhall.com
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Building
 Design Awards
 Winner
 Building Excellence in Practice

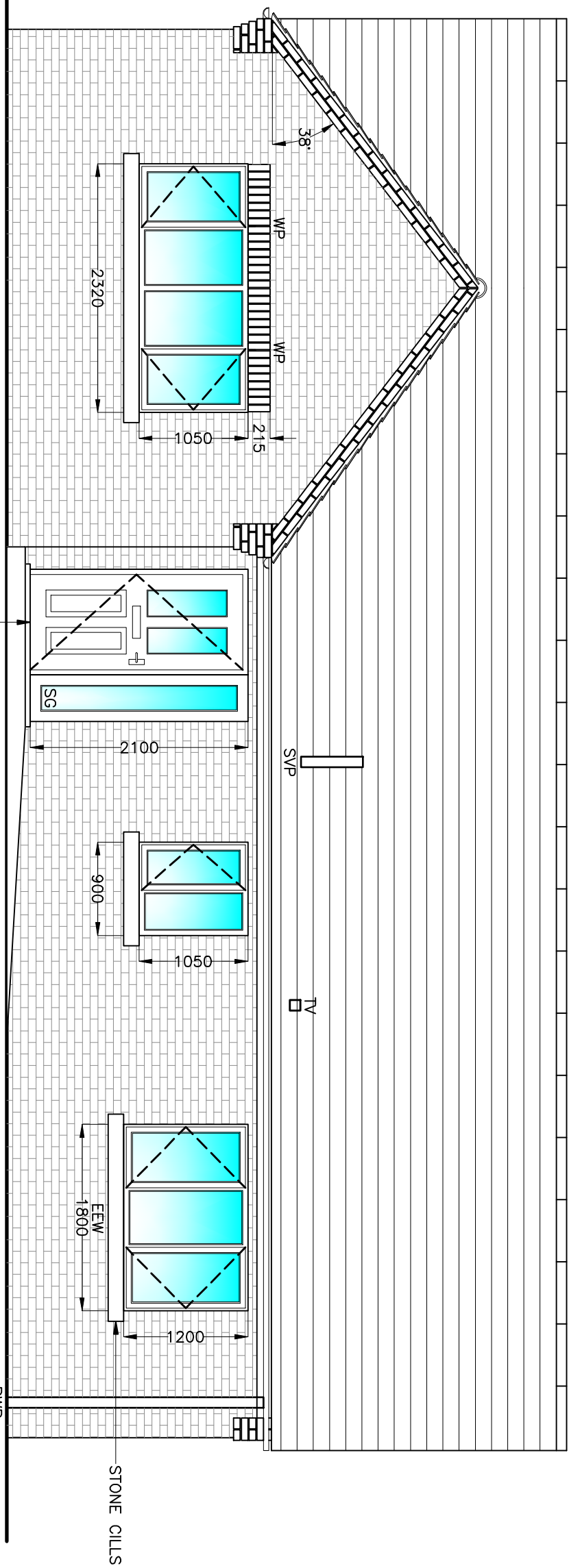
Client: **March Braza Club**

Land North of
 March Braza Club
 Elm Road, March
 Cambridgeshire, PE15 8NZ

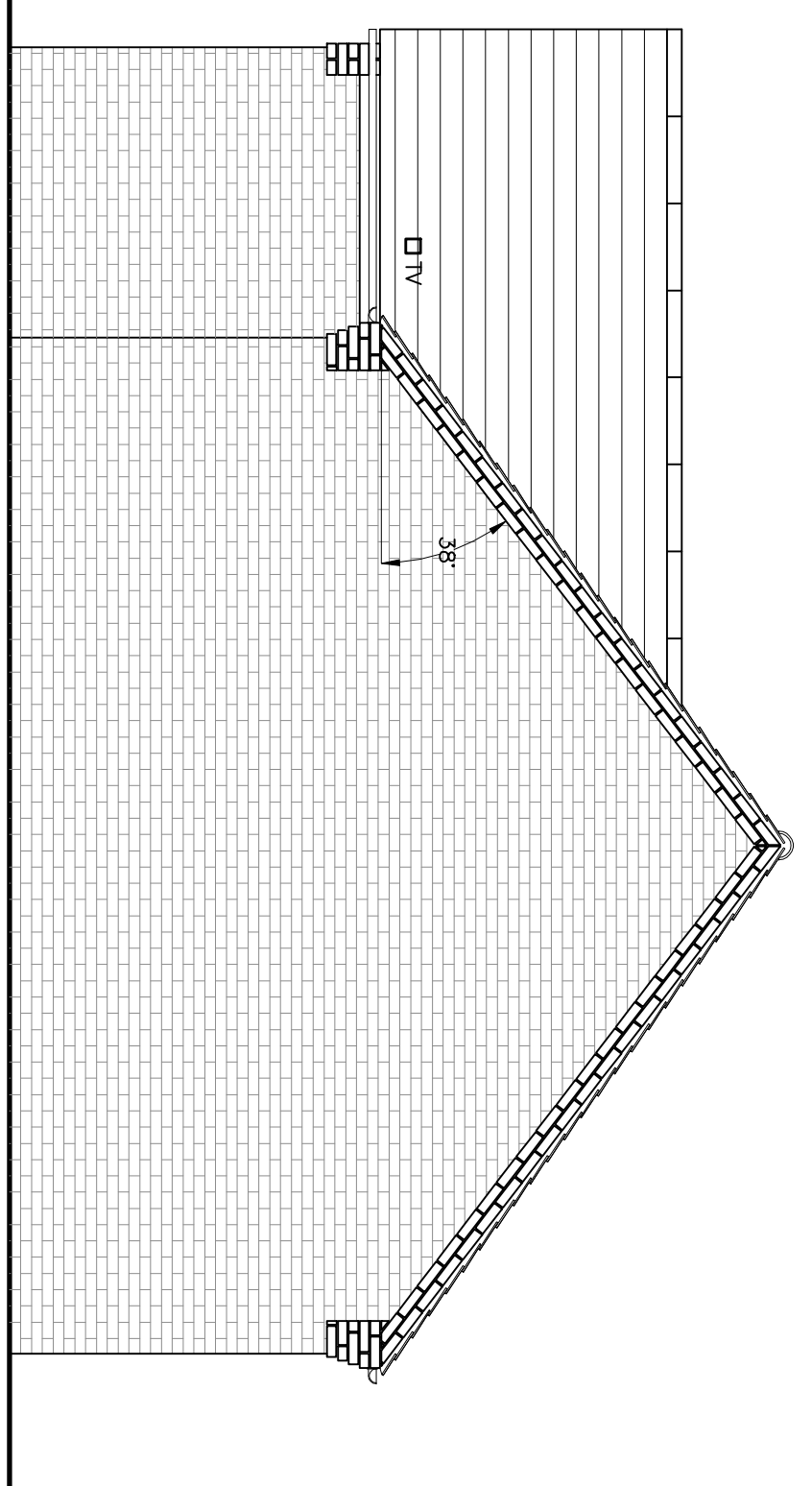
Plot: PLOT 3-4-5-6	Drawn by: J.Scotchlar	Scale of sheet: 1:100
Date: Sept 2019	Checked by: J.Scotchlar	Sheet number: H6520/405a
Scale: 1:100 1:1250		



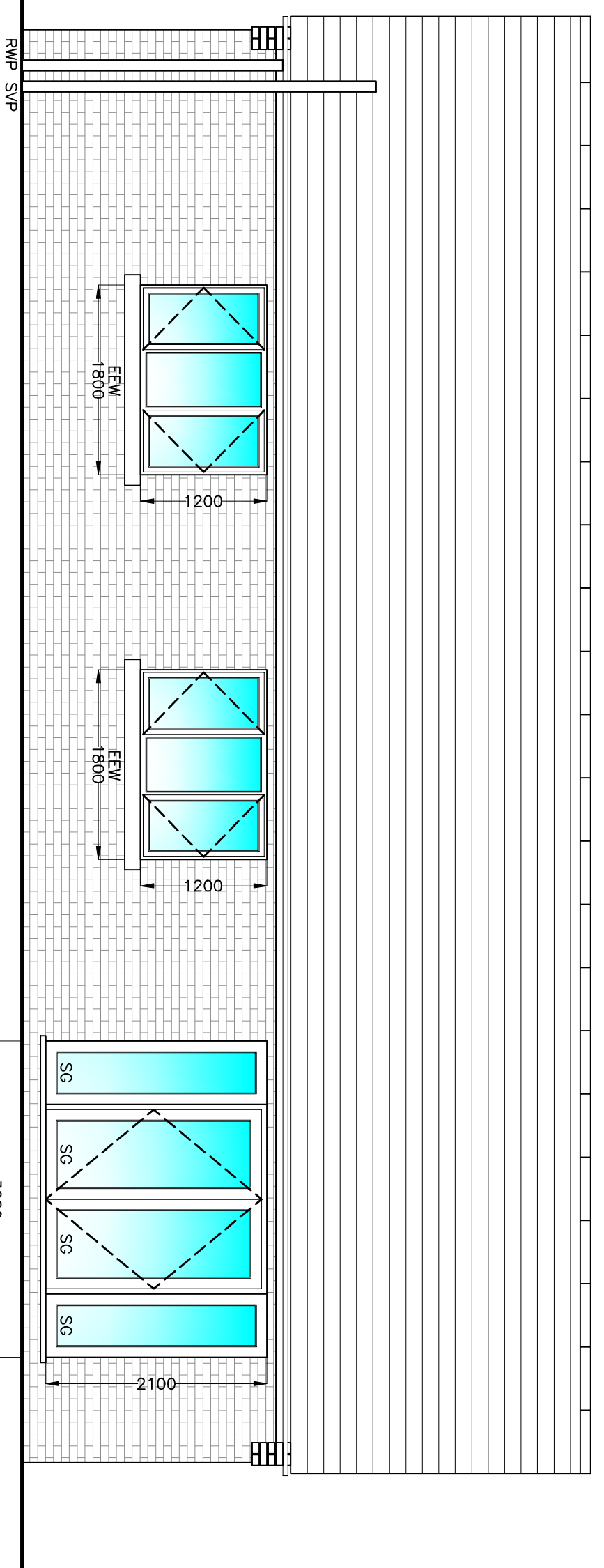
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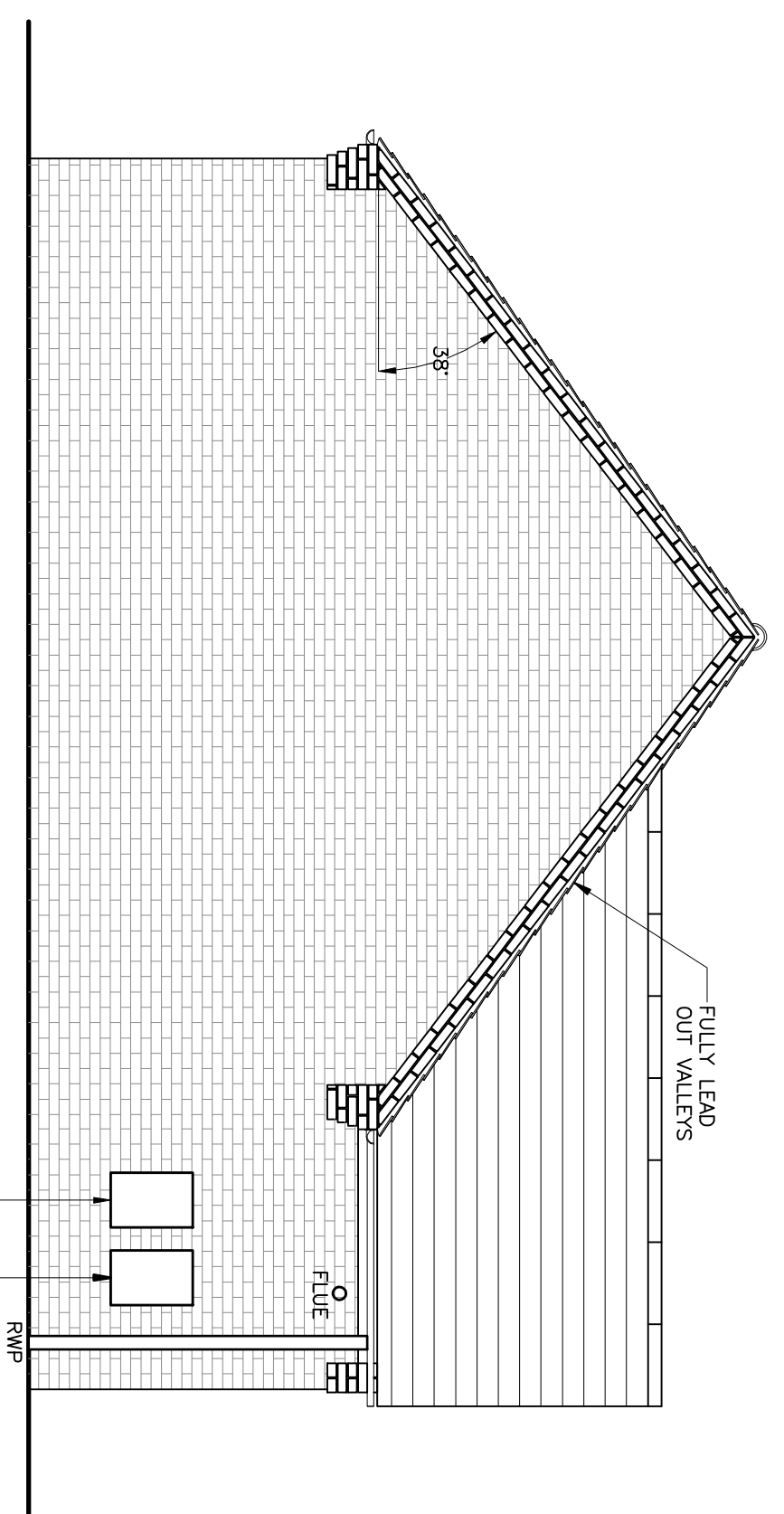
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PROPOSED RHS ELEVATION
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PROPOSED REAR ELEVATION
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PROPOSED LHS ELEVATION
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 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and also obtain completion certificate and Form 15, the 'Sign-off'.

REVISIONS	DATE
A DRAWING UPDATED	FEB 20

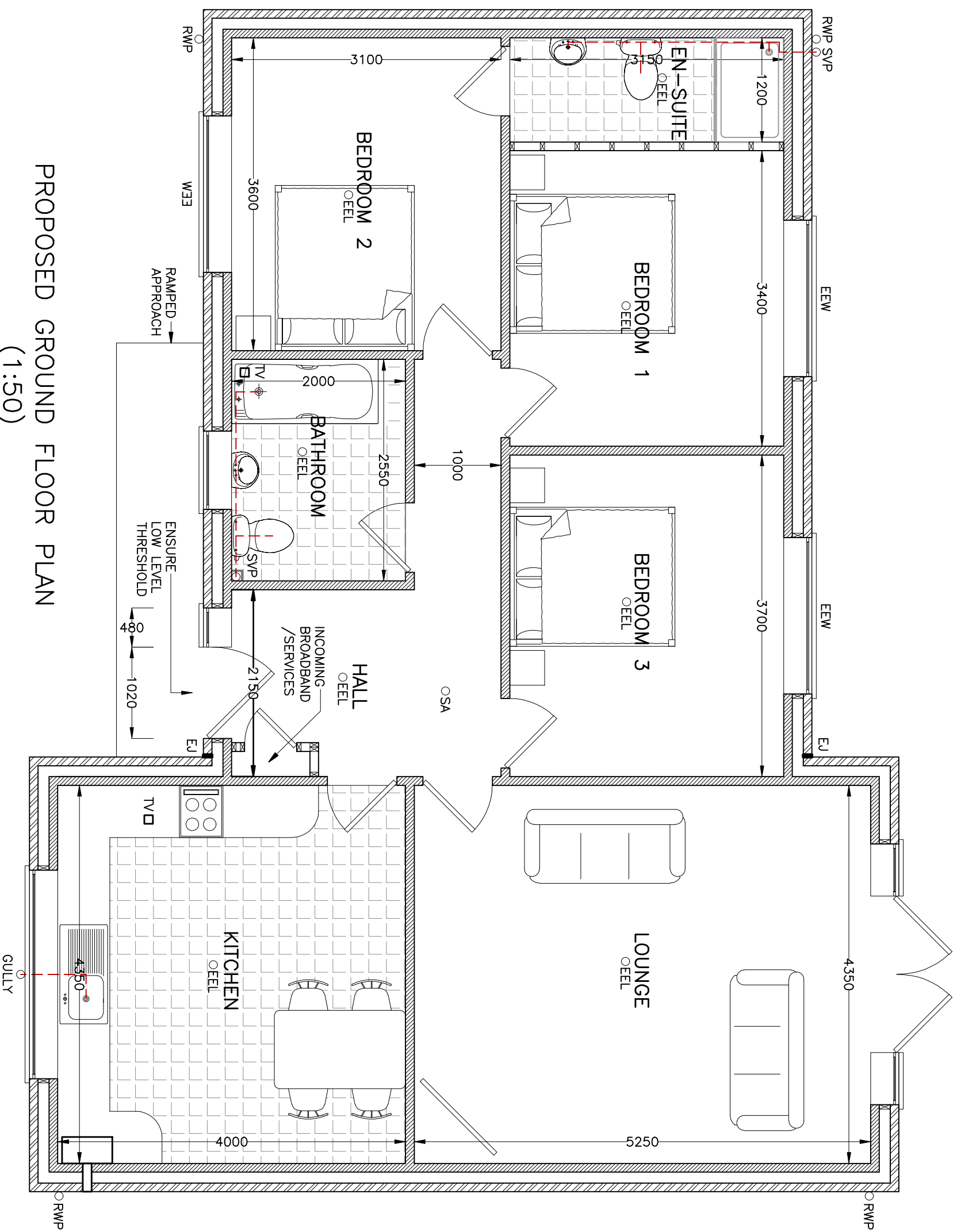
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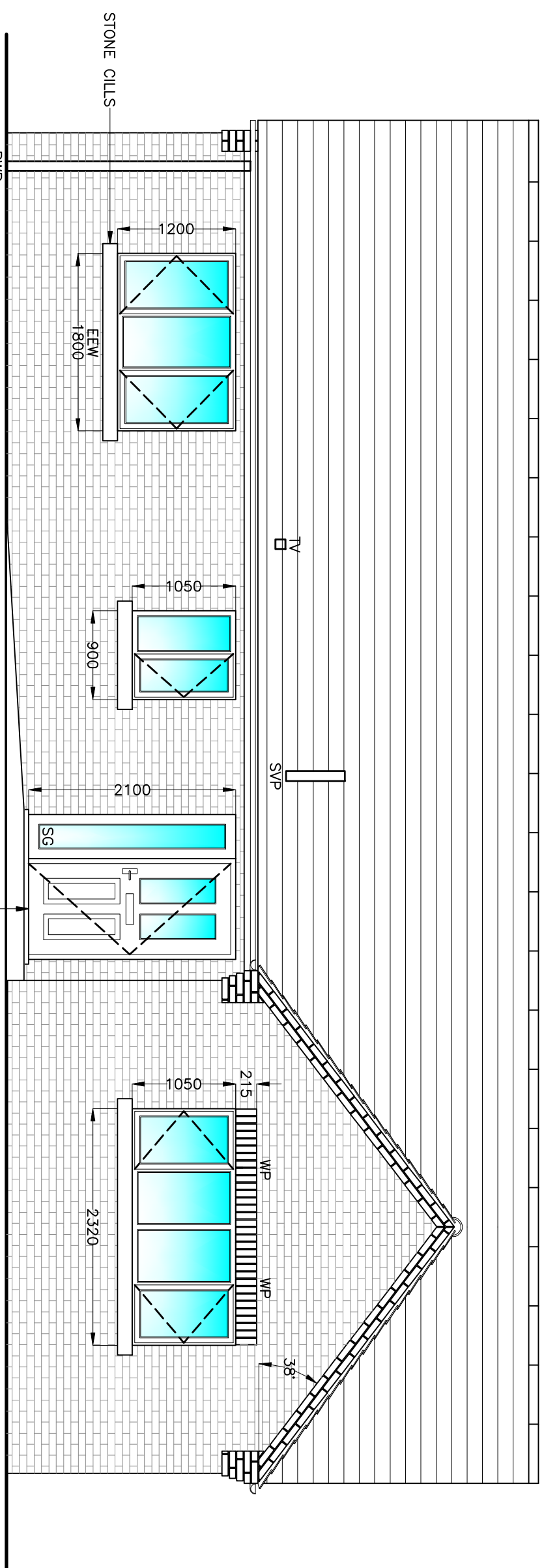
Client: **March Braza Club**

Plot 2
 Land North of
 March Braza Club
 Elm Road, March
 Cambridgeshire, PE15 8NZ

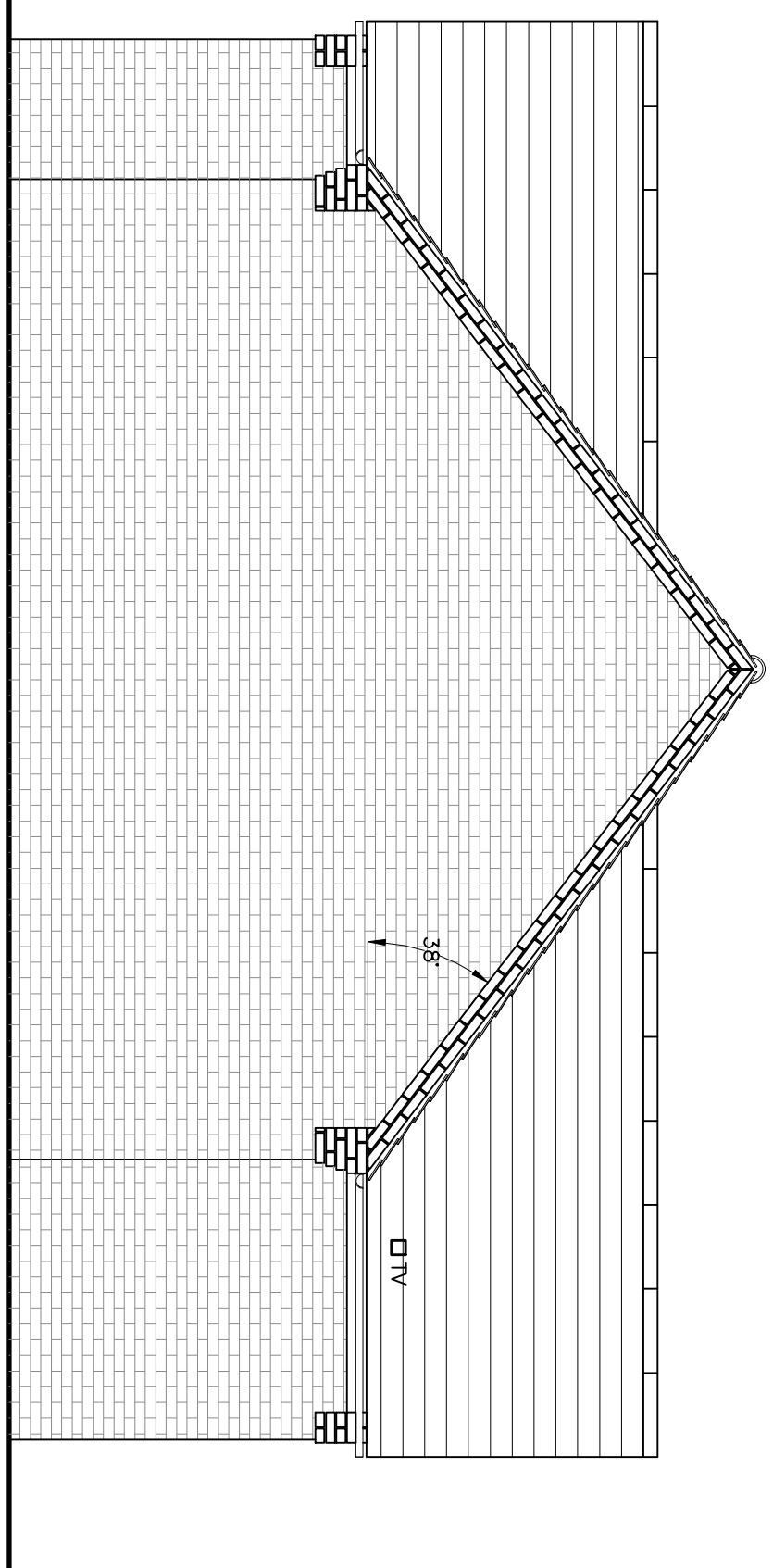
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Checked: Sptl 2019	Issue number:
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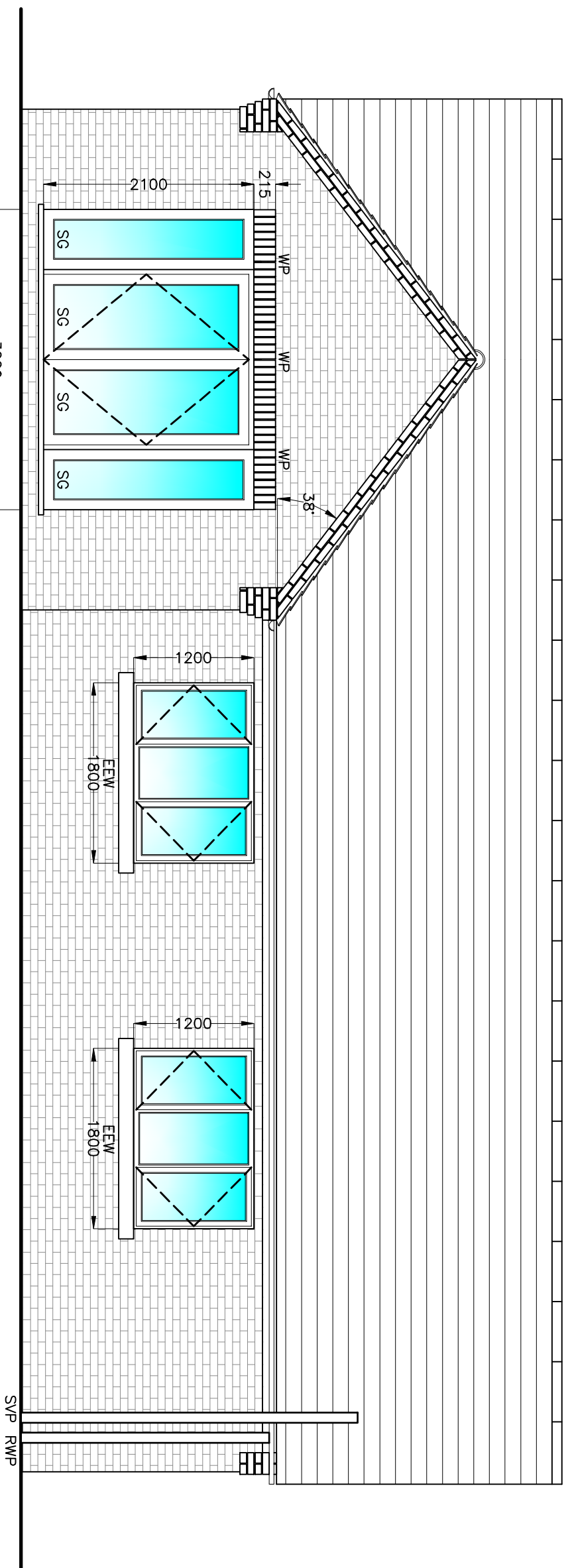
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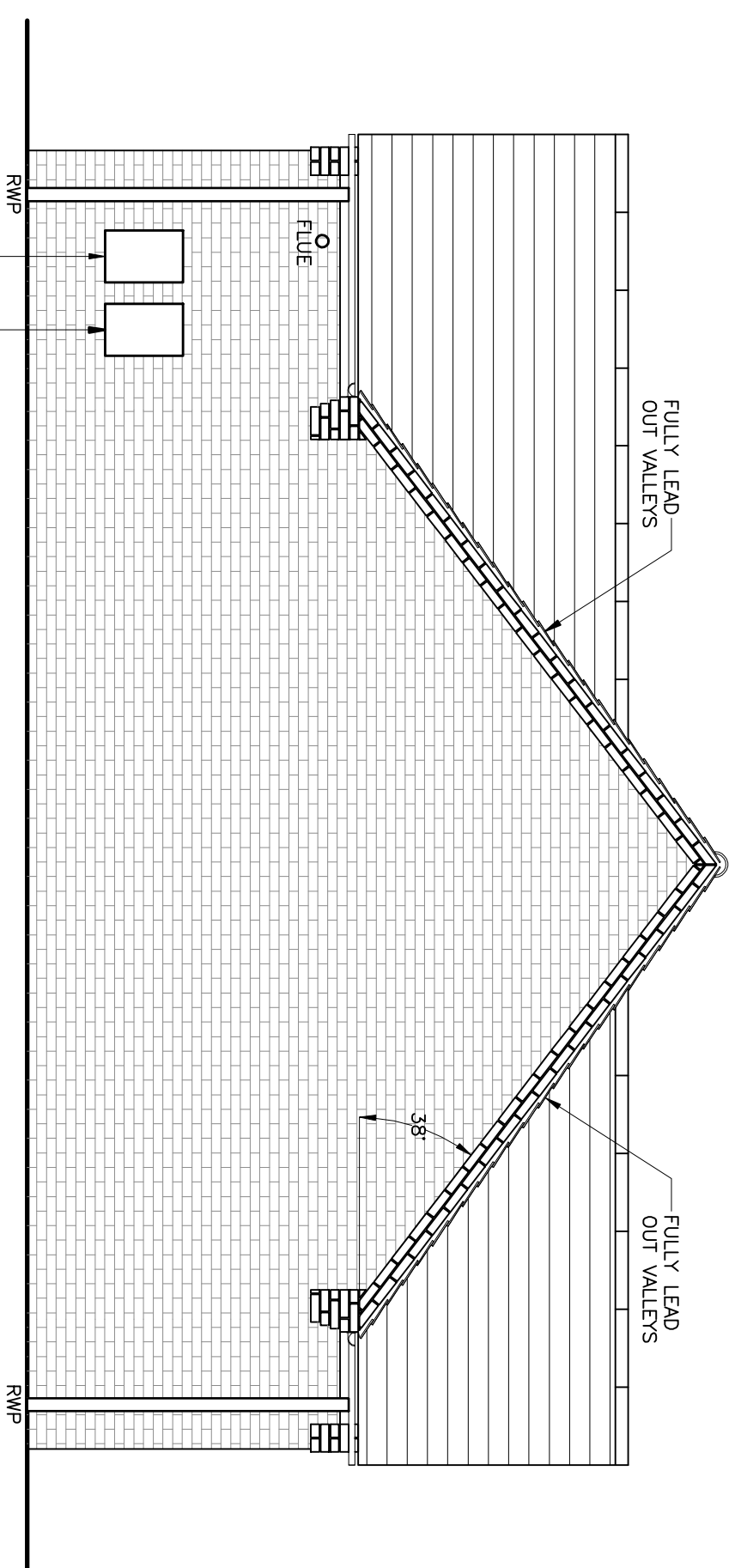
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PROPOSED LHS ELEVATION (1:50)



PROPOSED REAR ELEVATION (1:50)



PROPOSED RHS ELEVATION (1:50)

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REVISIONS	DATE
A DRAWING UPDATED	FEB 20

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Building
 Building Regulations Approved
 Approved Insulation by Product

CLIENT	March Braza Club
PROJECT	Land North of March Braza Club Elm Road, March Cambridgeshire, PE15 8NZ
DATE	Sept 2019
SCALE	1:100 1:1250
DRAWING NUMBER	H6520/407A

F/YR19/1075/F

Applicant: Mr Steve Fradley

**Agent : Mr Chris Walford
Peter Humphrey Associates Ltd**

Land South Of 1, Otago Road, Whittlesey, Cambridgeshire

Erect 1no dwelling (2-storey, 3-bed) and boundary close boarded fence approx 1.8m high

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

1 EXECUTIVE SUMMARY

- 1.0 The application seeks full planning permission for a detached, single-storey, 2 bed dwelling.
- 1.1 The area is characterised by substantial single-storey dwellings to the south, on large plots with the dwellings set back some distance from the highway, to the east are more modest semi-detached and detached single-storey dwellings on smaller plots.
- 1.2 The proposal is located on land to the front of the recently constructed properties of 27 and 27A Drybread Road and would create tandem development at odds with the character, form and scale of the properties to the south on Drybread Road, which it is considered have the closest relationship with the site. In addition the proposal would create an incongruous feature which would erode the spacious character of the area. It should be noted that development on this site has twice been refused and dismissed on appeal for this reason.
- 1.4 Whilst the principle of developing this site is supported by Policy LP3 and there are no issues in respect of residential amenity, parking/highways and flood risk, the scheme is overall considered to be unacceptable for the above reasons.

2 SITE DESCRIPTION

The application site is located on a prominent corner plot at the junction with Otago Road and Drybread Road, Whittlesey, sited in front of the recently constructed dwellings of 27 and 27A Drybread Road, the access being shared with these single-storey properties. The site comprises of a grassed area enclosed by a low level brick wall, low level close boarded fence to the west, 1.8m high fence to the north and Herras fencing to the roadside.

3 PROPOSAL

The application seeks full planning permission for a detached, single-storey, 2 bed dwelling. This measures 10m x 9m and 5.2m in height, with accommodation comprising of kitchen, lounge/diner, bathroom and 2 bedrooms.

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

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=Q2G50PHE0D800>

4 SITE PLANNING HISTORY

F/YR18/0463/F	Erection of a 2-storey 3-bed dwelling	Refused 12/07/2018
		Dismissed on Appeal 12/04/2019
F/YR17/0255/F	Variation of condition 9 to enable amendment to approved plans of planning permission F/YR16/1022/F (Erection of 2 x single-storey 3-bed dwellings involving the demolition of existing dwelling (part retrospective)) relating to landscaping changes	Granted 15/05/2017
F/YR17/3007/COND	Details reserved by condition 6 of planning permission F/YR16/1022/F (Erection of 2 x single-storey 3-bed dwellings involving the demolition of existing dwelling (part retrospective))	Approved 15/02/2017
F/YR16/1022/F	Erection of 2 x single-storey 3-bed dwellings involving the demolition of existing dwelling (part retrospective)	Granted 04/01/2017
F/YR15/0899/F	Erection of a single-storey 3-bed and a single-storey 4-bed dwelling with detached garages involving the demolition of existing dwelling	Refused 02/12/2015
		Dismissed on appeal: 13/06/2016

5 CONSULTATIONS

5.1 North Level Internal Drainage Board

North Level District IDB have no comment to make with regard to this application.

5.2 Cambridgeshire County Council Highways Authority (06/01/2020)

I note Cllr Mayor's objection to the proposal. She mentions highway safety concerns but does not provide any details of the nature of her highway safety concerns.

The proposal provides a safe turning area so vehicles can enter and exit in a forward gear. Drybread and Otago Road are both low speed roads. The access is located on the outside of a 90 degree bend on Drybread Road with low vehicle speeds observed along the application site frontage. I can see no reason why this

application should be refused on highway safety grounds. The proposal will not result in any material harm caused to the highway network.

I have no highway objections subject to conditions;

1.) The building shall not be occupied until the means of vehicular access has been laid out and constructed in accordance with the approved plans.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

2.) The vehicle turning and parking spaces shown on the approved plans shall be provided before the development is brought into use and shall be retained thereafter.

Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

3.) Prior to first occupation of the development hereby approved, visibility splays shall be provided as shown on the approved plan and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason - In the interests of highway safety.

5.3 Cambridgeshire County Council Highways Authority (11/3/2020)

It is not paramount for the visibility splay to be provided at 2.4mx43m north of the access into Otago Road. The 43m 'Y' distance is required to allow vehicles emerging from an access to safely merge with traffic on a major road with 85th%ile vehicle speeds of 30mph. The 43m distance is only applicable to the visibility splays on Drybread Road, of which are achievable within the public highway reserve width. Otago Road has a give way junction where it intersects with Drybread Road. Vehicles travelling south bound along Otago Road will therefore be travelling at significantly lower speeds as they approach the junction. They will then wait at the junction to give way to traffic travelling along Drybread Road. This will allow vehicles sat waiting at the development access road to safely emerge and join Drybread Road or turn into Otago Road.

It is beneficial to have some form of visibility of vehicles approaching the Otago Road/Drybread Road junction when sat at the development access waiting to join Drybread Road. It is for this reason the vision splay that has been previously detailed by the agent has been considered acceptable by HDM and a condition imposed to secure it.

MfS2 10.7 suggests in certain low speeds scenarios it is acceptable for parked vehicles to cause an obstruction to visibility splays (without a risk to highway safety). That said, given the possibility of their being a van or a high sided vehicle park in application site parking spaces, I would have raised an objection to the parking layout in the event it effected/obstructed a critical vision splay. This is not the case. The illustration attached demonstrates suitable inter-visibility is achieved between the development access and Otago Road when a vision splay is formed to the south of the parked vehicles proposed by this application. I am happy for the visibility splay condition to be amended to reflect this, if considered necessary from a condition compliance point of view.

5.4 Environment & Health Services (FDC) (2/1/2020)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development, as it is unlikely to have a detrimental effect on local air quality and the noise climate, or be affected by ground contamination.

5.5 Environment & Health Services (FDC) (25/2/2020)

I can confirm that I have no objections to make from an environmental health standpoint in respect of the recently submitted revised plans.

5.6 Cllr Mrs Mayor (2/1/2020)

As one of the ward councillors for Bassenhally Ward Whittlesey, in which this application sits, I wish to register my objections to the above application.

This site has history where applications have been refused and appeals dismissed and I would concur with the reasons for the dismissal of the appeal.

Whilst this application is slightly different to that of F/YR18/0463 - in some small way it is very much the same. However it is the location of the proposed development that concerns me.

The Inspector's reasons for refusal of that application includes -

- the Visual relationship with dwellings on Otago Road*
- Building line with nos. 27 and 27A Drybread Road*
- Tandem form of development out of keeping with the Building Line*
- Conflict of LP16*

The Inspector also mentioned the Highway Safety aspect, although did not go into detail as felt that the above gave sufficient reasons to dismiss the application without actually looking at the Highway Safety; although personally I would also object on highway safety grounds.

In my opinion none of the above reasons for dismissing the appeal have changed and it is for these reasons that I would register my objection to the application.

5.7 Cllr Mrs Mayor (19/2/2020)

My views have not changed so I should be pleased if you would accept this email as my response - I do object to the application.

5.8 Cllr Mrs Mayor (23/3/2020)

(Following the publication of the agenda for the cancelled Planning Committee meeting on 25 March 2020)

I believe that this new application is similar to the application that was refused and dismissed on appeal although not a two-storey property.

As one of the ward councillors I have already submitted my objection to the planning officer – my objections are as follows:

- The visual relationship with dwellings on Otago Road*
- Building line with nos 27 and 27A Drybread Road*
- Tandem form of development out of keeping with the building line*
- Conflict of LP16*

ALL of these were also included in the Inspector's refusal of the previous application.

Para 21 of the Inspectors Appeal decision comments – I have had regard to other matters raised including concerns about highway safety. However, as I am dismissing the appeal on the main issue for the reasons above, I have not pursued these matters further.

I think that is very unfortunate, as the papers for all the above applications the highways engineers' comments make very interesting reading.

The conditions of the first application granted for the two dwellings indicate “visibility splays shall be provided each side of the vehicular access and such splays shall thereafter be maintained free from obstruction”; and also “on site/parking/turning shall be laid out in accordance with the approved plan and thereafter retained for that specific purpose”

Condition 7 of the same decision notice (F/YR16/1022/F) Reasons 3 – To safeguard the amenities currently enjoyed by the occupants of adjoining dwellings and Reason 4 In order to control future development and to prevent the site becoming overdeveloped. In accordance with Policies LP2 and LP16 of the FLP 2014.

The junction of Drybread Road and Otago Road is in proximity to the Alderman Jacobs Primary School and the whole area becomes very congested during school times; although there is a 20mph speed restriction in place it is very rarely adhered to.

I should like to question whether the CCC Highways report is a desktop study or whether in fact the site has been visited. From some of the comments I can only deduce that no highways engineer has visited and witnessed the traffic at the corner/junction.

I would draw members attention to the letters of support for the current application which are not individually composed but are copies/duplication of a statement showing different names and addresses; the only letter of objection from a resident is an obvious self-written letter/email correspondence

I will support Officers recommendation to REFUSE the application.

5.9 Parish/Town Council (10/1/2020)

Cllr Mrs Mayor as district councillor has submitted a recommendation for refusal.

The Town Council recommend refusal as this application new premises will have a dominant effect on 27 and 27A. Even more out onto Otago than previous application, send response to Gary and Kay prior to sending to FDC

5.10 Parish/Town Council (09/03/2020)

The Town Council recommend refusal of this application as the new premise will have a dominant effect on 27 and 27A. To elaborate further it will also effect the visual relationship with dwellings on Otago Road, the Tandem form of development is out of keeping with the building line and conflict of LP16. There are also concerns over access and highway issues.

5.11 Local Residents/Interested Parties

One objection has been received in respect of overlooking and loss of privacy, overshadowing, highway safety, lack of parking/turning and the impact on character.

Six proforma responses have been received supporting the application, advising the following:

I am in full support of the planning application to erect 1 new dwelling at the land south of 1 Otago Road, Whittlesey, Peterborough, Cambs.

The new dwelling will significantly improve the appearance of the currently unused waste ground.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide (NDG) 2019

Context – C1

Identity – I1

Built Form – B2

Movement

Homes and Buildings

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP11 – Whittlesey

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

7.5 Delivering and Protecting High Quality Environments SPD 2014;

DM3 – Making a Positive Contribution to Local Distinctiveness and Character of the Area

8 KEY ISSUES

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Parking and Highways**
- **Flood Risk**

9 BACKGROUND

- 9.1 This site has been subject to recent redevelopment, with the single-storey dwellings to the rear (27 and 27A Drybread Road) having obtained planning permission in 2017 and been constructed.
- 9.2 A previous application (F/YR15/0899/F) was submitted for tandem development on the site (plot 2 being located partially on the application site) this was refused due to the tandem layout having an adverse impact on the streetscene and plot 2 being at odds with the pleasant open character of this part of Drybread Road. In addition the proposed layout resulted in a poor relationship between the dwellings and outlook for plot 1. This decision was subsequently appealed (APP/D0515/W/16/3144033) and dismissed, the inspector concluding that the development would cause harm to the character and appearance of the area.
- 9.3 Subsequently application F/YR18/0463/F was submitted for a 2-storey dwelling on this plot, which was refused due to the creation of tandem development at odds with the character, form and scale of the properties on Drybread Road. This was then dismissed on appeal, the inspector concurring with the view that the site's relationship is more closely related to Drybread Road and that the proposal would interrupt the spacious character of land to the front of dwellings, resulting in an incongruous form of development.

10 ASSESSMENT

Principle of Development

- 10.1 The application site is located within the settlement of Whittlesey which is identified within the Settlement Hierarchy as a Market Town; Market Towns are identified within Policy LP3 as the focus for housing growth, accordingly there is a presumption in favour of development within this location. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of residential or visual amenity, design, parking, highways and flood risk.

Design considerations and visual amenity of area

- 10.2 The area is characterised by substantial single-storey dwellings to the south, on large plots with the dwellings set back some distance from the highway, to the east are more modest semi-detached and detached single-storey dwellings on smaller plots. To the north of the site is the single-storey dwelling of 1a Otago Road which is considered to be backland development (granted in 1989 in different policy circumstances) and the 2-storey semi-detached dwellings of 1-3 Otago Road; on the eastern side of Otago Road are further single-storey dwellings.

- 10.3 The proposal is located on land to the front of the recently constructed properties of 27 and 27A Drybread Road on a constrained site capable of achieving only a modest dwelling and creating tandem development, at odds with the spacious character, form and scale of the properties to the south on Drybread Road, which it is considered have the closest relationship with the site.
- 10.4 The Drybread Road properties are set back from the highway a considerable distance, featuring large front gardens which add to the open character of this area. The proposal is located on a prominent corner plot visible on the approach in either direction along Drybread Road and it is considered this would create an incongruous feature which erodes the spacious character of the area and is located considerably forward of the established building line to the south, to the significant detriment of the character of the area.
- 10.5 The Planning Inspector for the most recent appeal (18/3212048) concluded that *'The generous front gardens and low height of the row of Drybread Road dwellings, together with the green space at street corners, contribute a spacious quality to the area. The appeal site is currently laid to grass and consequently adds to the spacious character of corners in the vicinity.'*
- 10.6 It is acknowledged that the proposal has been re-orientated and re-designed in an attempt to provide a relationship with Drybread Road and appear less prominent, however this is not considered to resolve the fundamental issues of the creation of tandem development and erosion of the spacious and open nature and large plots, which form the prevailing character of the area.
- 10.7 The proposal is therefore considered to be contrary to paragraphs 127 and 130 of the NPPF 2019, LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments SPD 2014 and C1, I1 and B2 of NDG 2019.
- 10.8 It is recognised that the plot does look unsightly in its present state and does not appear to have any linkage with the surrounding area, however there is no reason the owner could not improve the visual amenity of the site or indeed potentially incorporate this land into garden to serve 27 and 27A Drybread Road. Whilst it is acknowledged that the site as existing does not necessarily have a positive impact on the area, the harm created by the proposal is considered to outweigh any benefit of the development.
- 10.9 There is a variety of materials in the vicinity and as such the proposed T.B.S Grantchester Blend brick and Sandtoft grey plain smooth concrete tiles are considered to be acceptable.

Residential Amenity/Health and wellbeing

- 10.10 To the rear of the site are the single-storey dwellings of 27 and 27A Drybread Road, it is acknowledged that the relationship with these dwellings and therefore outlook from these properties is not considered to be ideal. The front rooms of the existing dwellings are bedrooms and not main living areas and it should be noted that the previous appeal concluded that the tandem development then proposed would provide suitable living accommodation for occupiers and this scheme is of a more modest scale; overshadowing and loss of light is not considered to be significant due to the separation distance.
- 10.11 To the north of the site is the driveway to 1A Otago Road, it is noted that some additional overshadowing may occur as a result of the proposal, however this

would affect the driveway only and not the dwelling itself. The proposal would be visible but at 32m away from the front of this property the occupant's outlook is not considered to be significantly detrimentally affected.

- 10.12 To the north of the driveway is the 2-storey, semi-detached dwelling of 1 Otago Road, there are no first-floor windows in the gable end of this dwelling facing towards the site, though there is potential for oblique views of the garden serving the proposal. In terms of impact on this existing property by the proposed development, overlooking and loss of outlook is not considered to be an issue due to the separation distance and single-storey nature of the proposal. Loss of light/overshadowing is not considered to be significant as there is 17m between buildings.
- 10.13 To the front of the site on the opposite side of the road are the single-storey dwellings of 2 and 4 Otago Road and 29 Drybread Road. No.s 2 and 4 front Otago Road and as such only the areas already visible from the streetscene would be impacted by the proposed development and due to the single-storey nature of the development overlooking of the garden serving No.29 is not considered to be an issue.
- 10.14 To the south east of the site on the opposite side of the road is a large corner of open space with utilities cabinets located to the rear; this is not considered to be affected by the proposed development.
- 10.15 The proposed development is able to accommodate in excess of a third of the plot for private amenity space subject to suitable boundary treatments being provided.

Parking and Highways

- 10.16 The proposal is for a 2-bed dwelling and as such LP15 and Appendix A of the Fenland Local Plan 2014 advise that 2 parking spaces are required to be provided; the site plan submitted details the required parking provision and tracking has been provided to evidence that it is possible to exit the site in forward gear.
- 10.17 The proposal utilises the shared access serving 27 and 27A Drybread Road approved under F/YR16/1022/F which proposed tarmac for the first 10m (though this has not yet implemented) and the block paved driveway would be in conflict with this permission, however given that this would be of a bound material this is considered acceptable. The parking spaces are located within the 2.4m x 43m visibility splays required by Condition 3 of this permission and parked cars would create an obstruction in excess of 0.6m, however the Local Highways Authority have advised that a satisfactory visibility splay could be achieved and as such this is considered acceptable.

Flood Risk

- 10.18 The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly there are no issues to address in respect of Policy LP14.

11 CONCLUSIONS

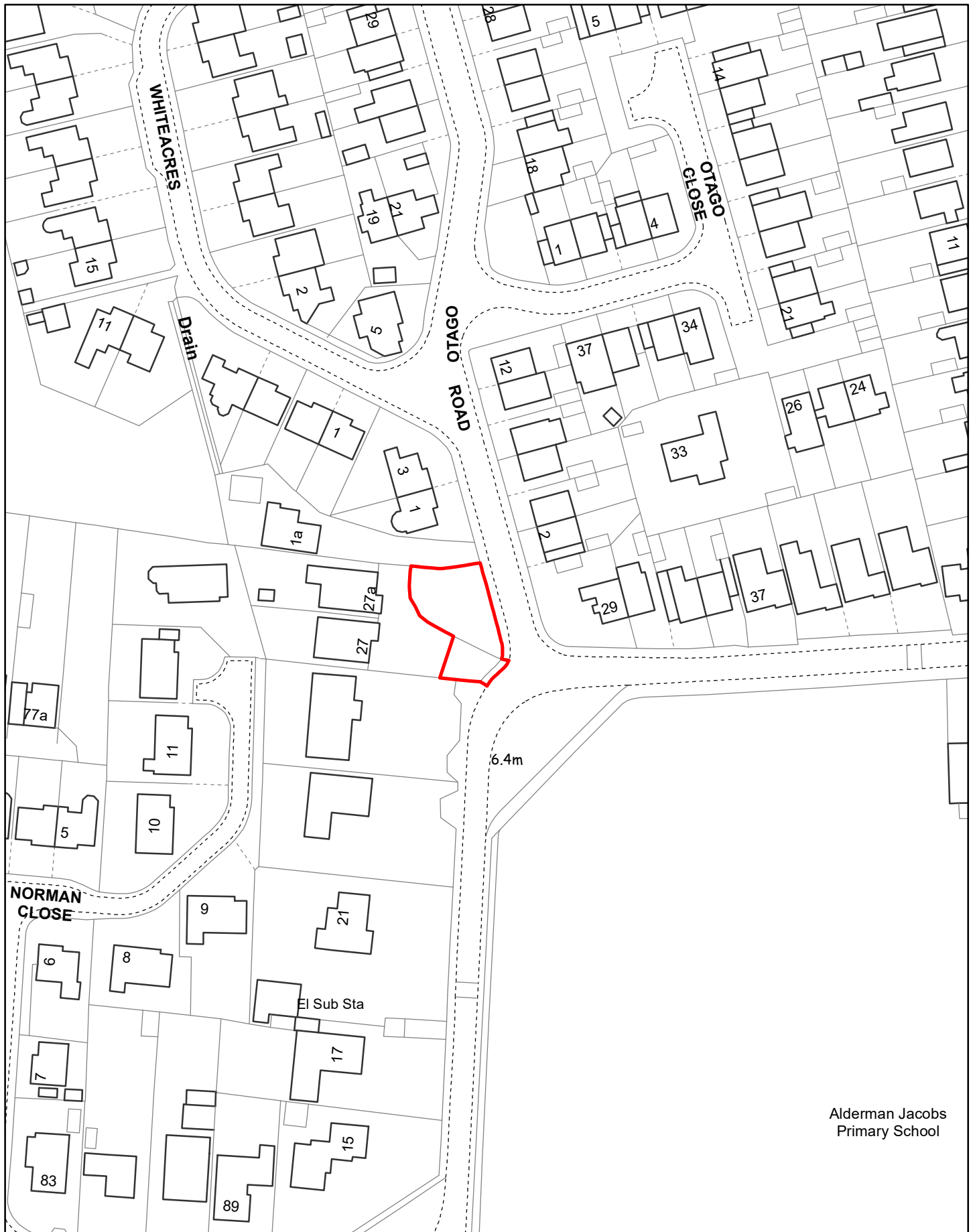
- 11.1 Whilst the principle of developing this site is supported by Policy LP3 and there are no issues in respect of residential amenity and flood risk, the scheme is overall considered to be unacceptable due to its failure to accord with paragraphs 127 and 130 of the NPPF 2019, LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments SPD 2014 and C1, I1 and B2 of NDG 2019 and Policy LP15 of the Fenland Local Plan 2014, para 108 (f) and 109 of the NPPF 2019.
- 11.2 The proposal would create tandem development at odds with the character, form and scale of the properties to the south on Drybread Road, which it is considered have the closest relationship with the site and is therefore considered to create an incongruous feature in the streetscene, to the significant detriment to character of the area. It should be noted that development on this site has twice been refused and dismissed on appeal for this reason.

12 RECOMMENDATION

Refuse for the following reason:

- 1 Policy LP16 (d) of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments SPD 2014, paragraphs 127 and 130 of the NPPF 2019, and C1, I1 and B2 of NDG 2019 seek to ensure that developments make a positive contribution to the local distinctiveness and character of the area and that the local built environment and settlement pattern inform proposed development.

The proposal is located on land to the front of the recently constructed properties of 27 and 27A Drybread Road and would create tandem development at odds with the character, form and scale of the properties to the south on Drybread Road, which it is considered have the closest relationship with the site. The proposal is located on a prominent corner plot visible on the approach in either direction along Drybread Road and would create an incongruous feature, which would erode the spacious character of the area to its significant detriment. The proposal is therefore contrary to Policy LP16 (d) of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments SPD 2014, paragraphs 127 and 130 of the NPPF 2019, and C1, I1 and B2 of NDG 2019.



Alderman Jacobs
Primary School

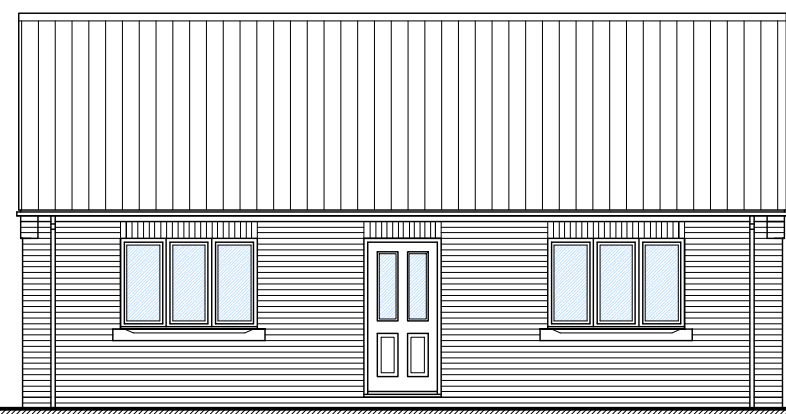
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F/YR19/1075/F

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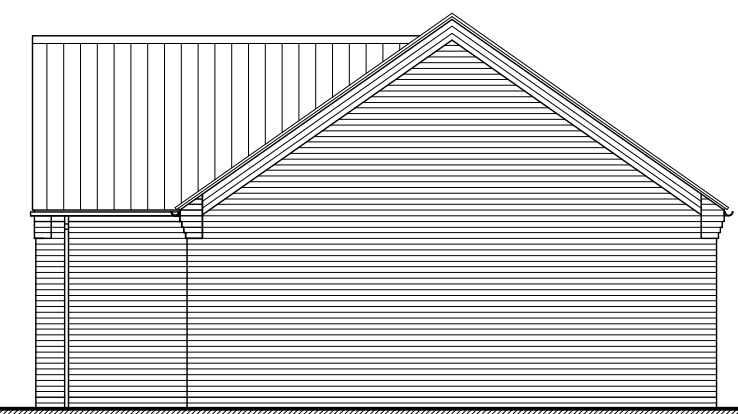
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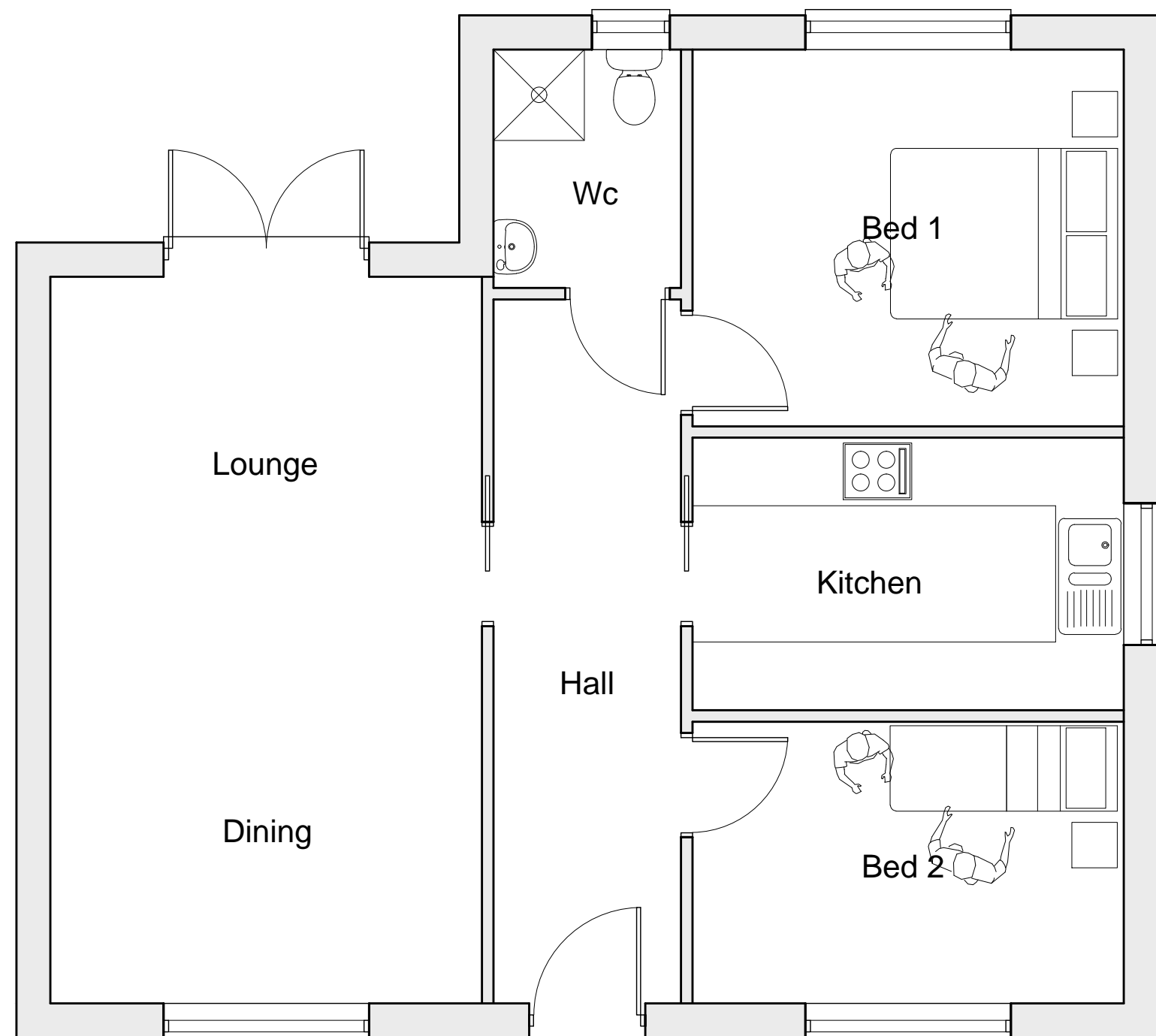
Proposed Side Elevation 1:100



Proposed Rear Elevation 1:100



Proposed Side Elevation 1:100



Proposed Floor Plan 1:50



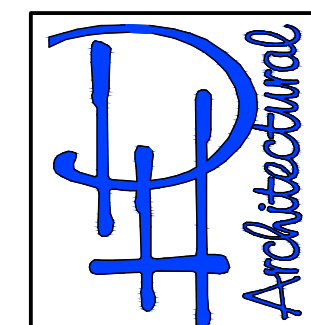
PROJECT
 PROPOSED BUNGALOW
 SITE
 LAND ADJACENT TO No.1
 OTAGO ROAD
 WHITTLESEY
 PETERBOROUGH
 PE7 1YJ

DRAWING
 PROPOSED DWELLING

CLIENT
 MR S FRADLEY

DATE April 2019 SCALE As Shown JOB No. 6003/02A

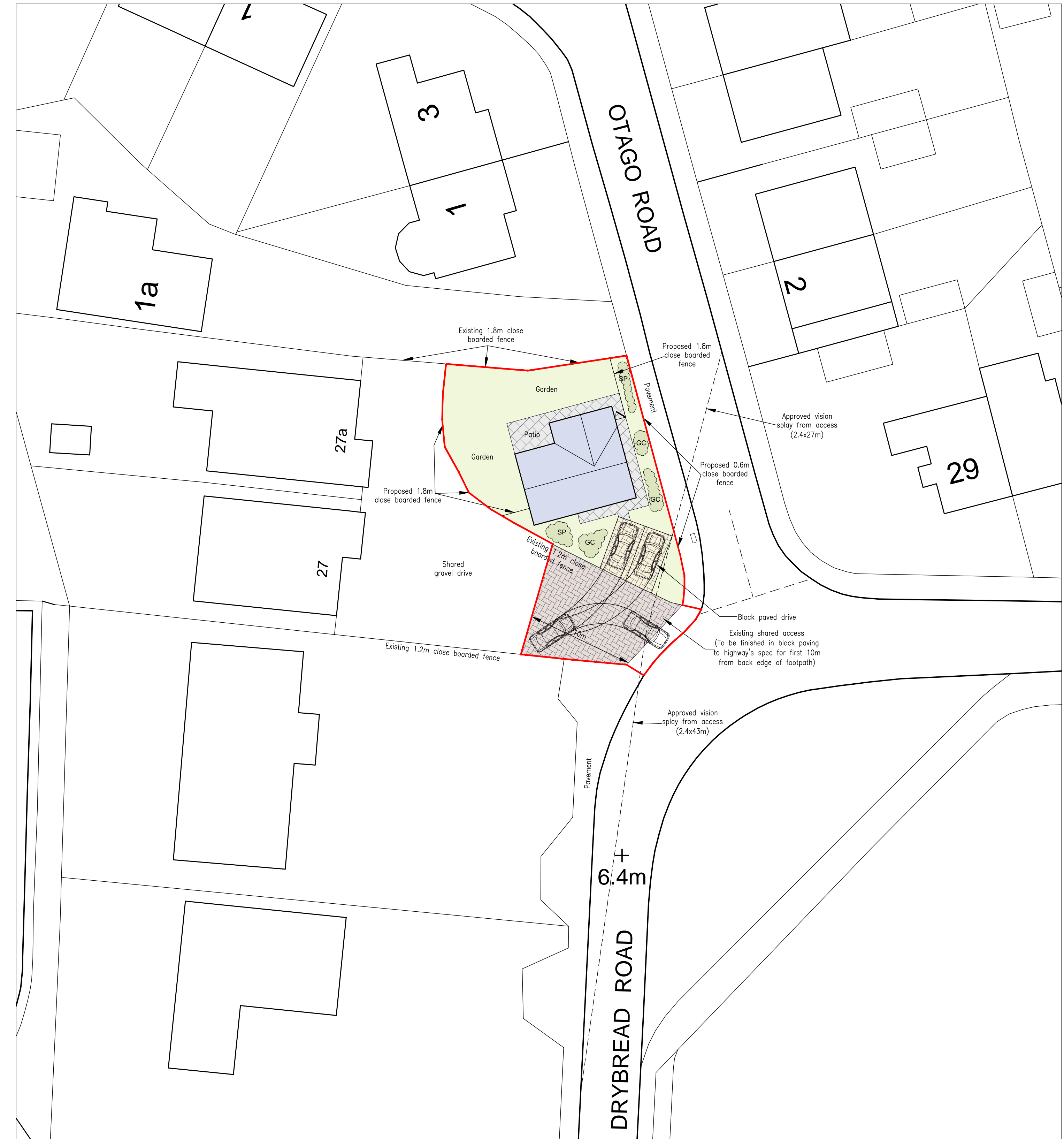
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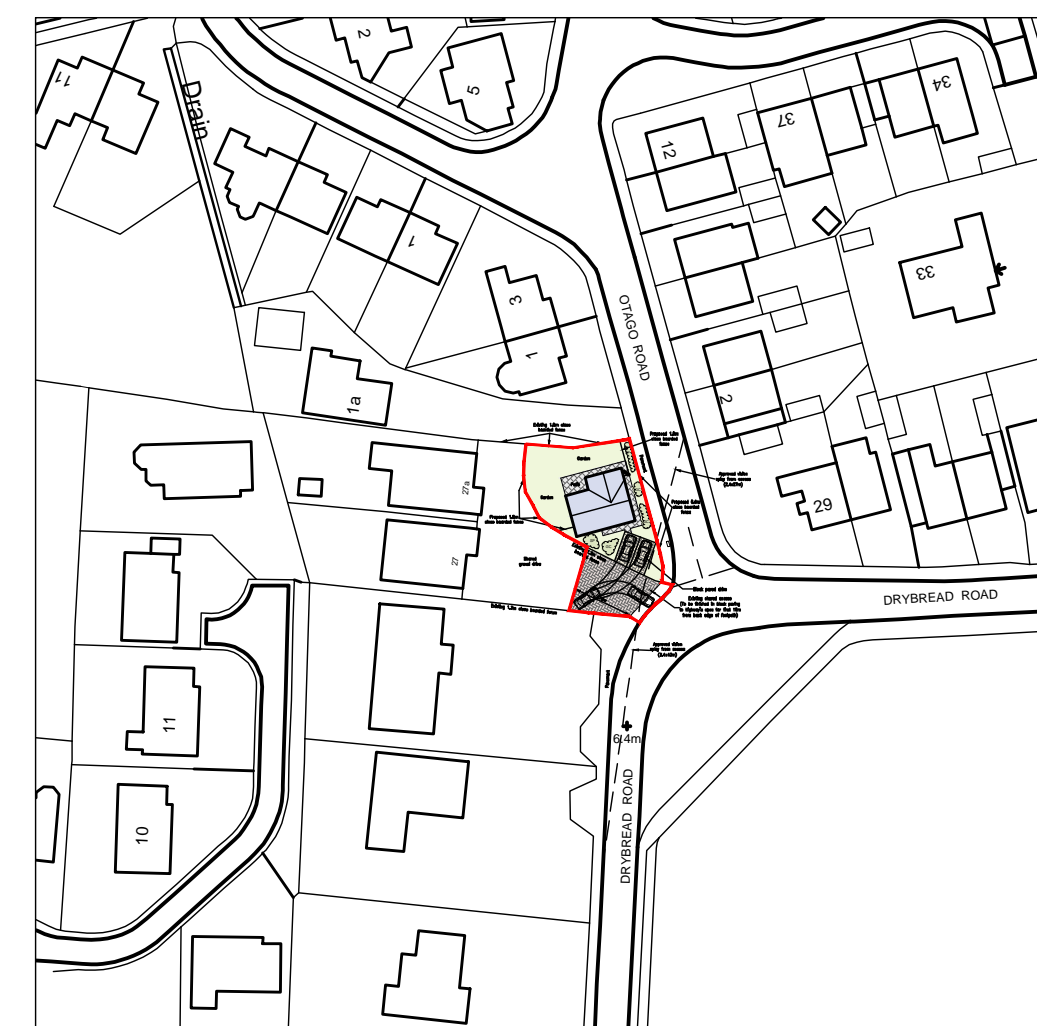
Peter Humphrey Associates
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 31 OLD MARKET WISBECH CAMBS PE13 1NB



Existing Site Plan 1:250



Proposed Site Plan 1:250



Location Plan 1:1250

LANDSCAPING NOTES:

SP SHRUB PLANTING TO INCLUDE
 BARBERRY (BERBERRIS) GUELDER ROSE (VIBURNUM)
 BUDDLEIA DAVIDI/FORSYTHIA X INTERMEDIA LYNWOOD
 MOCK ORANGE (PHILADELPHUS) SNOWY MESPIUS (AMELANCHIER)
 C3 POT SIZE
 PLANTING SIZE 40-60cm
 PLANTED AT 750mm cts

GC GROUND COVER PLANTS
 COTONEASTER HORIZONTALIS,
 HEDERA HELIX/LAVANDULA SPICA
 6 PLANTS PER METRE SQ.

NOTE:
 Undertake soft landscape works generally in open weather conditions,
 typically mild, dull and moist. Do not undertake planting, seeding or
 turfing when the temperature is below 4°C and falling, when the ground
 is covered in snow, is frozen or waterlogged ground or in drought
 conditions.

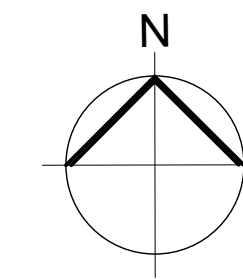
Planting should be undertaken between November and March when the
 plants are dormant and planted at centres shown above. Plants should be
 set at the same root depth as they were at the nursery and should be
 well firmed in and guards fitted. Remove any damaged shoots during
 planting. A 75mm layer of bark mulch (Landscape Bark Woodchip Match
 or equivalent) should be applied over the planting bed to reduce weed
 competition.

If within a period of 5 years from the date of the planting of any tree
 or shrub, that tree or shrub, or any tree or shrub planted in replacement
 for it is removed, uprooted or destroyed or dies or becomes, in the
 opinion of the Local Authority, seriously damaged or defective, another
 tree or shrub of the same species and size as that originally planted
 shall be planted in the same place unless the Local Authority gives
 written consent to any variation.

Peter Humphrey Associates Ltd.
 ARCHITECTURAL DESIGN AND BUILDING

PROJECT
 PROPOSED BUNGALOW

SITE
 LAND ADJACENT TO No.1
 OTAGO ROAD
 WHITTLESEY
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 PE7 1YJ



DRAWING
 SITE / LOCATION PLAN

CLIENT
 MR S FRADLEY

DATE April 2019 SCALE As Shown JOB No. 6003/01F

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APPLICATION NO: F/YR19/1075/F

SITE LOCATION: Land South Of 1 Otago Road Whittlesey

UPDATE

1. Clarification of description of development

The description of development as detailed on page 61 of the agenda is incorrect as revised plans were provided during the course of the application, as is referred to in the remainder of the report. The description should read as follows:

Erect 1no dwelling (single-storey, 2-bed) and boundary close boarded fence approx 1.8m high

Resolution: No change to the recommendation which is to refuse the application as per Section 12 of Agenda item 10 on page 70 of the Report.

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