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AGENDA

PLANNING COMMITTEE

WEDNESDAY, 18 AUGUST 2021

1.00 PM

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

Committee Officer: Jo Goodrum
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Whilst this meeting will be held in public, we encourage members of the public to view the meeting via our YouTube channel due to the Council still observing Covid-19 restrictions.

The YouTube link for today's meeting is:
https://www.youtube.com/watch?v=bXKM75vPM5Q (updated)

1 To receive apologies for absence.

2 Previous Minutes (Pages 5 - 46)

To confirm and sign the minutes from the previous meetings of 30 June,2021 (attached) and 14 July,2021 (attached)

3 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.

4 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified

5 F/YR20/1235/O

Land South Of, Bridge Lane, Wimblington
Erect up to 88 dwellings (outline application with matters committed in respect of access) (Pages 47 - 92)

To determine the application.

6 F/YR21/1257/F
7 Station Road, Manea
Change of use from restaurant and 2-bed dwelling to mixed use of 7-bed unit for accommodation of up to 18 residents with shared communal facilities and 2-bed dwelling involving retention of existing outbuilding for storage and demolition of existing shed (part retrospective) (Pages 93 - 114)

To determine the application.

7 F/YR20/1157/F
TP24, West Park Street, Chatteris
Conversion of existing buildings to form 7 x dwellings, comprising of: 1 x 3-bed 2-storey house and 6 x flats (4 x 1-bed & 2 x 2-bed) and erect an approx 2.1m high brick wall and 1.2m high front boundary wall and railings (Pages 115 - 138)

To determine the application

8 F/YR21/0267/F
Farm Building Bank Farm, Whittlesey Road, Benwick
Change of use of agricultural building to 5 x 2-storey dwellings with detached shed and bin stores comprising of 2 x 3-bed and 3 x 2-bed and formation of a new access road (Pages 139 - 158)

To determine the application.

9 F/YR20/0861/F
Phase 4 Land At Bassenhally Farm, Drybread Road, Whittlesey
Erect 130 x dwellings (8 x 3-storey 4-bed, 18 x 3-storey 3-bed, 26 x 2-storey 4-bed, 59 x 2-storey 3-bed, 19 x 2-storey 2-bed) with associated garages, parking and landscaping (Pages 159 - 190)

To determine the application.

10 F/YR21/1123/F
Woadmans Arms, 343 High Road, Newton-In-The-Isle
Erect 4 x dwellings (2-storey 3-bed) and the formation of 3 x new accesses involving the demolition of existing public house (Pages 191 - 210)

To determine the application.

11 F/YR21/0455/F
1 Eastwood End, Wimblington
Erect 3 x dwellings (2 x 3-storey 5 bed and 1 x single-storey 2-bed) involving the demolition of existing dwelling (Pages 211 - 228)

To determine the application.

12 F/YR21/0508/O
Land North East Of 80, Coates Road, Eastrea
Erect up to 5 x dwellings and the formation of new accesses (outline application with all matters reserved) (Pages 229 - 236)

To determine the application.

13 Items which the Chairman has under item 4 deemed urgent

Members: Councillor D Connor (Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor M Cornwell, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor C Marks, Councillor Mrs K Mayor, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding, Councillor W Sutton and Councillor D Topgood,

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PLANNING COMMITTEE

WEDNESDAY, 14 JULY 2021 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor M Cornwell, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor Mrs K Mayor, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding and Councillor D Topgood, Councillor D Divine (Substitute)

APOLOGIES: Councillor C Marks and Councillor W Sutton,

Officers in attendance: Jo Goodrum (Member Services & Governance Officer), David Rowen (Development Manager), Gavin Taylor (Senior Development Officer) and Nikki Carter (Senior Development Officer)

P22/21 **F/YR20/1235/O**
LAND SOUTH OF, BRIDGE LANE, WIMBLINGTON
ERECT UP TO 88 DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

Gavin Taylor presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from County Councillor John Gowing.

Councillor Gowing stated that he is the County Councillor for the March South and Rural area, with Wimblington being in this division, and over the last few years he has seen the growth of new housing in Wimblington and the impact that it has had on the village. He stated that extra housing brings the already overstretched services such as schools and medical provision to breaking point and that although the advice is given that schools have capacity, it is often the case that parents have to transport their children to other schools in the area, being aware of families who have primary aged children who are enrolled in different schools, due to class sizes, which is not acceptable and more houses in Wimblington will only exacerbate the situation.

Councillor Gowing stated that by providing bus shelters and electronic real time data displays will not guarantee the use of public transport and parents will still use their own vehicles to transport their children to and from school, and in his report the applicant is just trying to demonstrate that less vehicles will be needed. He expressed the view that the bus service in Wimblington cannot be compared to that of Cambridge City centre where the bus service is far more frequent than that in Wimblingon.

Councillor Gowing expressed the view that it is already very difficult to obtain an appointment with a doctor and it is likely that if the proposal was approved there would be the need to travel to a different surgery to see a doctor. He made the point that residents have raised concerns with regard to speeding through the village and the number of cars and traffic has become far more noticeable with the addition of recent housing.

Councillor Gowing expressed the opinion that the access for the proposed new development is on a dangerous bend and, in his view, traffic calming measures need to be considered taking into account the impact that the development in Nursery Gardens is already having on the village,

questioning who would pay for this. He stated that more importantly is the strain on the infrastructure to prevent flooding and he recalled the impact of the flooding events that took place last year which were both stressful and costly to residents.

Councillor Gowing added that Anglian Water have stated following the flooding episodes that they are obliged to accept foul water flows from the development and would, therefore, take the necessary steps to ensure sufficient treatment capacity was in place should planning permission be granted. He added that Anglian Water have now stated that Doddington Water Recycling Centre will have available capacity for the flow, but he questioned this as, at the time of the flooding, he asked why there was only one pump operating at a time in the Bridge Lane area when there was another pump on site and he was advised that the pipes could not accommodate the volume of water, which, in his opinion, suggests that whatever improvements that Anglian Water intend to make will not alleviate the situation.

Councillor Gowing stated that he is aware that there are historic ditches and drains which have been filled in without being piped and he would hope that these are being located and restored, but until these works are carried out the problem still exists. He reiterated his view that until the issue of water being able to reach the Doddington Water Recycling Facility is resolved, residents' properties will continue to be flooded.

Councillor Gowing concluded that the proposed new development could be the straw that breaks the camel's back and additional housing cannot continue to be built without first ensuring that suitable infrastructure is in place to support the existing developments, let alone new ones and the promise of upgrading overburdened resources is not good enough and there needs to be the proof that the infrastructure can adequately service what is already in place. He expressed the opinion that he strongly suggests that the proposal is refused for any further developments until assurances are given that the infrastructure is sufficient and if the proposal was approved this would be reckless and irresponsible and not best serving the residents of Wimblington.

Members asked Councillor Gowing the following questions:

- Councillor Cornwell stated that Councillor Gowing appears to have strong concerns regarding education provision and £2843 per property is quite a high contribution towards education and he asked why those comments have not been received by the education authority? Councillor Gowing stated that he has had to represent residents at appeal hearings when children have not been accepted into local schools and he added that the education authority cannot guarantee that the child would go to the local school, but state that there would be a place for the child in Cambridgeshire. Councillor Cornwell asked Councillor Gowing whether he is suggesting that the financial contribution to education should be higher to fund the immediate local education facility as there is a school in the village? Councillor Gowing stated that he does not think it is anything to do with the cost, as there are sufficient places for children, but not at the local school. Councillor Cornwell expressed the view that there is a school in the village of Wimblington and if there are insufficient places at that school, then in his view, that is a problem for the County Council, which needs to be addressed. He expressed the opinion that development cannot be restricted, just because of the County Council, and he stated that there is a considerable contribution of almost £3000 per dwelling towards education, which is a very significant amount from a village development. Councillor Gowing stated that if there are no places in the village school, then the child will go to school elsewhere to be educated and residents of the village do not have the right to send their child to the village school. Councillor Cornwell stated that it would appear to be a County Council policy issue, which needs to be addressed.
- Councillor Mrs French stated that the issue of education does need to be addressed. She added that the County Council has a statutory duty to supply school places, which should be local, and the Council does not have a statutory duty to insist for Section 106 contributions to provide education. Councillor Mrs French stated that the Section 106

contributions being provided per dwelling with this development are relatively high, however, it is now becoming an issue where developments are becoming unviable due to the fact that the County Council are requesting more contributions. She expressed the view that the highway authority needs to review their own policy and the Council needs to look at the Section 106 and not insist on contributions for education as consideration needs to be given to the National Health Service. Councillor Gowing stated that education is just part of the problem in general and added that the main concern is around the issues of flooding.

Members received a presentation, in accordance with the Public Participation Procedure, from Councillor Mrs Maureen Davis.

Councillor Mrs Davis stated that that the following statements were taken from the refusal decision notice of an application for only three bungalows immediately to the rear of this site where the notice states that under the current local plan, Policy LP3, the proposed site falls into an elsewhere location and other applications have been refused close to this site for that very reason. She stated that it also says that under Policy LP3 the site is currently open agricultural land and any building on this site will erode an important visual gap and area of separation between Bridge Lane and March Road and Wimblington Village and that under Policy LP3, the proposal would have an unacceptably adverse impact on the character and appearance of the area.

Councillor Mrs Davis stated that Wimblington is classed as a growth village within the current Local Plan and pre-empting that growth, there is a note within LP3 which says development in Wimblington and Doddington will be appropriate if capacity at Doddington Sewage Works can be addressed and, in her opinion, that capacity has not been at the sewage works for some considerable time, nor will it be any time soon. She added that under Policy LP12 of the current Local Plan if a proposal within, or on the edge of the village would, in combination with other development built since April 2011 and committed to be built, increase the number of dwellings in Wimblington by 15% then the proposal should have demonstrable evidence of clear local community support and support from the Parish Council.

Councillor Mrs Davis expressed the view that built and committed to be built properties in Wimblington exceed 15% and she stated that the pre-application consultation was undertaken during COVID-19 lockdown and was limited and sparse and news of the proposed development was spread more by word of mouth amongst residents than by the proposer. She added that the Parish Council made an immediate response to the proposer saying it would not support the application and she expressed the view that if Policy LP12 of the current Local Plan is ignored then all future local plans and all neighborhood plans might as well be ignored.

Councillor Mrs Davis stated that she is aware that she keeps making reference to the current Local Plan and that the committee struggle with the restrictions in it, with the new Local Plan set to change some policies, however, the current plan, as often reminded by officers, is what the committee is supposed to work with. She stated that she is aware of the need for housing in Fenland, but for Wimblington residents enough is enough, especially with plans for a further 100 properties to be built in Wimblington, which already include shared housing and a Rural Exception site for 14 homes.

Councillor Mrs Davis added that more representation about highways and infrastructure is likely, but she wanted to draw the committee's attention to some other conditions attached to this application. She has noted that one of the conditions from Highways is for two bus shelters with electronic timetables and welcome packs for the new homes with travel subsidy, but she feels that residents would not be using the bus availability and timetables currently on offer for Wimblington as the bus service is not user friendly.

Councillor Mrs Davis stated that it is a well-known fact that parents will take their children by car to all the local schools, and she added that this is further evidenced by what happens now from the

new development of 68 homes at the Nurseries also on March Road. She stated that in addition there are cars parked along March Road near to the proposed site dropping off and collecting children from the school bus.

Councillor Mrs Davis expressed the view that under the Section 106 details, there is 25% of affordable housing for this site shown, however, she doubts whether this will happen and a viability report that says it is not feasible will be produced once outline planning application has been approved. She stated that parts of Wimblington, including Bridge Lane, suffered from flooding in December 2020 and made the point that there had been no incidents of flooding in Bridge Lane prior to 23 December and as a consequence of that flooding residents were told not to shower, do their laundry, or use their toilets prior to then.

Councillor Mrs Davis expressed the view that there was untold damage in March and in Doddington and she stated that flooding episodes have also taken place recently in Peterborough. She stated that the application has not answered questions about local flooding, does not seem to have a redress to local flooding and seems to be relying on unguaranteed safeguards against local flooding.

Councillor Mrs Davis stated that it is reported within the papers that surface water can be dealt with by a retention basin and surface water can then drain into the ditch along the eastern boundary, but to her knowledge no one has spoken to the drainage board. She acknowledged that the site is in Flood Zone 1, but the report says flood data suggests there is a potential for groundwater flooding on this site and that finished floor levels should be sufficiently raised to address this risk and she expressed the view that to read this amount of concern for local flooding on this site, with presumably the risk to Bridge Lane residents, causes her great concern and the application should be refused unless and until far more confidence can be shown that local flooding will not occur as a result of its build out.

Councillor Mrs Davis asked the committee members to refuse this application today under LP3, LP12 and local flood risk issues.

Members asked Councillor Mrs Davis the following questions:

- Councillor Cornwell stated that he understands the concerns with regard to surface water drainage and he referred to the issues surrounding foul drainage making reference to paragraph 10.50 of the officer's report. He added that it states that there are current problems, the expansion has never been undertaken to which Anglian Water admit and it also states that Anglian Water raises no concerns over existing problems and indicate that the development can be suitably accommodated. Councillor Cornwell asked Councillor Mrs Davis whether she is doubting that Anglian Water would respond to the water requirements of the application should it be approved? Councillor Mrs Davis stated that she has severe doubts as the water company fails to respond to other applications so why should they treat this application any differently. Councillor Cornwell stated that he would like officers to advise how assurance can be received from Anglian Water on their obligations once planning applications are approved.

Members received a presentation, in accordance with the Public Participation Procedure from Rhian Freear, an objector.

Ms Freear stated that the foremost concern of the residents of Bridge Lane is drainage and surface water issues and that after heavy rainfall in December there was bubbling up and overspill of foul water in people's homes, which is something that Anglian Water are aware of and this had not happened in the last 32 years prior to the Nursery Garden's development and, therefore, it can only be presumed that capacity has been over stretched and would not cope with further pressure. She added that Anglian Water have stated previously that they do not have the capacity for waste

water and in a revised response on 7 July they have now stated that they will now have the capacity, which in her opinion seems strange as planning permission is yet to be granted.

Ms Freear stated that there is one Primary School in Wimblington, which has already had to turn away children due to lack of capacity, and whilst she appreciates that there will be a contribution made to education there is no suggestion as to how education will be aided and improved, and the secondary school provision is even further affected due to continued building of new developments in both March and Chatteris, which add to the pressure on those sites. She stated that Wimblington is part of a wider group practice, encompassing a further 4 GP practices and there are only 4 full time Doctors employed across the practice, along with 2 part time and 8 locums, and the addition of further housing will only add to the pressure onto the health service.

Ms Freear expressed her shock to learn that more consideration has not been given to the levels and increase in traffic levels and she stated that March Road is already a very busy road and with a bend in the road just before Bridge Lane, it is hazardous to pedestrians with the speed and frequency of traffic. She added that opening another access point along March Road, cannot be without additional problems and expressed the view that the 12.6% uplift to traffic monitoring at peak times to take into consideration the impact of Covid is sufficient when many people are working at home.

Ms Freear stated over the past five years she has already seen development on King Street, Nursery Gardens and the potential development on Bridge Lane itself and, in her view, granting planning permission would lead to over development in the village. She added she would be interested to know whether thought has been given by any of the developers into sustainable energy sources and the fact that the agricultural land is being built on thought should be given to preserving what agricultural land is left.

Ms Freear concluded that consideration should be given to all the points she has outlined, which would bring harm to the area and residents, particularly where drainage and flooding is concerned, which will affect people's homes and potentially their health.

Members received a presentation, in accordance with the Public Participation Procedure from Mr Mendez, an objector.

Mr Mendez stated that he moved into the village 16 years ago and. in his opinion, at that time, it was one of the most attractive villages in Cambridgeshire. He advised that he resides beside the Matthew Homes development and that development has affected him and his family as the dwellings on that development are no further than 2 metres away from his home and he stated that there is not a single angle where he does not see somebody else's window or roof.

Mr Mendes expressed the opinion that the village is full of development and there is also a large increase in traffic and a further 18 dwellings will only exacerbate the situation to what was once a nice village.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Mowatt, the Agent.

Mr Mowatt stated that the application has been submitted in outline with all matters reserved for future consideration, with the proposal delivering 66 new market and 22 affordable new homes in the village of Wimblington, and he stated that the applicant aims to deliver the homes in a short timescale, with there already being a great deal of interest and discussions from 2 well known regional providers regarding the delivery and management of the affordable units. He stated that LP3 of the Local Plan sets out a strategy for growth and defines Wimblington as a growth village with development on new service provision encouraged, either within the existing urban area or as a small extension to the village and due to this the applicant welcomes the in-principle support for

the proposal.

Mr Mowatt stated that he understands that there has been public objection to the proposal and added that any new development generates an emotive response, but the applicant has tried to design a scheme which fits in with the existing built form and the overall pattern of growth within the village, with a number of amendments made to the application as a result of the community consultation, which include the access point of the development being relocated further south on March Road, increased landscaping across the scheme and the creation of a wider green corridor to include cycle paths and walkways. He stated that the officer's report also notes the response to public comments and the Statement of Community Involvement addresses some of the points including local services ability to cope, highway safety, loss of use, precedent, strain on utilities and flood risk, which have all been satisfactorily addressed by the Statutory Consultees.

Mr Mowatt stated that the development site is not constrained by any environmental designations or identified on any adopted policy plan as an important landscape area or strategic landscape gap. He explained that the development location has been further urbanized by the introduction of a new 2-metre-wide footpath across the entire western boundary, providing a continuous link from the village towards March.

Mr Mowatt expressed the view that future landscaping will provide an attractive buffer between the development and Bridge Lane and further opportunities will exist to provide meaningful landscaping and a play area, which will benefit both new and existing residents. He explained that there are outstanding technical objections from any of the statutory consultees or the Council and the Section 106 contributions have been agreed and are significantly more than the Council's own viability assumptions for the developments size.

Mr Mowatt expressed the view that the benefits of the development should be given weight and they include that 25% of the dwellings will be affordable and this exceeds the affordable housing requirement by 5% according to the Council's Housing Viability Assessment of June 2020. He stated that the neighbouring development, which is of comparable size, is not providing any affordable housing and he added that over the past few years no affordable homes have been delivered in March or Wimblington.

Mr Mowatt explained that as part of the viability assessment, it states that Section 106 contributions should be fixed at £2000 per dwelling, however, the applicant has undertaken their own robust viability assessment and concluded a financial contribution of £2843 per dwelling can be made, which exceeds the Council's own viability assessment, and is £2031 per dwelling more, than the contribution which has been achieved on the neighbouring development. He added that this financial contribution will go towards early needs and secondary education and has been agreed by the County Council, with the other benefits to include upgraded bus shelters, welcome travel packs to each household and a contribution to local park and green space, allotments, and sports.

Mr Mowatt stated that the proposal is policy compliant and there are no technical objections and all outstanding matters relating to the Reserved Matters submission have been addressed through draft planning conditions. He stated that the proposal seeks to provide 22 affordable homes where there have been none built over the last three years along with 66 market homes and Section 106 contributions, which will provide benefits to residents and he asked the committee to grant the planning permission.

Members asked Mr Mowatt the following questions:

- Councillor Topgood asked whether the Internal Drainage Board (IDB) had been consulted considering the flooding issues? Mr Mowatt stated that it is his understanding that the IDB have been consulted and in terms of addressing surface water and the drainage ditches he is aware that the land to the eastern side there is a drainage ditch with a covenant on it

which grants the Council permission to access and clear the ditch, to ensure free flow of water. Councillor Topgood asked why the IDB report does not form part of the application and Mr Mowatt stated that the Case Officer has the responsibility of consulting with the IDB.

- Councillor Mrs French stated that Internal Drainage Boards are not a statutory consultee, they are consulted, but they do not have to respond. She added that she is also very concerned about flooding, following the flooding events that March suffered from last year and she asked Mr Mowatt whether he has carried out a sequential approach to flooding, in accordance with the Local Plan? Mr Mowatt stated that the sequential and exception tests are not required when the application is in Flood Zone 1 and, therefore, in this case it is not a requirement.
- Councillor Connor asked when the viability study was carried out and asked whether the increase of building materials and costs has been taken into consideration for the profitability of the scheme? Mr Mowatt stated that discussions have taken place with the case officer regarding viability and the County Council with regard to the education contributions. He was made aware of the Council's own viability assessment which looks at the deliverability of sites and he recognises that delivery in the southern part of district has been difficult in the past. Mr Mowatt added that with regards to viability it very often comes down to what people will pay for the land to start with and, in his opinion, when the planning application was submitted, there was the intention of a slighter higher provision of affordable homes, but in order to make the scheme viable and provide the Section 106 contributions, the number of homes was adjusted through the planning application. He stated that he understands the concerns over the viability and delivery and added that detailed discussions have taken place with both County Council and the Planning Officer and it is still the view that the proposal can be delivered including the agreed level of Section 106 contributions.
- Councillor Mrs French expressed the view that she hopes that when the full application is submitted the affordable home part of the proposal will still be included.

Members asked Officers the following questions:

- Councillor Cornwell asked officers to confirm how assurances regarding commitments from utility providers to fulfil their obligations with new developments can be guaranteed? Gavin Taylor stated that Anglian Water have a statutory obligation to manage foul flows from all developments and they are controlled through permits from the Environment Agency (EA) and the planning service does not have the authority to insist that Anglian Water deliver anything through planning legislation as the Council is guided by the statutory bodies as to whether the service can be accommodated, but as an authority we cannot insist. He added that Anglian Water did come back with a revised position for the application and this follows some clarification that was provided with a previous position on another application in Newgate Street, Doddington, determined by the committee, where originally the EA objected to the scheme due to the fact that Anglian Water were not operating as they should and a proposed arrangement of works was submitted and the EA issued relevant permits to allow Anglian Water to continue without penalties and in that case both the EA and Anglian Water both accepted that there is capacity and the programme of works is acceptable to accommodate flows in the future. Gavin Taylor reiterated the fact, that the planning authority cannot insist that Anglian Water deliver their infrastructure. Councillor Cornwell stated that as an authority the statutory overseer can be contacted, and representation can be made to them to advise them of the lack of action. Gavin Taylor stated that if the Council as a whole feel it is in the best interest of the authority to contact the statutory undertaker to raise concerns then it is something that could be considered. Councillor Cornwell stated that the Council's Overview and Scrutiny Committee have engaged with Anglian Water, which is proving to be a helpful and worthwhile exercise. He added that the March Internal Drainage Boards have been proactive ensuring that whatever surface water drainage provision is made by a contractor is acceptable to the IDB's before work commences. David Rowen stated that the issue concerning what representation can be made to Anglian Water is something for

either Full Council or Cabinet to determine rather than Planning Committee and he added that both Anglian Water and the IDB's both have their own obligations under their own legislation and as a planning authority there is the requirement for the Council to trust those bodies that they are fulfilling their roles that they are obligated to do.

- Councillor Mrs Bligh asked how frequently the EA update their flood zones as she is concerned that the proposal site is suffering from flooding and it is in a Flood Zone 1 area? Gavin Taylor stated that the site is in Flood Zone 1 and he is unaware of the site having any flooding issues. He added that the Local Lead Flood Authority have identified that there may be a high-water table area on this site, which can be managed through levels and there has been nothing identified to suggest critical drainage issues with the application site.
- Councillor Mrs Bligh added that she notes that there have been over 100 letters of objection to the proposal and asked whether there were any letters of support? Gavin Taylor stated that the representation received earlier did contain some supportive comments, but there were no letters of support received.
- Councillor Mrs French referred to 10.50 of the report where it states that Anglian Water had advised that foul drainage for the development is in the catchment of Doddington Water Recycling Centre and there is currently no capacity for the flows and then it also states that this could be subject to securing an agreed scheme for an onsite foul drainage works. She added that she is concerned that there is not adequate capacity for water flows in place for the development.
- Councillor Skoulding stated that he is surprised that the Highway Authority have not raised any concerns over the S bends on the road in Wimblington. Gavin Taylor stated that officers are guided by the Transport Team and Highways with regard to travel and road safety, there is a policy requirement to ensure it does not cause any safety issues on the highway and that people can access in a safe and effective means and there have been no objections received on that basis. Councillor Skoulding stated that he would class it as a dangerous road.
- Councillor Skoulding expressed the view that that the site for the proposed development has always been a flood field and asked where the water is going to disperse to as, in his view, it is only going to move the water to other properties. Gavin Taylor stated that the application is supported by an outline drainage strategy, which shows that the surface water will flow to an attenuation basin at the south east corner of the site and then discharge into an IDB managed watercourse on the eastern boundary.
- Councillor Skoulding stated that the schools are at capacity and he is concerned about that.
- Councillor Mrs Bligh asked for clarity over the IDB position with regard to the proposal and questioned as to whether they have any objections to the proposal. Gavin Taylor stated that following discussions with the Graham Moore of the IDB, he has indicated by phone that they have no issues with the proposal. Councillor Mrs Bligh stated that it imperative that this is all correct as we cannot have any more homes being victims of flooding.
- Councillor Cornwell stated that he is aware that if an IDB feels that something needs to be designed to manage an issue on a development, they can insist that a developer provides that, to meet the specification and the requirements of the IDB. He expressed the view that the March IDB's ensure that the infrastructure is in place to meet surface water run-off. Councillor Cornwell advised members of the committee that he is aware of serious issues arising from the development that is next door to the proposal site, where the IDB had to make important decisions regarding the drainage of the land, which is linked to the drain on the eastern side of the property and immediately behind the neighbouring plot into the next plot. He expressed the view that surface water drainage through the IDB's is very highly regulated.
- Gavin Taylor stated that Middle Level Commissioners have indicated and are satisfied that, as the water is going to go into one of their managed drains, they would be able to maintain that adequately.

- Gavin Taylor referred to the officer's report at 10.50 which Councillor Mrs French referred to and he stated that that point and comments in the report has been superseded by the update report with regard to capacity.

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

- Councillor Mrs Bligh made reference to an application in Wisbech St Mary, which resulted in no Section 106 contributions coming forward and she expressed the opinion that the village of Wimblington is going to suffer. She expressed concern over the issue of viability, an area which may flood and no community support. Councillor Mrs Bligh expressed the view that rural areas are terribly under served with no community transport and she added that she has concerns over the number of homes being developed in a rural area.
- Councillor Benney stated that he has concerns over the proposal and added that he is unsure that the Section 106 contributions which have been proposed will ever be forthcoming. He expressed the opinion that the application will come back with a viability report and it will include nothing. Councillor Benney expressed the view that the issue of lack of school places is a Cambridgeshire County Council issue and is not a material planning consideration. He stated that over the Christmas period, the proposal site was under water and he stated that he understands that the site is in a Flood Zone 1 area and the developer is looking to build the land up would intimate that the developer is already aware that there is a problem on the site. Councillor Benney expressed the opinion that the applicant has acknowledged that there is a problem, however, in his view, the problem will not be for the 88 houses, it will be for everybody else who lives in the area, as water always finds a level and will run off and will run into the houses in Bridge Lane and beyond. He added that he has great concern over the proposal and expressed the view that the Middle Level Commissioners, who are one of the main bodies for drainage in the area, have not even commented and provided a formal response on the application. Councillor Benney stated that desk top studies are undertaken which amount to nothing and, in his view, nobody has looked at the problem and he has real concerns that the IDB might not have looked at the reports from Anglian Water and may not be making correct decisions. He expressed the opinion that the drainage on this proposed development needs further investigation and he added that he is aware that Anglian Water in Doddington have been transporting raw sewerage from the treatment facility on a very regular basis and, in his opinion, Anglian Water have a duty to build another treatment facility. Councillor Benney expressed the opinion that to approve the application will be irresponsible of the committee and whilst he finds it difficult to provide reasons to refuse the application, he would like to see representatives of the Internal Drainage Board, Middle Level Commissioners and Anglian Water to address the committee and for that reason he added that he would like to see the application deferred.
- Councillor Connor referred to 5.3 of the report and stated that Anglian Water are obligated to accept foul flows, but they do not take the steps to ensure the treatment capacity. He expressed the view that Anglian Water have not updated their systems since the drainage was installed in the 1970's and since then there has been excessive growth in the village. Councillor Connor stated that Councillor Mrs French along with other councillors have been working very hard dealing with flooding issues and he referred to the Local Plan 2014 which states that both Doddington and Wimblington are both growth villages and it indicates that there cannot be major development until the sewerage system is upgraded.
- Councillor Mrs Bligh stated that she is frustrated that it is often the case that development takes place before the necessary infrastructure and, in her opinion, it should be the other way around. She added that she agrees with the view of Councillor Benney that the application should be deferred until sufficient information is received from the IDB and Anglian Water.
- Councillor Cornwell stated that much of what has been discussed are not planning issues and he added that there are lots of implications, many of which are the responsibility of the County Council and they need take responsibility for the areas that they cover. He added that any development will lead to more income for the County Council. Councillor Cornwell

stated that he also has reservations with regards to Anglian Water and that unless the IDB agree to the drainage on the proposal site then there will be no development allowed and he would like them to address the committee. He stated that there are some overlaps with regards to planning considerations and public utility type implications that will have an impact on the area. He expressed the opinion that he could not see how the committee could not approve the application and added that further consideration is needed with regard to the impact on public utilities and he also raised concerns over the Anglian Water tankers operating in the area.Councillor Cornwell expressed the view that he does not recall such a lengthy debate taking place when determining the neighbouring development and he stated that he does not know whether the issues of drainage and flooding have been exacerbated by that development but added that the issue of surface water drainage on the neighbouring site has been handled very well. He stated that he would also be happy to consider a deferment of the application.

- Councillor Connor stated that he recalls the neighbouring development, and he did raise his concerns at the time.
- Councillor Murphy stated that over the years planning has always been refused on this piece of land. He referred to 10.20 of the officer's report where it mentions an appeal for three dwellings, which was dismissed in 2015 and there have also been other applications submitted for that site. Councillor Murphy stated that originally that area was left to make a natural break in the building line, and he expressed the view that he finds it difficult to resist development on the piece of land due to the number of other applications which have been constructed in the vicinity. He expressed the view, however, that it is over development and over density for the site and, in his opinion, it is out of character for the immediate area and added that there are too many unforeseen issues on the site which could have repercussions.
- Councillor Mrs Mayor stated that there have been many discussions over time concerning the transportation of sewage by tanker. She added that she agrees with Councillor Benney's earlier comments with regard to water finding its own level. Councillor Mrs Mayor stated that she would like Anglian Water to attend a Planning Committee meeting.
- Councillor Benney stated that with regard to this application and the drainage issues and concerns surrounding it, he does not think that officers should be given the delegated responsibility and members of the committee should be given the opportunity to scrutinise it. He added that he would like that application deferred to enable Anglian Water and the IDB the opportunity to address the committee and for a drainage scheme to be presented at the same time.
- David Rowen stated that many applications come before the committee, which do not have any comments from Middle Level Commissioners, and he added that they ultimately have the control over the flows that they do or do not accept and to some extent whether a development is permitted. He stated that County Council as the Lead Local Flood Authority have made comments that they are happy with the application, subject to conditions being imposed and he added that proposed condition 13 sets out the detailed requirements of a drainage scheme needs to be submitted as part of the Reserved Matters application. David Rowen made reference to the comment made by Councillor Benney who had stated that it would be preferable to have a design of the drainage scheme before members and he added that whilst it would be helpful, the application is an outline application only and only access is committed, and it is difficult to bring forward a detailed drainage design when the layout of the site is not yet committed. He stated that Anglian Water have commented that the foul water from the development is within the catchment of Doddington Treatment Facility and will have capacity for the flows. David Rowen appreciated that members may have their concerns, that is the comment that has been received and he expressed the view that whilst the application could be deferred to allow Anglian Water to address the committee, there is no guarantee that they would attend. He added that the officer's recommendation has taken into consideration the issues and concerns with regard to surface water and sewerage issues, including the comments of the statutory consultees and the rationale behind them all. David Rowen also raised concerns over the potential of

setting a precedent whereby statutory bodies would need to attend Planning Committee meetings to clarify their written comments which they had submitted at the consultation stage.

- Councillor Benney stated that he appreciates that if the full application is submitted it may alter the drainage layout, however, in his view, once outline planning permission is granted, the precedent is set to say that the ground is suitable and, in his opinion, if the applicant wants to proceed with his proposal, he should submit a full application rather than an outline application. He added that members need to be satisfied that the decision they make is the right one for the village of Wimblington.
- Councillor Connor stated that he agrees with some of the comments made by Councillor Benney and added that the applicant should be invited to submit a full application and Anglian Water and the IDB should be invited to address the committee and he would like to see the application deferred. He expressed the view that there are no other planning reasons to refuse the application on, other than drainage, but in his view, it should be deferred on flooding grounds.
- Councillor Mrs Bligh stated there is a recommendation from officers, who are guided by the Local Plan, and she can see no reasons for refusal, however, there is the need for more information to be presented and for that reason she would like to see the application deferred.

Proposed by Councillor Benney, seconded by Councillor Mrs Bligh and decided that the application be DEFERRED in order for further information to be obtained with regards to drainage and flooding.

(Councillor Mrs Davis declared an interest in this item, due to speaking in objection to the application, and took no part in the discussion or voting on this item thereon)

P23/21 **F/YR20/0223/BCP**
LAND EAST OF A141 HIGHWAY AND NORTH OF KNIGHTS END ROAD, MARCH FENLAND DISTRICT COUNCIL IS SEEKING APPROVAL IN PRINCIPLE FOR A BROAD CONCEPT PLAN FOR WEST MARCH. LOCAL PLAN POLICY LP7 (URBAN EXTENSIONS) INCLUDES PROVISION FOR PLANNING COMMITTEE TO GIVE 'IN PRINCIPLE' APPROVAL TO A BROAD CONCEPT PLAN WHICH BOTH PARTIES WOULD EXPECT SUBSEQUENT PLANNING APPLICATIONS TO ADHERE TO.

Gavin Taylor presented the report to members.

Members asked officers the following questions:

- Councillor Mrs French stated that after reading many letters of objection it does need to be made very clear that the Broad Concept Plan (BCP) does form part of the Local Plan and it was also included in the 1993 Development Area Boundaries document.
- Councillor Mrs French asked Gavin Taylor to clarify that he had stated that in the future Knights End Road and Burrowmoor Road would be closed. Gavin Taylor stated that it is something that is being discussed as background in order to try and focus access to the A141. He added that it is something that needs to be worked on in terms of modelling and transport assessment as to whether that would be appropriate and achievable. Councillor Mrs French added that since 2017, the March Area Transport Strategy (MATS), has been in place and officers have worked with Persimmon Homes for over 2 years and she is concerned that officers have not taken into consideration the strategy. She added that lengthy discussions have taken place with regard to the possibility of installing some type of lighting at the top of Burrowmoor Road, but was advised that only one red light could be installed due to the residency of bats and it was then decided that this would not happen until the long term issues of Burrowmoor Road were resolved. Councillor Mrs French

expressed the view that MATS would not support the closure of those roads and whilst she appreciates that it is only an outline application at this stage, she would be concerned that when the application is submitted that the access would be off Knights End and Burrowmoor Road. She stated that there is a proposed new access and, in her opinion, that should be used in the first instance and added that she believes that there is also a proposed new roundabout. Councillor Mrs French referred to the officer's report at 6.29 where Highways have indicated that they will not be in a position to determine what mitigation is required until an application is submitted. She expressed the opinion that when the bypass was introduced in the 1970's, it was to reduce the congestion in the town and the committee involved with the MATS will not support the closure of the two roads.

- Councillor Cornwell asked whether there will be a more detailed consultation exercise carried out on the more detailed elements of the BCP as most of the comments appear to focus on the highway aspects rather than the actual detail of the overall plan. He expressed the opinion that most people will support it, as it avoids the smaller piecemeal developments, and it is something that has everybody working towards the proposals that meets development of the whole of the area. Gavin Taylor stated that it is a concept and with any planning application that comes forward of a substantial impact and size, would need to be supported by a transport assessment. He added that the concept currently denotes that the junctions may be closed off, but it is only a consideration at this stage and future planning applications would need to demonstrate that the transport impact of the development and the mitigation proposals are acceptable. Councillor Cornwell expressed the view that he is concerned that if the County Council decide that they wish to shut a road that is not a planning issue and they have the authority to do so, and he asked whether the Council can now advise that they do not accept that part of the BCP. Gavin Taylor stated that the BCP is before members of the committee to consider and to request amendments if they feel that there are elements of the concept that they are not satisfied with.
- Councillor Mrs Davis stated that whilst there is provision in the concept for a primary school there does not seem to be an inclusion of a secondary school. Gavin Taylor stated that the County Council's Education Team have set out what the requirements would be for education and they have not asked for inclusion of a secondary school within the BCP area. He stated that would form part of financial contributions on planning applications to go towards a secondary school.
- Councillor Mrs French stated that the MATS comprises of the County Council and is funded by the Combined Authority. She expressed the view that she would be exceptionally annoyed if the Highway Department gave consideration to the closure of roads, when they have been involved with the MATS over the last four years. Councillor Mrs French expressed the opinion that, as the March High Street project has been awarded £8.4million pounds of funding to regenerate the High Street, to close roads would be disastrous. She added that she fully supports the development of the concept and added that she agrees with Councillor Cornwell that it must be known now that members do not want the roads closed.
- David Rowen stated that there are no firm proposals to close any roads imminently and he added that if the roads are to be closed it would form part of a holistic package of road improvement schemes which may include a roundabout onto the A141 to substitute for the closure of Knights End Road and a spine road which would run through the site. Councillor Mrs French expressed the view that she is also concerned about future large developments and the noise and disturbance that will be caused to residents which will be totally unacceptable.
- Councillor Cornwell stated that the detail in the officer's report at Page 5 clearly shows the closure of Burrowmoor Road East and Knights End Road East and the introduction of a new primary access point between the two. He expressed the opinion that it clearly gives an indication on what the current plans are and added that, in his opinion, there is a strong implication on what is being looked at. David Rowen stated that within the officer's report at page 44, it sets out the comprehensive road principles and shows Knights End Road East closed off, and above it, primary access onto the A141, Isle of Ely Way and the potential of

a new roundabout or signalised junction onto the A141. He added that the primary access onto Gaul Road is marked by a black dotted line in the middle of the site being the primary road network within the allocation and he reiterated that if the roads are to be closed it would form part of a comprehensive package of road improvements and measures to deal with the road access issues.

- Councillor Mrs French stated that, over the past four years, the MATS has been looking at ways to improve the traffic situation in March and by allowing the closure of two major roads, the traffic situation will only be made worse and will be detrimental to the town of March.
- Councillor Skoulding stated that he cannot approve the BCP if roads are going to be closed. He added that he can see no inclusion of the playing fields that were promised or the addition of a doctors and dentist and for those reasons he is not agreeable with the proposal. Gavin Taylor stated that at the south of the site, there is the inclusion of a healthcare facility and liaison with the NHS is currently being undertaken to ascertain what type of provision will be included. He added that the BCP has been amended to include a healthcare facility, which may include a variety of specialisms as well as a community facility.
- Councillor Mrs French referred to a letter received from a landowner and asked for clarity over the terminology of an equalisation agreement. Gavin Taylor stated that the parcels of land are of different sizes and can accommodate different land uses. He stated that the idea of an equalisation agreement can ensure that each of the landowners proportionally feed into the infrastructure requirements and the idea is to secure equilibrium through either the entire area or through pockets.

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

- Councillor Mrs French stated that she hopes that public rights of way are going to be retained, improved and upgraded and added that she hopes that the users of the public rights of way to ride their horses will still be permitted to do so.
- Councillor Mrs French asked why a report from the Conservation Officer was not included. Gavin Taylor stated that the Conservation Team have been consulted and have responded on each of the two rounds of consultation. He stated that they have questioned the Knights End Road access point as it runs adjacent to a Grade 2 Listed Building, but they were satisfied with the implications and they are generally supportive of the BCP.
- Councillor Cornwell stated that he welcomes a BCP and he likes the way that individual development plans will come forward, so that input can be achieved. He expressed the opinion that the area around St Wendreda's Church must be protected and he added that in true Fen tradition development is taking place on higher ground so that water runs off the high ground and is then collected and he added that there are a number of extremely old water courses in the area. Councillor Cornwell stated that one of the fields is the site of where the Australian Pilot Jim Hocking, lost his life and, therefore, there does need to be an element of recognition at the location. He stated he will support the BCP, with the exception of the closure of the two roads.
- Councillor Mrs French stated that she will support the officer's recommendation with the caveat that members are not pleased to see the possible closure of the 2 roads.
- Gavin Taylor stated that at 11.1 of the officers report it sets out a slight amendment to the plan at 6.34 in respect of densities and, therefore, it maybe that members are satisfied to set out a recommendation to also include an amendment to remove reference to closures of Burrowmoor and Knights End Roads that can be accommodated.

Proposed by Councillor Mrs French, seconded by Councillor Cornwell and agreed that the application be APPROVED as per the officer's recommendation, subject to no closure to Burrowmoor Road or Knights End Road.

(Councillors Mrs French, Purser and Skoulding declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are members of March Town Council, but take no part in

planning matters)

(Councillor Mrs French declared that she was present at a virtual March Town Council meeting when Persimmon Homes gave a presentation on this proposal, but she took no part in the discussions)

P24/21 F/YR20/1222/F
30 FELDALE LANE, COATES
CHANGE OF USE OF AGRICULTURAL LAND TO PADDOCK INCLUDING ERECTION OF A STORE/STABLE AND CHICKEN RUN, 2.25 METRE HIGH (MAX) FENCING, CONSTRUCTION OF A STONE DRIVEWAY & HARD STANDING AND REMOVAL OF UNAUTHORISED BRICK PIERS AND ROAD/TURNING HEAD (PART-RETROSPECTIVE)

Nikki Carter presented the report to Members.

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

- Councillor Cornwell stated that the site is beside the lake and he is surprised that the layout appears to be back to front. He added that, in his opinion, it would be more appropriate for the use of the lake if it was bounded mostly by paddock as opposed to buildings.
- Councillor Benney stated that the applicant has chosen their layout and there is no objection from officers.
- Councillor Mrs Davis stated that it her understanding that under equestrian rules, there needs to be enough paddock space to accommodate horses and she asked how many horses are likely to be kept. Nikki Carter stated that she has referred to the DEFRA Code of Practice for the welfare of horses and there are recommended sizes of fields per horse. She advised members that the applicant also owns further paddock land to the north of the site.

Proposed by Councillor Benney, seconded by Councillor Skoulding and agreed that the application be APPROVED as per the officer's recommendation.

P25/21 F/YR21/0526/F
LAND EAST OF MAGNOLIA COTTAGE, KIRKGATE, TYDD ST GILES
ERECT 1 X DWELLING (3-STOREY 6-BED)

David Rowen presented the report to Members.

Members received a written representation, under the Public Participation Procedure, from Matt Gosling, the Agent, which was read out by Member Services.

Mr Gosling apologised for not being able to attend in person, but thanked committee for the opportunity to submit the supporting statement for their consideration. He stated that the applicant previously redeveloped the donor site known as Magnolia Cottage back in 2013/14 by replacing a rundown cottage with a purpose built modern dwelling to suit their housing needs and, having now lived in the village for around 7 years, they find themselves outgrowing their present home with limited opportunity to extend and achieve their required level of accommodation.

Mr Gosling stated the applicant does not want to leave the village and having not been able to find a suitable sized property for sale elsewhere in the village has proposed the scheme before the committee today, which provides the level of accommodation they require for their expanding family and the case officer's consideration states the design, scale and appearance is deemed acceptable. He referred to the sequential test and the sites with permissions listed by the case officer, further consideration has been given to these sites and, whilst they have valid planning permissions, a search of the land agents websites reveals that none of the single plots are available for sale.

Mr Gosling stated that contact has been made with the owner of the site for the four dwellings west of Magnolia Cottage and they have an email confirmation that all these plots are allocated, one by their daughter and the other three have been sold to individuals. He expressed the view that the other site in the same flood risk area for a development of four comprising two detached dwellings and a pair of semi-detached dwellings is a) not for sale and b) not comparable with the application for a large, detached dwelling.

Mr Gosling referred to Paragraph 158 of the NPPF, which states 'development should not be allocated or permitted if there are reasonably available sites appropriate for development in areas of lower risk of flooding" and, in his view, it seems unfair that the authority are considering sites preferable that are in the same flood risk area when they are not for sale which must render them unavailable. He expressed the opinion, as stated in the Flood Risk Assessment, the site is considered 'very low long term flood risk for surface water' compared to other approved sites which are 'low risk' in the same regard and it appears unreasonable that they are considered preferable just because they have a valid permission in place yet the application site has a lower probability of flooding.

Mr Gosling stated, with regard to the concerns of overlooking from the owners of Ivy cottage, the applicants are prepared to obscure glaze the two small first floor side windows and provide privacy screening to the side wall of the balcony by way of extended walling or obscured screening as suggested by the case officer which could be conditioned accordingly. He urged members to support approval of thisapplication.

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

- Councillor Mrs Bligh expressed the opinion that the application site is an extension to the dwellings already in the vicinity. She added that is in keeping with the area and the application should be approved.
- Councillor Benney stated that the proposal is for a nice house in a nice area, with the reason for refusal being due to the sequential test and he stated that the person who owns the land does not own the other land and there may be reasons why the other land is not coming forward. He expressed the view that to refuse the application would be a shame and he added that officers have acknowledged that is suitable for development and, in his view, the application is in keeping with the area.
- Councillor Mrs Bligh stated that if the application is refused, in her opinion, should the applicant appeal, they have a good chance of winning due to the development already in the vicinity.

Proposed by Councillor Benney, seconded by Councillor Mrs Bligh and decided that the application be approved AGAINST the officer's recommendation.

Members did not support the refusal of planning permission as they felt that the application meets the requirements of policy in all respects other than the sequential test and felt that the benefits of the scheme in terms of providing housing outweighed flood risk considerations.

P26/21 PLANNING APPEALS.

David Rowen presented the appeals report to Members.

Members considered and noted the appeals report.

4.15 pm Chairman

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PLANNING COMMITTEE

WEDNESDAY, 30 JUNE 2021 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor M Cornwell, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor A Miscandlon, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding, Councillor W Sutton and Councillor D Topgood.

APOLOGIES: Councillor C Marks and Councillor Mrs K Mayor.

Officers in attendance: David Rowen (Development Manager), Nick Thrower (Senior Development Officer), Alison Hoffman (Senior Development Officer), Chris Gordon (Legal Officer) and Linda Albon (Member Services & Governance Officer)

P12/21 PREVIOUS MINUTES

The minutes of the meeting held 9 June 2021 were confirmed and signed.

P13/21 F/YR19/1001/O
LAND SOUTH OF 63-77, NEWGATE STREET, DODDINGTON
ERECT UP TO 9 DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

David Rowen presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Jonathan Wilson, an objector.

Mr Wilson stated his main concern is the severe flooding he experienced two days before Christmas, with the fire brigade attending within an hour pumping water from his home for about four hours, but the water was not abating, and eventually the new housing estate behind him began to fill up with water and it was not until they started pumping from that area that the water began to abate from his house. He expressed concern regarding this new development in that the water from his house and the estate behind went straight into that field where these properties are proposed to be built and consequently, if flooding occurs again it will present a problem for this new development.

Mr Wilson stated that he has heard talk of putting in necessary infrastructure to help with this problem, but he feels it should have been put in when the other development was built in the first place. He made the point that he has lived in his property for ten years and this has never happened before on this scale, but it is getting worse.

Mr Wilson expressed the view that he has been told the pumping station is not up to coping with any more than what is already in place and if this development goes forward what assurance can be given that this will not happen again? He stated that residents need answers and clarification because the flooding was horrendous.

Members received a presentation, in accordance with the Public Participation Procedure, from Chris Walford, the Agent.

Mr Walford stated since 8 September 2020 he was led to believe this application would be a delegated approval, with the case officer e-mailing him that the Local Flood Authority had removed their objection to the application, there were five resident objections on file and no outstanding objections from any of the consultees, which meant the application could be delegated by officers and, therefore, Planning Committee would not be required. He advised members that the applicant subsequently instructed solicitors to prepare the Section 106 and the unilateral undertaking at great expense believing permission was granted subject to paperwork being in place, with that paperwork being completed on 19 May 2021 and sent to the case officer.

Mr Walford stated that he was then told a sixth objection had been received and, despite it being received after the consultation period, policy was that it needed to be counted and, therefore, a committee decision was required. He made the point that this is an application with full officers' support, deemed approved in principle since September 2020, with all the legal paperwork signed and ready to go and, therefore, he is asking members to approve the application.

Mr Walford stated, in response to the comments made regarding flooding, that the site is in Flood Zone 1, with no issues from the Local Flood Authority or Environment Agency and attenuation will be installed on the site to deal with an increase in surface water. He expressed the opinion that floor levels and dwellings levels can be agreed at Reserved Matter stage to ensure the new dwellings are not affected and whilst he is not sure what can be done about the impact on the surrounding area, they can ensure any water collected is attenuated and dealt with efficiently and if necessary a condition can be placed on the outline permission.

Members asked Mr Walford the following questions:

- Councillor Connor referred to 5.1 of the agenda where it states that members of Doddington Parish Council were pleased to note there was an email recorded on their website acknowledging that the landowner was prepared to provide land for allotments in the village. He asked for an undertaking that that is still the case? Mr Walford confirmed that this is correct, when speaking to the case officer at the time, it was unable to be secured via a condition because there is no active allotment strategy for the village and he was told it was an agreement that would be required between the applicant and parish outside of the planning system. He stated that agreement has been made, but it has not yet been decided where the allotments will be, with the applicant having several parcels of land in the village that could be suitable and whilst the Parish Council has been asking for updates, this is pending until the outcome of this planning application is known.
- Councillor Sutton referred to the problems experienced by Mr Wilson in December, for which he and other members sympathised, and made the point that there is a rule in the NPPF where not only must you ensure that the extra rainfall is dealt with, you must ensure you do not affect anyone else's site. He asked Mr Walford how he could assure members that this development is not going to make things worse for neighbouring sites? Mr Walford replied that they would need to find where the water is coming from and then work out how they can accommodate that into their sustainable design so that it not only attenuates the new water. He stated that they need to quantify the volumes in addition to the amount seen from roofs and then design this into the scheme, with the assumption being that there would a surface water strategy condition on this application so this issue could be addressed at the Reserved Matters stage. Mr Walford stated that one of the solutions could be to provide a ditch at the rear of the site to reduce the level on site, which would be a small price to pay in the grand scheme of the development.
- Councillor Sutton stated that this is reassuring, but the one other thing he foresees happening is if these plots are sold off as individual plots and the strategy and infrastructure is not put in by the owner prior to the sale of those plots that would create enormous problems, so the strategy and infrastructure needs to be there before the sale of plots. Mr Walford expressed the view that because of the single access point there is already a lot of infrastructure that needs to happen, with the condition worded as prior to commencement the design needs to be agreed

and prior to a certain occupation level all of work in relation to the footway, roads and drainage would all be undertaken. He feels that a big developer is needed for the site to tackle the big infrastructure issues and it is only the big developers who have the cash to do this.

- Councillor Mrs Davis made the point that Doddington had serious flooding issues in December along with a lot of other places and it is understood that the weather at the time was unprecedented, but there have been situations as seen on the design, where an attenuation pond has been proposed, and the scheme has gone forward and the attenuation pond has disappeared and drainage has been put in that has proved to be inadequate and properties have flooded. She recognises the application is outline, so does not know if you can, but asked for reassurances that the attenuation pond will happen before the first occupation? Mr Walford stated that as the application is a major one it will need a sustainable drainage solution so there will have to be something on site that will hold, slow and deal with the water and crates under the ground have been investigated, but the ground is not suitable which is why the pond has been proposed. He feels the Reserved Matters design will be forced by the outline condition on the drainage scheme as a pond has been found to be the only thing to work on the site due to the ground conditions, the size of it will become designed once the volumes are known, whether it is a dry bed or actual pond and whether it will feed to a drain or where it will run to. He stated the only way he can reassure members is from the tests and work they have undertaken to date nothing would seem to work but a pond so it would be on the approved scheme and if it was not carried out it would not comply with the approved scheme.
- Councillor Miscandlon asked who would be responsible for the costs of maintenance of the attenuation pond and the roadside ditches, will this be put onto the owners of the properties or the developer? Mr Walford stated that it is unlikely that the private drive would be adopted, which means typically that a management company would be set up that would include all of the plot owners and every one of those owners would make a payment of a service charge to maintain the roads, the grass areas and the pond.

Members asked officers questions as follows:

- Councillor Sutton referred to the questions and answers regarding the flooding and on reading condition 6, whilst it encompasses all the drainage issues, he feels that a timeline ought to be added to this condition either prior to first occupation or prior to any building taking place, with his preference being the latter. He expressed the view that a position cannot be made whereby the site is sold off and nothing has been undertaken creating potential problems. David Rowen informed members that there is already an implementation element to that condition in the first part of the condition referring to occupation of the first dwelling.
- Councillor Cornwell referred to bad experiences of failures with management companies in cases such as this and if the failure in the past has affected only the members of the consortium of the management company they have their own problems to solve, but in this particular case the surface water in the surrounding area may also be dealt with by this attenuation pond or whatever the development proposals are so, therefore, there may be people outside the immediate development that are affected by the continued standard of maintenance of this particular development. He asked if there is any way those that fall outside this development can be protected by any failure of the management company? David Rowen advised members that a development is only required to mitigate its own impact and as part of the surface water drainage strategy put in place and condition 6 there would be the consideration of impact of the development on flood flows and the need for the development to adequately address that in terms of the surface water strategy. He stated that in terms of whether a management company were put in place, the residents of the development would effectively be the management company, and you would hope they would want to keep the management company going so they are in effect protecting their own interests going forward and again as part of condition 6 details of the maintenance and adoption of the surface water drainage system are required. David Rowen stated that the only alternative to a management company is for the attenuation pond or whatever other measures are taken to be adopted, but this would involve one of the statutory bodies, and

the other option is a requirement for a bond to be paid, which could held by the Council in the event that a management company cease to exist, but the danger with this is that if there is an opportunity to pass this liability onto someone else that disincentivises the management company from operating properly, so the only realistic option is for a management company to be set up to maintain and manage whatever measures are put in place going forward.

- Councillor Cornwell expressed the view that there may a third alternative in that presumably the standard and requirement of an attenuation pond will have to meet the requirement of the local IDB, who he assumes will be taking the discharge from this development, so is there any way that they could be encouraged to deal with the issue? He noticed that there were no comments from the Middle Level Commissioners, which he assumes means there is also no comment from the local drainage board and he is sure there is a representative of the Council on this drainage board and this should be discussed at this level and wondered whether this option could be taken up also? David Rowen responded that one of the options is that the drainage board do adopt whatever system is put in place, but ultimately this is a decision for the drainage board and if they are happy that someone else is going to take it on and the flows are going to be acceptable into their system whether they would be prepared to do this or not he does not know. He expressed the opinion that it is an option that could be explored by the developer and it could come forward as part of the surface water drainage strategy. Councillor Cornwell stated that he raises it at this meeting on the basis that the attenuation pond is likely to serve more than just the development and using the IDB's powers it can give a greater control and continuing maintenance of what is in effect becoming a middle area drainage system.

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

- Councillor Mrs French referred to the comments of Councillor Cornwell and doubts if the drainage board would take this on as they have only just agreed last week to take on surface water from the Berryfield's site, which has been on-going for around 3 to 5 years, so if going down that route the applicant needs to be prepared to wait 5 years for a resolution.
- Councillor Connor agreed with the comments of Councillor Sutton in that the attenuation pond should be in place before the buildings get above slab level as members do not want the situation where most of the buildings have got residents in them and there is no idea when the attenuation pond will be built and this should be put in the conditions.

Proposed by Councillor Mrs French, seconded by Councillor Sutton and agreed that the application be APPROVED as per officer's recommendation subject to the condition that the attenuation pond to be in place before the dwellings are above slab level.

(Councillors Connor and Mrs Davis registered, that as ward members for Doddington and Wimblington they attend Doddington Parish Council meetings, but take no part in the discussions on planning applications)

(Councillor Sutton declared that he knows the applicant for this application, but this will make no difference to any decision made on the application)

P14/21 F/YR20/0707/O
LAND REAR OF 222 LYNN ROAD, WISBECH
ERECT UP TO 14 DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED) INVOLVING THE DEMOLITION OF EXISTING BUILDINGS

The Chairman informed members that this application had been withdrawn from the agenda.

P15/21 F/YR21/0233/O
LAND SOUTH OF, 12 - 24 INGHAM HALL GARDENS, PARSON DROVE
ERECT UP TO 9 X DWELLINGS (OUTLINE APPLICATION WITH MATTERS

COMMITTED IN RESPECT OF ACCESS)

Nick Thrower presented the report to members.

Member received a presentation, in accordance with the public participation procedure, from John Craythorne, an objector.

Mr Craythorne stated that he has four principle objections to this application in that it is an intrusion into the open countryside and opens the door to further development not in keeping with the village, it could not go ahead without severe disruption to all the existing residents of Ingham Hall Gardens and Brewery Close for a number of reasons, the proposed access road has access granted to the applicant, but part responsibility for its maintenance falls upon the other beneficial users of the road and the proposal does not meet the conditions of the Parson Drove Neighbourhood Plan, which was formally adopted at Full Council on 6 August 2020. He displayed an aerial view of the whole village showing the proposed development and expressed the view that you could see from this view to the west Murrow Bank to Church End and throughout the whole of the village if you draw a line from the rear boundaries of the existing developments in Ingham Hall Gardens, Brewery Close and John Bends Way there is no development whatsoever beyond these boundaries anywhere in the village, therefore, he feels that this development is an intrusion into open countryside.

Mr Craythorne showed a photograph which shows in more detail what he is trying to emphasise, there is the rear boundary of Brewery Close, Ingham Hall Gardens and John Bends Way and this development is entirely beyond this boundary. In terms of severe disruption to existing residents, he referred to the Design and Access Statement where it is proposed that up to 28 vehicle movements could be generated from this development and he made the point that Ingham Hall Gardens is a quiet cul-de-sac of bungalows almost exclusively occupied by retired persons and in addition there would be the noise and mud on the road caused by the construction of this development.

Mr Craythorne referred to an extract from item 6.2 of the Design and Access Statement, which states " the proposal will result in the installation of a new sewage treatment plant which will benefit the wider community", but as Director of the Ingham Hall Gardens Residents Association he is aware of the condition of this plant and has been assured it is nowhere near the end of its life so it does not need replacing and they are continuing to build a contingency fund for when replacement is necessary. He expressed the opinion that there are additional rules for sewage treatment plants issued by the Environment Agency on 1 January 2015, which states if you are building a development of more than one property, you are governed by a rule that if the number of houses multiplied by 30 metres is less than the distance to a public sewer you must connect to that public sewer, with this development generating a figure of 270 metres and the distance to the public sewer as the crow flies is 160 metres and along the roadway is 260 metres, therefore, the properties pertaining to this application must be connected to the public sewer in Main Road, Parson Drove, which would involve digging up the whole of Ingham Hall Gardens causing an even greater disturbance to all the residents of this road and Brewery Close.

Mr Craythorne advised that through considerable research through the Land Registry he has obtained information on who owns what in this area and the right of access was granted to the Bellamys and their successors in 1987, which, in his view, means there is a legal implication that any occupier of these new properties would not automatically get that right of access meaning they could own a property but have no right of access to it. He referred to the Parson Drove Neighbourhood Plan in that the applicant has not consulted with anybody and neither does this development have the support of the Parish Council.

Members asked questions of Mr Craythorne as follows:

- Councillor Sutton noted the red line across the back of the development and that this

development is beyond this, but asked if this red line had been drawn across the back of Main Road years ago Mr Craythorne would not be living where is living now? Mr Craythorne agreed that this is true.

- Councillor Sutton stated he was unsure whether Mr Craythorne's presentation is strictly in line with policy about connecting to the main sewer as his reading of it is that a sewer is there and as long as that has the capacity to take it then this potential development could feed into that rather than feed into the sewer in Main Road. Mr Craythorne responded that the situation as he has read the Environment Agency's guideline is that if they had to provide a sewage treatment plant, with the current treatment plant at capacity, they would have to provide a larger treatment plant and this is the essence of what the Environment Agency are getting at in trying to discourage the use of sewage treatment plants, therefore, connection to the main sewer.

Members made a presentation, in accordance with the public participation procedure, from Gareth Edwards, the agent.

Mr Edwards stated that under LP3 of the Local Plan, Parson Drove is a limited growth village and in this classification it states that such development may be appropriate as a small village extension, and, in his view, this is exactly what is being proposed and consistent with approvals in the same classification of villages in Fenland for as many as up to 60 dwellings. He made the point that the site is served by an adopted highway, which he feels is more than capable of taking the additional traffic that would be generated by this proposal and the proposed road would be to an adoptable standard, but is to be maintained and remain in the ownership of the management company paid for by the 9 individual dwellings.

Mr Edwards expressed the view that the management company will enter into an agreement to allow FDC refuse vehicles to use the road for bin collections in line with Recap legislation, which is also consistent with many sites approved recently in the District. He stated that the proposed development comes with the support of 26 individual letters as opposed to 19 individual letters opposing the development and it should be noted that one individual has sent in several letters, which gives you the total of 22 in the officer's report. He believes this shows there is clear community support for the proposal in line with the requirement of the local Neighbourhood Plan.

Mr Edwards stated that in an ideal pre-Covid world they would have carried out a consultation on the proposal, but individuals have taken the opportunity to show their support to the proposal and he thanked them for this. He referred to the plan displayed on the presentation screen which shows that Parson Drove, especially to the south side, has pockets of comprehensive development with no hard or fast line, which led them to carry out an informal pre-application in 2017, which was initially for a larger area and officers felt was too much, and the proposal was reduced in line with the current proposal, to which officers confirmed "I have reviewed the drawing and can advise that the level of development is more in line with the previous advice given and does not represent an unacceptable encroachment into open countryside", with this proposal going behind both Ingham Hall Gardens and Brewery Close and this has further been reduced down by keeping it solely behind the existing tree line to screen the proposal and additional planting is also being proposed, which they will be happy to secure by a condition.

Mr Edwards stated that the pre-application advice was given under the current Local Plan and an e-mail with this advice was contained within the Design and Access Statement. He expressed the view that the site is a natural village extension, which is positioned close to the heart of the settlement and its facilities, and, therefore, represents sustainable development and it also has all the dwellings within Flood Zone 1.

Mr Edwards made the point that whilst the layout is indicative, bungalows have been shown nearest to the existing bungalows on Ingham Hall Gardens so not to overlook them and he would be more than happy to accept a condition that states Plots 1-5 are to be single-storey. He stated,

by way of planning gain, they are proposing to replace the existing treatment plant which as the manufacturer has stated was installed in the late 1980s to early 1990s, would be reaching its anticipated mechanical life expectancy and feels that the plant will require replacement in the next few years, with replacement of the unit being about £70-80,000, with a further £15,000 for shoring and dewatering.

Mr Edwards acknowledged that the proposal requires a treatment plant, but these will be of an individual nature to the plots and at a fraction of the cost that the applicant is looking to fund by replacement of the existing plant. He stated that the proposal has the support of the Highways Authority, North Level, Environmental Health and as per the request of Cambs Fire and Rescue they are prepared to install a fire hydrant, which will benefit the whole estate.

Mr Edwards asked members to support the application with the conditions they deem appropriate.

Members asked questions of Mr Edwards as follows:

- Councillor Benney asked why consultation was not undertaken with the Parish Council, acknowledging that Covid was the reason that the public consultation was not undertaken, as this does form part of the Parson Drove Neighbourhood Plan and could he explain why this was not undertaken? Mr Edwards advised that the applicant did speak with the Chairman of the Parish Council, who confirmed they were not happy with the proposal, but the applicant feels they have demonstrated the support by the number of support letters that have been secured against those that oppose it so, in his opinion, it is consistent and meets the requirements.
- Councillor Benney referred to the approach to the Chairman of the Parish Council and asked if this was an official approach at a Council meeting? Mr Edwards confirmed that it was not an official approach. Councillor Benney asked for clarification that the applicant did not undertake any official approach with the Parish Council? Mr Edwards confirmed that he did not.
- Councillor Cornwell asked Mr Edwards to clarify who was supporting the application as he had referred to the Environment Agency or IDBs? Mr Edwards responded that it was North Level Internal Drainage Board. Councillor Cornwell stated that the report says that North Level had no objection in principle and this does not say they support the proposal. Mr Edwards made the point that they have not objected to it either, which they would take as support.
- Councillor Sutton asked about the grey area of connection to or not a main sewer. In his view, given that there is a sewer albeit not a public sewer this development would be able to go into that sewer should it have the capacity and would not need to go all the way through the estate to the Main Road sewer and asked Mr Edwards views on this issue. Mr Edwards stated that their drainage consultant did look into this issue, whilst it is a bit of a grey area, they came to the conclusion that as there is already an existing facility that is utilised this can be used and you do not need to go to the main sewer. He made the point that it would not be cost effective to discharge to the main sewer.
- Councillor Sutton referred to an officer stating that this is not in an elsewhere location so advice Mr Edwards had back then was an indication to go forward with the application. Mr Edward agreed and stated that this side of the village development is not all linear.
- Councillor Mrs Bligh asked if this was a resubmission of a previous refusal and was public consultation undertaken on that application? Mr Edwards responded that as it was only 9 dwellings there was not a requirement at that stage to undertake public consultation. Councillor Mrs Bligh expressed her confusion on when the Neighbourhood Plan got adopted in relation to the previous application. Mr Edwards stated the first application was before the Neighbourhood Plan was adopted.

Members asked officers the following questions:

- Councillor Murphy referred to 10.29 in the officer's report and asked if this needs to be taken into consideration if the proposal goes to an appeal? David Rowen stated that the

intention of that paragraph is to highlight to members if the committee is minded to overturn the recommendation to refuse there would need to be a condition imposed on any planning permission in relation to a refuse collection strategy. Councillor Murphy referred to the last paragraph of this point where it indicates if it is overturned or even if it is agreed for refusal. David Rowen referred to reason for refusal 3, which does pick up on providing high levels of residential amenity due to the distance they are located from the nearest waste recycling point and the need for residents to move their bins to that point and if members are minded to grant planning permission then it would need to be picked up through a condition.

- Councillor Cornwell asked if the Neighbourhood Plan is fully approved and has to be taken into account? It was indicated in the affirmative.
- Councillor Sutton is not sure whether refusal because of not doing a public consultation would be given a great deal of weight as the support has subsequently come forward and if members remember back in 2018 the Council's policy of LP12 was used on a Manea application, which clearly states why it was refused, but that went to appeal and not only did the Council lose that appeal it got cost awarded against it for being unreasonable. He expressed the view, given experience with the Council's own policy, members would be on dangerous ground to refuse the proposal on the lack of public support, when clearly there is public support there. Councillor Sutton asked for advice if members refuse the application on this particular point? David Rowen stated that when he was looking through the report the Manea case came to his mind also, but there is a difference in that was refused on a Local Plan policy as opposed to this being a Neighbourhood Plan policy. He made the point that you have to consider what the point of Neighbourhood Plans are and it is to allow the community to steer the development that occurs in their area, which may, therefore, give slightly greater weight than a Local Plan policy would in terms of their having to be demonstrable community support. David Rowen stated that it is worth noting that the examination of the Neighbourhood Plan took place after the Manea application and from his recollection the Manea application had this issue as the sole reason for refusal and this proposal has this as one of three reasons for refusal, so if members are minded to go with officer's recommendations and refuse the application on all those three grounds then even if the Inspector was to strike out reason for refusal 2 he cannot see that the Council would be subject to a cost claim given the other reasons for refusal.
- Councillor Sutton stated that if there was not subsequent support then he could fully go with the recommendation, but there is demonstrable support and he would be wary of turning it down on those grounds. David Rowen referred to the wording of policy 2 of the Neighbourhood Plan that the proposal needs to be "accompanied by clear demonstrable evidence of positive community support scheme instigated by a thorough and proportionate pre-application community consultation exercise". He stated, firstly, there has been no pre-application community consultation exercise, and whilst there is support for the application there is objection as well and as well as the demonstrable evidence of community support aspect there is also a second point "and it is supported by the Parish Council" and it does not have this support so in effect the proposal fails both of those points of Policy 2 of the Neighbourhood Plan.

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

- Councillor Mrs Davis stated that she is inclined to support the officer's recommendation as there seems little point in the Government giving grants to the parishes to undertake Neighbourhood Plans only for members to ignore them. She made the point that the Parish Council do not support it and whilst there is some support it is marginal and if there had been a wider consultation it may well have swung the other way. She feels that as it is a very recent Neighbourhood Plan, members should respect this.
- Councillor Mrs Bligh completely agrees with the officer's recommendation to refuse. She has watched Parson Drove Parish Council work very hard on their Neighbourhood Plan and it took a lot of years to get it approved and she will not go against what they want as far as building their community is concerned. Councillor Mrs Bligh recognises that it does have individual letters of support, but it also has a lot of objection as well so, in her view, this does

not show clear support and it does not have Parish Council support and she recommends to the agent that if they do try again they engage better with the Parish Council. She feels the rear building line will definitely encroach into the open countryside and knowing the linear development of Parson Drove that concerns her.

- Councillor Benney expressed the view that it is a worthy development to bring forward, the site lends itself well for additional dwellings to be built with the road left as an entrance for development. He referred to members approving a takeaway in Parson Drove and this takeaway will need support. Councillor Benney stated that his concern with the proposal was Parson Drove Neighbourhood Plan, it was only adopted in 2020, and he struggled to come up with a reason to go against this, but he thinks that the community benefit in terms of the offer to pay for the treatment plant is a generous offer and must be taken into account. He has listened to what Councillor Sutton has said toady about the possibilities of an appeal and members must not put this Council at risk in any way to face costs. Councillor Benney made the point that the committee are District Councillors and need to look at the benefits for the whole District, with the points that the objector made about disruption being a feature of any development. He very much feels if this proposal goes to an appeal and the Council loses it is opening itself up to costs and the public benefit of the proposal in the long-term will be better, questioning whether it was building in the open countryside as wherever you build houses in Parson Drove you are building in the open countryside. Councillor Benney expressed the opinion that the District needs homes and he feels Councillor Sutton has provided him with a way to go against officer's recommendation and approve the application as he feels the community benefit will support business in that area.
- Councillor Cornwell expressed the view that it is outside the existing settlement and he was surprised on his site visit just how outside it was. He feels there has been a chequered history of development in this area and if this had been approached as part of a complete package members would have been happier with it. Councillor Cornwell expressed concern that Neighbourhood Plans are encouraged and members are potentially ignoring them, with the Parish Council itself not saying it did not comply with its Neighbourhood Plan if it did not and do not support the proposal. He referred to the possibility of an appeal and made the point that if someone wants to take the Council to an appeal that is fine, but members must not sit here and be frightened of appeals as long as members are carrying out their roles properly then they should not be worried. Councillor Cornwell expressed the view that it is not being inconsiderate but logical and he will support officer's recommendation.
- Councillor Connor agreed with the comments of Councillors Mrs Davis, Mrs Bligh and Cornwell in what is the use of having a Neighbourhood Plan, which is less than a year old, and going against it as it would make a ridicule of having a Neighbourhood Plan. He made the point that the Parish Council are not in support of the application and whilst he is in favour of growth in Fenland and houses in the right location, he would have to support the officer's recommendation.
- Councillor Sutton stated that he concurs with a lot of what has been said, but feels the committee may be forgetting that the Neighbourhood Plan was approved in 2020 under a virtual meeting and for the majority of the duration of its existence the country has been in lockdown so public consultation would have been virtually impossible and had the subsequent support and objections gone in favour of objection then he would have no problem with the officer's recommendation, but the fact of the matter is that the public support outweighs the objections so the issue of the Neighbourhood Plan, in his view, has to take a side step because of the conditions the country has been in. He feels that, given that the proposal has got support, members would not be going against the Neighbourhood Plan as it does have community support so he does not believe it is going against the Plan per se, but even if it was it is within the committee's remit to do so as it has done on many occasions against the Council's own Local Plan. Councillor Sutton expressed the view that he would suggest that new Neighbourhood Plans do not include these type of things as he does not feel it is a good policy and stifles development.
- Councillor Mrs Davis reminded members that there are other legitimate reasons for refusal,

it is not just in relation to the Neighbourhood Plan.

- Councillor Cornwell pointed out that the consultation does not have to be face to face, consultation could have been in a written form and he assumes the comments that did come in were in a written form. He made the point that everyone in the community would have had the opportunity to take part in the Neighbourhood Plan and consultation could have taken place by post.
- Councillor Miscandlon asked where the support letters came from as in the past support letters have been received from abroad and he wanted to know if this support was local? David Rowen stated that as set out in paragraph 5.9 of the officer's report 22 objections had been received and were all residents of Parson Drove, with the majority received from residents of Ingham Hall Gardens, and at 5.10, 26 responses of support have been received with the majority being from residents of Parson Drove, with them mainly being from Brewery Close and Springfields Road and a small number from Ingham Hall Gardens.
- Councillor Miscandlon expressed the opinion that Neighbourhood Plans are important, they are what the elected members are dealt with from the local residents, and those letters of objection and support do not represent the whole village and, therefore, the Neighbourhood Plan is sacrosanct in the village. He feels there may be small sections of the Plan that people do not like, and they will object to, but the Neighbourhood Plan is the views of the whole village and needs to be considered.
- Councillor Mrs Bligh stated that Mr Edwards will be well aware having his business in the area that there is such a thing called Village Voices and a public consultation does not have to be face-to-face and he could easily have used this publication asking for public support.
- Councillor Murphy referred to overwhelming support and he does not class 26 responses to be an overwhelming number for the whole of Parson Drove. He made the point that the committee is not aware how many of those supporters were persuaded to support it.
- Councillor Mrs French agrees with the Neighbourhood Plan, making the point that it took March Town Council four years to conclude at considerable cost and March Town Council would be appalled if this committee repeatedly went against its Neighbourhood Plan. She feels it would be most unfair to go against the Parish Council when they have spent the time and money producing the plan so she cannot support going against this plan and if it goes to appeal the Council will only get costs if it has been unreasonable and she does not believe the committee would be unreasonable in supporting a Parish Council.
- Councillor Mrs Bligh agreed with the comments of Councillor Mrs French, it did take three years and a lot of backwards and forwards to get this Plan sent to a Referendum and adopted by Council, which is a lot of work, and to go against it what would the message be to other Councils starting this journey.
- Councillor Sutton made the point that this is exactly the comments used by him and Councillor Mrs Hay on the Manea application and it went to appeal where it was overturned, which led to the removal of LP12.
- Councillor Benney expressed the view that a big thing is being made of going against policy, but the committee goes against policy every week as members interpret policies in different ways and if members went with officer's recommendation on everything there would be no need for a Planning Committee He expressed the view that he does not feel overly strongly about this application as he came to committee today thinking it would probably be refused due to the Neighbourhood Plan, which is why he asked the agent why they had not gone out to consultation whereby he may have received the support required, which is where he feels the application has fell over, which is a shame for the applicant. Councillor Benney made the point that it is the committee's duty to challenge and to question, he understands members views on this application and agrees in some way with the Neighbourhood Plan, but he also takes into account what Councillor Sutton has said and really feels this has fallen over due to a basic mistake by not undertaking consultation.
- Councillor Connor agreed that committee does go against policy, but every planning application has to be dealt with on its own merits.
- Councillor Mrs French asked if it was possible to make a recommendation to defer this application for the applicant to go out to a proper consultation with the Parish Council?

- Councillor Connor agreed as there is only possibly until 19 July before there is a certain amount of freedom once again and a month or so after this there could be a full public discussion and it could be brought back in September or October again so that not too much time would be lost.
- Councillor Mrs Bligh asked for clarification regarding the Manea application was this refused on the Council's Local Plan as Manea does not have a Neighbourhood Plan and this application is looking at overturning a policy of a Neighbourhood Plan not a Local Plan. She asked if the Neighbourhood Plan supersedes the Local Plan?
- Councillor Mrs French made the point that the March Area Transport Strategy consultation was undertaken on-line during Covid and it had a fantastic response so it could have been done by another method rather than face to face. She expressed the view that the Neighbourhood Plan is only a year old and it does supersede the Council's Local Plan, she feels the application should be deferred to allow the applicant to go out to proper consultation.
- David Rowen stated that the main issue that has come out of debate has been public consultation and non-compliance with the Neighbourhood Plan and reminded members that all applications should be determined in accordance with the Development Plan as set out in the Town and Country Planning Act. In terms of the deferment of the application and what benefits this would bring, he made the point that the Parish Council have already commented on the application and objected to it and this is a key strand of Policy 2 of the Neighbourhood Plan. David Rowen expressed the view that public consultation could have been undertaken in one form or another, but essentially there is an application that has not complied with the relevant policies of the Neighbourhood Plan and he is not sure that going out to consultation on the back of a deferment would move the situation along a great deal. He made the point that the Neighbourhood Plan issue is one of three refusal reasons and it is not proposed to be refused solely on this basis and, in terms of an appeal and the issue of costs, this is a Neighbourhood Plan policy and Neighbourhood Plans were introduced to give local communities an opportunity to give a greater steer to what development is allowed within their areas and because of that the community consultation aspect carries more weight at appeal than the Local Plan policy did in the Manea application, with these policies being different due to where they sit in the policy hierarchy. David Rowen advised members that it is the committee's decision to determine the application in front of them and go with the recommendation.
- Councillor Connor asked if this was the first application on this site and would they get free resubmission if refused? David Rowen responded that if the applicant had used their free submission from the previous refusal then no, but he is not sure whether this application is a free submission or not.
- Councillor Benney stated that he does like deferments unless there is a specific issue to resolve and he does not feel there is on this application. He feels if the application was refused today it would give a definitive answer to the applicant, know where he stands and if it would allow a "free go" as he does not want the applicant to incur more costs. David Rowen stated that this application is the applicant's free re-submission and the fee regulations only entitle an applicant to one "free go" on a site, so if this application was refused and a further application submitted a fee would need to be paid.
- Councillor Mrs French asked for clarification that if an application was re-submitted it must be considerably different to the original application as why would you submit a complete duplicate of a current application? David Rowen stated that for an application to be a "free go" it has to be the same red line boundary, the same applicant and the same character of development and you are only entitled to one "free go" on a site. He stated that in terms of the Council's power to decline to determine a subsequent application whereby it is an identical application to a previous submission, there have been more than two previous decisions on the site.

Proposed by Councillor Skoulding, seconded by Councillor Mrs Bligh and agreed that the application be REFUSED, as per the officer's recommendation.

(Councillor Sutton requested it be recorded that he abstained from voting on this application)

(Councillor Mrs Bligh declared that she is the Ward Councillor for this application)

(Councillor Sutton declared that he knows the applicant and public speaker for this application, but this will make no difference to any decision made on the application)

P16/21 F/YR21/0337/O
LAND WEST OF 207 TO 215, FRIDAYBRIDGE ROAD, ELM
ERECT 2NO DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

Nick Thrower presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Chris Walford, the agent.

Mr Walford stated that this is an application for what he would call two large self-building plots within the built form of Elm, which is a designated village within the Local Plan for limited growth where small development will be encouraged. He drew members attention to the slight anomaly in the agenda where it refers to Elm in the description, but in Paragraphs 2.4, 10.8 and 11.1 it refers to Friday Bridge.

Mr Walford made the point that the proposal has the support of the Parish Council and also 14 letters of support have been received. Officers have considered the site to be out of character, but, in his view, the fact that it cannot be seen from the road would not adversely harm the character or the appearance of that area, therefore, it is considered low impact development and on a field which has been cut to a domestic level of grass for many years and used in connection with the applicant's adjacent dwelling.

Mr Walford referred to a case on Main Road, Elm, on the same stretch of road but further down, F/YR17/0469/F, which was refused by the Council for being behind the existing linear pattern and would result in backland development considering harm to the local character contrary to policy, with this application being appealed and was won as the Inspector did not consider that the backland development in this case would have been harmful to the local identity of the area or character and was, therefore, not contrary to LP16. He expressed the view that this application is relevant to this proposal as their application is well screened from the main road, would not affect the street scene or the local identity.

Mr Walford referred to the objections from neighbours, with one of them in relation to the area becoming an estate or a large development, but this proposal is only for two dwellings and there is a pre-application from Highways to show their access can only sustain two dwellings and he can reassure members that this will only be an application for two self-build properties. He feels the site and its character does not set a precedent for backland development in the area, which has been confirmed in the officer's report.

Mr Walford expressed the opinion as agents they see a huge shortage of self-build plots in all of the villages and where there are sites or schemes that can deliver low impact development within the village centres it should be supported and he asked members to help them do this. He expressed the view that bringing executive type housing to the villages, which supports the villages and its services, should be supported.

Mr Walford stated in relation to the flood risk issue on the reason for refusal, he spoke to the flood risk specialist yesterday who produced the report as it did not appear that his sequential tests had

gone far enough and his assessment was undertaken on the basis of sites that are available and openly willing to be sold on the open market whereas the officer has explained in their report that it is leaning towards any site whether it is on the market or not, but, in his view, it is hard to understand whether a site is available or not if it is not on the open market. He stated that they can check levels on site, as they have a site which is predominantly in Flood Zone 2, but the other third of it is in Zone 1, to query with the Environment Agency whether the site is in Zone 1 or 2 and if it can be confirmed the site is in Zone 1 the sequential issue would be removed.

Mr Walford expressed the view that if members are not keen going against officer's recommendation on flooding he would ask that they are given time to check those levels on site and get an accurate confirmation on whether the site is in Zone 1 or Zone 2 as at the moment they are working off the high level Environment Agency map and have in the past been able to go into more detail and confirm with accuracy what zone a site lies in.

Members asked questions of Mr Walford as follows:

- Councillor Miscandlon referred to the last point made by Mr Walford that the question would be answered more definitively if he had more time and asked why the application was brought to this meeting, why was it not withdrawn so he could gain a more substantive answer to present to this committee? Mr Walford responded that it was due to lack of time, he has only been looking at the proposal recently and felt that they would put the application past committee and see what happened.

Members asked questions of officers as follows:

- Councillor Miscandlon asked if officers were aware of the issues that Mr Walford had raised in relation to flood zones and if so what were their recommendations to him? Nick Thrower advised the process by which a sequential test is carried out is set out in the Cambridgeshire Flood Water Strategy, a Supplementary Planning Document, which is supplemented by a document that the Council confirmed in terms of the approach to undertaking a sequential test with regard to the area of search and it is a fairly straightforward process albeit does require some work to be undertaken to understand what sites are available or have permissions and to that extent the planning authority does keep a record of permissions granted within villages and the dates of those permissions that is available for agents to request so they can fully investigate what permissions are in place in settlements and to ensure any sequential test they undertake is fully detailed with all the possible sites that might be able to accommodate the development as proposed. Councillor Miscandlon stated that this response did not answer his question as he was asking about the issue with flood zones the development land is within. David Rowen stated that on the Flood Zone maps of the Environment Agency the site is shown as within Flood Zone 2, with the information that Mr Walford gave seemed to indicate that the applicant and agent were looking to go away and in effect survey the site and surrounding land levels to try and dispute that classification, which is a separate process to undertake with the Environment Agency to get the flood map amended. He made the point that ultimately the site is classed as being in Flood Zone 2, which is in the public domain, and that information should have come in with the application to make that case from day one of the application rather than here at Planning Committee.
- Councillor Cornwell asked if the case is not ready to be considered why are we talking about it as actually, according to the agent, they still have some unfinished business, so why has it come to committee incomplete? David Rowen stated that members have a planning application in front of them and there is a duty to determine these applications, with the flood risk/sequential test issue being one of two reasons for refusal, and it is up to members what they wish to do with this application today.

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

- Councillor Cornwell expressed the opinion that if the application is not ready for members to be able to approve it then committee should go with the officer's recommendation and

refuse it.

- Councillor Sutton stated that he understands where the agent is coming from as not that long ago just down the road there was a development for two dwellings, one which was in Flood Zone 1 and the other in Flood Zone 3, and he asked the question where Flood Zone 2 was. He made the point that the agent and applicant on that application did a topographical survey which showed the level of Flood Zone 3 was higher than Flood Zone 1, which possibly should have been challenged with the Environment Agency, but the committee took the view at the time, which in his opinion was a commonsense decision, to build on Flood Zone 3 as it is no more dangerous in flood terms than building next door to Flood Zone 1 and approved the application. Councillor Sutton expressed the view that if the agent is asking for extra time, a deferral would be the right direction.
- Councillor Cornwell agreed with the comments of Councillor Sutton because the agent had already done his work before he came to the meeting.
- Councillor Benney expressed the view that a deferment is the best thing as he does not want to be refusing the application when it is a matter of time to put it right and he would be supportive of a deferment. He remembers the application that Councillor Sutton referred to, which was approved, and he feels the surveys that need doing can be undertaken to find answers for this issue. Councillor Benney expressed the opinion the application is incomplete, but he does not want to refuse an application without good reason.
- Councillor Skoulding agreed with the comments of Councillor Benney. He made the point that 2 hectares is the size of two football pitches, so they would be fantastic plots and it would be a shame to refuse them.
- Councillor Mrs Davis agreed with Councillor Benney in that a deferment should be made, but, in her view, it would have been wiser for the agent to have withdrawn it, but he has not so all members can do is defer it.
- Councillor Sutton made the point that members are only talking about flood issues and there are two reasons for refusal and if members are deferring on flood issues a decision is required on the second reason for refusal. He stated that if members do not think it effects the character of the area this needs to be said now as members do not want to put the applicant or agent to unnecessary work and expense regarding the flood issues if it is resubmitted and it is then refused due to it being out of character.
- Councillor Benney stated that he has visited the site and noticed there are other houses built behind further down the road. He feels if the Highways have got no objections to the access and, in his view, some developments add character to the area, he would have no objection to it affecting the character of the area. Councillor Benney expressed the opinion that there are these types of developments throughout the whole district so he would go against the officer's recommendation of refusal on this particular policy.
- Councillor Skoulding stated that he had difficulty finding the site and he cannot see any problem with this development at all, it cannot be seen from the road and, in his view, it is a lovely design. He made the point that there are other developments behind.

Proposed by Councillor Benney, seconded by Councillor Skoulding and agreed that the application be DEFERRED in relation to flood risk issues only. Members did not agree with the officer's recommendation of refusal one as they feel that the application does not adversely impact on the character and appearance of the surrounding countryside.

(Councillor Sutton registered that, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, he had been lobbied via an e-mail from a resident asking for support in objection to the application, but responded that he could not comment due to sitting on Planning Committee)

(Councillor Sutton declared that he knows the applicant on this application, but this will make no difference to any decision made on the application)

P17/21 F/YR21/0290/F
LAND NORTH EAST OF 347, LEVERINGTON COMMON, LEVERINGTON

ERECT A SINGLE-STOREY 2-BED DWELLING IN ASSOCIATION WITH EXISTING BUSINESS (PART RETROSPECTIVE)

Alison Hoffman presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Chris Walford, the agent.

Mr Walford stated that this application is for a log cabin serving two key purposes, the first as a show home for the existing business, Barretts Leisure, and the second for an on-site residence for the applicant and owner of the business, Mr Hardiment. He acknowledged that officers are bound by Local Plan policy and this application does not fit the mould for a typical functional dwelling in an elsewhere location, which he feels is why this is a decision that should be made by the committee.

Mr Walford made the point that the application has Parish Council support, is in Flood Zone 1 and has no other consultee issues. He stated that the log cabin was originally permitted in 2005 as a show home only so the placement of the log cabin in this location is not an issue, with the added use to allow the owner to live on site to help him with the efficiency of the business, both financially and operationally.

Mr Walford referred to the concerns raised by officers regarding the dual use of a show home and a cabin at the same time, but this is a scenario that the applicant is accustomed to within his industry in leisure and is planning to keep the dwelling clean and tidy ready for the start of each working day when he might have a potential customer, but most would be by appointment only. He stated that they are happy for this to be secured by condition that it will be for the owner of the business only.

Mr Walford asked members to consider this low impact proposal for use of a building which has already been permitted on site in a way of improving and helping financially the operation of a small business in the local area.

Members asked questions of Mr Walford as follows:

- Councillor Cornwell asked how many show homes are lived in and why there is a need to live in the demonstration house? Mr Walford responded that there is a liveable cabin on site that is being used for the purpose of showing customers what is on offer and the applicant for his own reasons would like to move on site to free up his current residence and pump this money into his business. He made the point that the applicant is happy to live on site in his workplace and asked what is the harm and extra impact of him living on site in his own business accommodation? Councillor Cornwell stated that he has viewed the site and the cabin is very impressive, but just wondered why he had to live on site and asked if there is anyone living on site now? Mr Walford stated he would have to check, but does not believe so.
- Councillor Mrs Davis stated that they have gone some way to mitigate that this is a show house, which are normally void of residents, and why someone should live here, but have failed to mention if it is to protect the site, with the Crime Officer saying it is a low crime area and asked if there have been incidents at the site? Mr Walford responded that he is not aware of a record of incidents, but the Crime Officers comments are on what has happened today but this does not mean it might not happen tomorrow. He expressed the view that it is a remote and open area, there are reports of crime, and business owners are paranoid and he does not feel it should be a reason not for the applicant to live on site just because there has not been a problem.
- Councillor Mrs Davis referred to the house close by and asked if this is owned by the applicant? Mr Walford responded that he did not know.
- Councillor Benney referred to his visit of the site and saw the log cabin, but also saw sheds.

He stated that it is being queried the use of show home and living accommodation and asked if there are items stored in the sheds as the use of the sheds is not being queried. Mr Walford responded that he did not know. Councillor Benney stated that if they are being used for storage that is their purpose and this would be the purpose for having a dwelling here. Mr Walford stated that the log cabin will sit there and be a show home and he would imagine that the sheds would be for storage.

- Councillor Miscandlon stated that Councillor Mrs Davis had asked the question he was going to ask about the house within the blue curtilage of the site. Mr Walford responded that a colleague has updated him that the house is not in the applicant's ownership and was accidentally included within the blue line.

Members asked officers the following questions:

- Councillor Sutton asked, if an area has been included in the blue or red line, would the application still be valid? David Rowen stated that he is not certain and it is the first time he has heard of land being included in the blue line accidentally. He feels given that it is the blue line boundary he would suspect this does not invalidate the application. The Legal Officer confirmed it did not invalidate the application. David Rowen stated that if land is included within the red line boundary that is not within the applicant's ownership they would have to serve a notice and certificate of ownership, which could complicate and invalidate an application.
- Councillor Miscandlon asked if the officers were aware regarding the land being included in the blue line and not being in the applicant's ownership as this has obviously been on record for some time before it came to committee so why was it not picked up beforehand? Alison Hoffman responded that this would be a question for the agent, as the report is in the public domain. However, she made the point that even if there is not a house within the blue line it still needs to be considered if there is a functional or essential need for a dwelling to serve a leisure use within the site. Alison Hoffman stated that the agent has failed to explain that the house is not in the ownership, but this is only one part of the consideration that members need to make in evaluation of this application. Councillor Miscandlon expressed the opinion that a mistake has been made that was not picked up by the agent or officers, which needs to be clarified going forward.

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

- Councillor Benney believes there have been similar scenarios to this, such as at Manea where a farmer was looking to live on site for rural security and, in his opinion, the applicant's business is there and there is no better security than someone living on site. Whilst he recognises that you can put alarms in and cameras outside businesses to make them safe, in his view, the Police do not want to know, with the best you get is a crime number, and as much as there is not a high crime rate in the area, having been burgled many times at his shop, if he could have stopped one burglary that would have been worth it whatever he had to do to stop it happening as it is not a nice experience or to lose financially, and he would have thought that most people who have had a business have had something stolen. Councillor Benney stated that this business is in a rural location and he has his stock and money tied up in it, and, in his opinion, when you live on site a person will never know when you are going to walk out that door and this is best deterrent to have and means of security. In his view, the person who knows that business best is the business owner, with businesses struggling at the moment due to Covid and the recovery, and if the applicant wants to move out of his house and live here to fund his business, members should be doing everything to support him that is how businesses grow. Councillor Benney expressed the view that the proposal will not be of harm to anyone else, it will prevent crime and he does not think the Police statistics on crime are right, making the point how many people do not report the small things that get stolen. In his opinion, the applicant should be allowed to invest his money into his business, the cabin is already there and as to whether it is being used for living in or display it will be kept pristine and will serve a dual purpose making use of an asset that the applicant has got and for this reason he would support the

application.

- Councillor Connor agreed with a lot of the comments made by Councillor Benney as he had a scrap metal yard, the Police said it was a low crime area, he suffered from numerous break-ins. He stated that he would have liked someone to live on site and for this reason he will be going against officer's recommendation as, in his view, you cannot beat a presence on the site. Councillor Connor stated that although he got broken into on a regular basis, he only reported one crime, and if he had reported everything it would have been a high crime area.
- Councillor Mrs Davis asked, if members are minded to go against officer's recommendation, could it be a condition that the log cabin is only to be used for the residence of the business owner and only for the duration that the business is there? David Rowen suggested that if members are minded to grant the application then some form of personal restriction is necessary. Councillor Mrs Davis expressed the view that to ensure this is not a back door application for someone to live in this location that it should be tied purely to the business so that the log cabin can only be occupied by someone who is connected to the business and only whilst the business is in existence.
- Councillor Cornwell made the point that this company has been here for many, many years and for that reason it deserves a level of support, but he does agree with Councillor Mrs Davis that if it could be dealt with like an agricultural tenancy or permission, if it could be made personal to the applicant and/or anyone else who is directly involved with the business he would feel happier as that way it gives local support to a local long-standing business.
- Councillor Miscandlon stated that you can tie a residence to a business as this happened behind where he lives as this property could only be occupied by someone associated with the business.
- Councillor Topgood agreed with Councillor Benney as the property is there, it is not changing the shape or form of the settlement and, in his view, it is perfectly reasonable for someone who owns a business to try and secure that business on site.
- Councillor Sutton asked if the 2005 permission for a show home was ever implemented? Alison Hoffman responded that the consent granted in 2005 was for a smaller unit and it was never implemented on the site. She drew members attention to the history, where it identified that there was a permission for a permanent dwelling further round the site and this was not implemented.
- Alison Hoffman referred to the issue of linking the log cabin to the use of the business and stated that members will note the red line of the application boundary is tightly drawn around the log cabin, its curtilage and the access, and in normal practice if a condition of that nature was being imposed it would rely on the business within the blue line, but given that it is questionable as to what is in the ownership or control of the applicant she would caution against this. She stated there is also the scenario that you could associate the permission with the business name, but the business name or the land associated with that business could change so there may be a mechanism to do it, but on the basis of what is before them more work would be required to make sure any condition was robust, reasonable and enforceable.
- Councillor Sutton asked for clarification that the red line needs to be drawn around the business area before this condition could be placed on any permission, ie a change of application? Alison Hoffman responded that would be the ideal scenario as she is not too sure if it can be conditioned to the blue land as it would have to be accurate or they could use a different colour, such as a green line around the application site and it could be referred to that land. She made the point that officers would need to be satisfied that the condition was "belt and braces" so it did not leave ourselves exposed with other log cabins not associated with the business, in the open countryside, out of character with the area and not essentially located there. Councillor Sutton made the point that given this advice, if members are still sure they want that use tied to that business, it cannot be approved as it would not be enforceable so the only option members have is to refuse. David Rowen stated there is potentially another scenario in that if members are minded to grant the

application they delegate authority to officers to resolve this issue so that the blue line boundary is clarified or the red line boundary is changed to make this condition enforceable.

- Councillor Miscandlon expressed concern about the number of inaccurate and incomplete reports that are coming before members, with wrong information and misinformation, which is making the officers job harder. David Rowen agreed, but there is an onus on agents to ensure applications when submitted are accurate and contain all the information. He stated that officers take applications at face value trusting the information is accurate and base their consideration of that application on this information, so it is disappointing that when it gets to Planning Committee to be told the plan is wrong and the consideration of the application has been skewed because of this. Councillor Connor stated that agents should listen and think about what Councillor Miscandlon and David Rowen have said and put this into practice.

Proposed by Councillor Benney, seconded by Councillor Skoulding and agreed that the application be APPROVED against officer's recommendation, with conditions to be delegated to officers to include that the use be tied to the business owner, the use of the business and future business owners.

Members do not support officer's recommendation of refusal of planning permission as they feel that whilst the application is in the open countryside the need overrides this, the site is not in a settlement as such as there are only a few buildings around the site and the applicant's business is already there, with the application serving a purpose to support that business.

(Councillor Mrs Bligh declared that she is the Ward Councillor for this application)

P18/21 F/YR21/0203/F
LAND SOUTH OF 16 CHURCH LANE FACING, CHURCH WALK, CHATTERIS
ERECT A 2-STOREY 3-BED DWELLING WITH GARAGE AND 2.4 METRE HIGH (APPROX) BRICK WALL

Alison Hoffman presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent.

Mr Hall expressed the opinion that members can see from the officer's report that there are no issues with regard to the principle of development, flood risk, highways or amenity areas to neighbouring properties and on the front of the report it states two-storey property, but it has been deliberately designed as a one and a half-storey property in keeping with properties to the East and South of the site. He referred to the officer's report where is states "the proposal does not have a one third garden area", but the site is 270 square metres and the rear garden would be 85 square metres, which would be a third amenity area and does not include any of the land to the side or the front.

Mr Hall stated that the Tree Officer has visited the site, has confirmed there are no Tree Preservation Orders and is not objecting to the proposal and made the point that the site is not in a Conservation Area. He referred to the officer advising under 9.8 that the proposed dwelling would be at odds with the character of the area, but under 5.5 the Conservation Officer states the dwelling is of reasonable scale and design and in keeping with the surrounding houses.

Mr Hall expressed the view that when he worked on this proposal he walked around Church Walk and Church Lane, with directly to the East of this site there are three chalet bungalows, two built in the 1980s and one in 1960/70, and at the top of Church Walk, to the south of this site, there is also a chalet bungalow, which was built around 1960s, which is what they are proposing with this

application, a chalet bungalow, to match in with the character of the area. He made the point that comments made at previous Planning Committee meetings is that when you build an extension, dwelling or estate, the character of the area is constantly changing.

Mr Hall stated that the existing property still has nearly 20 metres of south facing garden and parking, which is over half of the site, and the officer's report states there are no concerns regarding overlooking or overshadowing and all consultees support the application, with the exception of the Conservation Officer. He expressed the view that the public objections appear to be concerned with parking on Church Walk and the hedge to the front of this site and he has spoken to the applicant, who is happy to cut the hedge back, with some objections saying they want the hedge maintained and the applicant is also happy to maintain its height.

Mr Hall stated that Church Walk currently serves 7 properties and the Town Hall, with this proposal adding a single property and the Highways officer is not objecting to the proposal. He reiterated that all consultees support the application, with the exception of the Conservation Officer, there are no concerns regarding overlooking or overshadowing, there are chalet bungalows immediately to the East and South of the site, the site is not in a Conservation Area and 20 metres of parking and garden area is being left for the existing property.

Members asked questions of officers as follows:

- Councillor Cornwell stated that this is a situation where someone want to build within the curtilage of a Grade II Listed Building and, therefore, officers are concerned, amongst other things, about the quality of what the proposal is in relation to the Listed Building and asked if his understanding is correct? David Rowen responded in the affirmative and that officers are concerned regarding the impact of the setting on a Listed Building. Councillor Cornwell asked, if the proposal had been for a more appropriate design of property, would officers have supported it as it would be more in keeping with the Listed Building? David Rowen responded that officers can only assess what is in front of them and the issues is about building on part of the setting of a Listed Building and eroding the significance of that Listed Building so he believes that a dwelling of a different design on this site would still have raised similar issues.

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

- Councillor Murphy stated that he knows this area well as it is virtually next door to the Council Offices and whilst it has got a building to the front of it, the garden is very long going from Church Lane to St Martins Road and he does not think the proposal is in the wrong location, with the opposite side of the road having 1960 semi-detached houses and he would not want an old-fashioned house here, but a nice modern house would fit in. He made the point that the site is not in the Conservation Area and thinks there might have to be an archaeological dig on site as it is on the opposite side of the road to the Church, but there have been so many archaeological digs in Chatteris that do not find anything and this site would not either as this site was originally in the same curtilage of all of Church Walk, which were built without any problems so why he does not see why there should be with this dwelling. Councillor Murphy expressed the view that there will eventually be a dwelling on site, even if refused today, as it is an ideal place for a dwelling and a lot of people do not want long gardens these days so a nice building on this site would finish the area off. He made the point that they have asked for the hedge to be cut down as it goes over the pathway and it has not so this development will make this happen. Councillor Murphy expressed the view that everywhere is suffering from lots of vehicles, the only danger of this location is the road is narrow and if all the residents start parking on the roadside it will cause chaos and it needs a double yellow line down there to stop parking. He would go against officer's recommendation as he feels it is an ideal site to put a dwelling.
- Councillor Mrs Davis agreed with Councillor Murphy and her inclination is to go against officer's recommendation, but her reservation is what would happen with the next plot, number 7, as, in her view, it would not be long before an application is made to remove that

existing garage to the other side and then you have got another building plot, which would then start to be overdevelopment.

- Councillor Connor acknowledged the comments of Councillor Mrs Davis, but made the point the members have to look at what is front of them today and take what is felt to be the right decision.
- David Rowen stated that each application is taken on its own merits, but if this application were to be granted then it does make it more difficult to resist further development on that eastern side of Church Walk. In relation to Councillor Murphy's point about the long garden of 16 Church Lane, he made the point that is the issue around the curtilage and setting of a Listed Building in that the size of the garden demonstrates the historic significance of number 16 and contributes to its status of a Listed Building.
- Councillor Murphy asked if a condition could be placed on any permission to double yellow line Church Walk? Councillor Mrs French referred to a development in March where this occurred. David Rowen drew members attention to the comments of the Highways Authority, which have recommended conditions of which double yellow lines are not one of them, and conditions need to be placed on an application if approved that are justified and reasonable and it may be something that the Town Council wish to take up with the Highway Authority.

Proposed by Councillor Murphy, seconded by Councillor Mrs Davis and agreed that the application be APPROVED against officer's recommendation, with conditions delegated to officers to determine in consultation with the Chairman, proposer and seconder.

Members did not support officer's recommendation of refusal of planning permission as they feel the proposal would not adversely impact on the significance of a heritage setting, would not be detrimental to the character of the area and has the support of the Parish Council.

(Councillor Benney declared an interest in this application, by virtue of being lobbied by two objectors that he socialises with and knowing all of the supporters and objectors apart from one, and retired from the meeting from the duration of the discussion and voting thereon)

(Councillor Murphy declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council, but takes no part in planning matters)

P19/21 F/YR21/0231/F
LAND NORTH EAST OF 81 - 87 HIGH STREET ACCESSED FROM, SLADE WAY, CHATTERIS,
ERECT 9 DWELLINGS COMPRISING OF 3 X 2-STOREY 3-BED; 2 X 2-STOREY 2-BED; 1 X SINGLE STOREY 2-BED AND 3 X SINGLE-STOREY 3-BED WITH GARAGES TO PLOTS 4 AND 5 ONLY

Alison Hoffman presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Chris Walford, the agent.

Mr Walford stated that this application is for 9 dwellings within the Town Centre of Chatteris and the scheme has the support from both the Town Council and Highways. He advised members that the applicant inherited the land from his father just over 3 years ago and he is now looking to secure the future use of the site hence the planning application.

Mr Walford stated at present the site is vacant, overgrown and the subject of flytipping and the applicant has recently been contacted by the Environmental Health Team due to complaints from nearby residents about vermin entering their properties from this site, with the applicant taking

specialist advice on this matter and is now looking to clear the site and bring a flail mower to bring down the overgrowth. He informed members that the applicant lives over 100 miles from the site and this is not a long-term solution and a future use for the site must be looked at.

Mr Walford expressed the opinion that allowing residential development on this site would eliminate all of the issues and they are asking members to allow the proposal by giving more weight to the improvements to the site and for neighbours over and above the issues raised by the Conservation Officer. He stated that officers have found the principle of development on the site as being acceptable and there are also, in his view, other precedents in Chatteris of similar developments of this nature within the heart of the town and this area has been identified as an area for housing growth.

Mr Walford referred to the concerns of officers over the dominance of the shared road and the parking that serves the site, but this is a characteristic of the size and shape of the road layout as well as the requirements put on them by Highways and the Refuse Team to be able to turn vehicles within the site. He expressed the view to negate any issues of overlooking they have added bungalows to the rear of the site to assist with this issue and reduce the impact on surrounding dwellings.

Mr Walford expressed the opinion that the site identity as shown is essential for this scheme to be viable as due to it being a long and narrow site means it has a long and narrow road and there needs to be a certain amount of dwellings on the site to make it a viable scheme. He raised concern about getting consent for a lower or inferior amount of dwellings, which would make the site unviable, would not remove its current problems and would be a site that has no use.

Mr Walford requested that members outweigh the issues raised and look to permit a development on this site.

Members asked questions of Mr Walford as follows:

- Councillor Cornwell made the point that officers are not happy with the scheme as proposed and, whilst the site does need clearing up, was a pre-application undertaken with officers? Mr Walford responded that there have been a number of applications, with 3-4 different case officers all with varying opinions. The scheme is on the table, Conservation have their views, and he wanted to get the proposal before committee to see how it fairs.
- Councillor Benney queried whether this is considered Town Centre, it is close to the Town Centre and as you do not need to provide parking if it is Town Centre and this proposal does provide parking so is it considered Town Centre and policy compliant if parking is not provided or is it considered outside the Town Centre, which would require parking. Mr Walford responded that, in his opinion, this is Town Centre but off-road parking has been provided as well and he would hate to see a development of this nature with no parking so you see cars on the road, which is common on some sites where you get the bare minimum and the road is littered with cars. He stated that they have car parking numbers per unit and there was mention of the sizing of the spaces, but as far as he is aware he has met the size requirements, with all houses having parking and can reverse onto the new road and leave in forward gear.
- Councillor Sutton asked if the red line was correct. Mr Walford stated this is another case he has inherited, but he is sure the red line is correct. Councillor Sutton stated that although the site is in Flood Zone 1 there are problems with surface water coming in from the surrounding areas and he finds it difficult to see how this can be overcome, but should members decide to approve the application it would be with a condition in this regard, but how would it be resolved as there is no room on site to put attenuation. Mr Walford responded that there is a good size road that runs the length of the site and the subbase makes a perfect soakaway, which has been effective on other sites, with the only downside being that Highways would not adopt it but it is thought they would not do so anyway. He would not want to put in individual soakaways in the gardens as they would be too close to

boundaries and this would impact neighbours also. Mr Walford expressed the opinion that there could be a surface water condition or drainage condition and they would use a specialist designer to design the subbase and the discharge proposal, which can either, depending on what connection there is if combined or foul surface water, let it drain naturally or use the subbase to slow it down, attenuate and discharge into the drain at the end. He acknowledged that there is no design at present, but he would be happy to accept a condition for surface and foul water drainage.

- Councillor Sutton referred to the road going down to the hammer head T-Junction, which shows tarmac and asked if this was going to be adopted? Mr Walford responded that no, Highways did ask if adoption was going to be sought on this road and it was confirmed that it would not be. He stated that they have gone as far with the tarmac as to where they envisage the refuse vehicles and fire appliance would turn round and there is no sense taking it through the whole site so they would probably go for a permeable block paving for the rest of that access road.
- Councillor Miscandlon referred to Mr Walford stating that the road will be used as a soakaway and asked what the surface is going to be of the area to the right of the hammer head to the end of the site as it is unclear to him. Mr Walford responded that it is not 100% confirmed, but is likely to be block paving as he would not want to bring in gravel so close to neighbouring properties due to noise and would look for a bound surface.
- Councillor Miscandlon asked about the refuse bins for the end plots and where they would be stored for collection as it looks like a long walk to the roadside? Mr Walford advised that there is a bin storage area on the hammer head so Plots 6-9 would bring their bins to this collection point so the refuse vehicles are not travelling down the blocked paved road. He made the point there have been appeals where this is considered not to be bad design having to move the bins once or twice a week and, therefore, he feels it is not too onerous.
- Councillor Murphy assured members that a refuse vehicle would not be taken onto block paving on a roadway such as this proposal as it is not suitable for the weight of the lorry.

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

- Councillor Miscandlon expressed the view that members should be looking at the design and build quality houses in this District and this development does not do this. In his view, it looks like a hotchpot design and is not of quality and he will be going with officer's recommendation. He agrees that it needs development in this area, but it needs a much better design than what is before committee today.
- Councillor Benney stated that he attended and listened to the discussion at the meeting of Chatteris Town Council when this application was considered and the Town Council feel this land needs development and are fully supportive of the scheme. He has visited the site and the site is so overgrown, nobody is doing anything with it and the trees are very big and overhanging. Councillor Benney expressed the view that this proposal will tidy up an area of Chatteris and questioned what other design could be built on here as if the numbers are reduced there is still a long thin site and how many plans have to be brought before members until one is acceptable. He agreed that the design is not perfect, but, in his opinion, it does tidy up a piece of land that is very overgrown and not being looked after and which needs some kind of development.
- Councillor Cornwell expressed the opinion that this is an area where it is going to be difficult to clear up and build on, and he hears that in trying to design something for this there has been conflicting discussions going on, but, in his view, something has been put together which will achieve a reasonable product. He feels the design is not first-class but appreciates the problem to design a scheme on this medieval plot, he does not know what the answer is and is torn on the decision on this. Councillor Cornwell made the point that the rest of the properties around that area are not exciting anyway, the area is plain and ordinary, and whilst two wrongs do not make a right he does not see where this proposal makes anything any worse. He stated that this proposal is housing and makes use of land that needs housing.
- Councillor Murphy expressed the view that the site does need some development, but he

does not think this is the right scheme, it is too overdeveloped.

- Councillor Mrs Davis expressed the opinion that she was torn on this one, but the more she looks at it she feels it is like fitting "a quart in a pint pot" and thinks a better design could be achieved. She feels it needs to be refused for overdevelopment of the plot.
- Councillor Connor asked Councillor Benney if the proposed design of the properties are anything like Slade Way and it surroundings? Councillor Benney stated that this proposal would be a completely different type of development to Slade Way and Beckett Way and this scheme is possibly not the best design, but a derelict pieces of land cannot be left like this.
- Councillor Sutton expressed the opinion that officers have got the decision right on this application and whilst it does need something doing with it, just because it is overgrown is not a reason to go with any scheme. He feels there are too many dwellings, 7-8 would be better and he does not buy into the viability issue too much.
- David Rowen agreed that the site would benefit from something happening to it, but this does not justify a sub-standard development going ahead and officers do not believe this with the recommendation being about the details of the scheme submitted and not about the principle of developing the site. He pointed out there was a discussion with the agent and members regarding drainage for the site, but there is not any drainage information to say how drainage on site would work and there is a question mark over this.

Proposed by Councillor Mrs Davis, seconded by Councillor Murphy and agreed that the application be REFUSED as per the officer's recommendation.

(Councillors Benney and Murphy declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are members of Chatteris Town Council, but take no part in planning matters)

(Councillor Topgood left the meeting during the consideration of this application and took no part in the discussion and voting thereon)

P20/21 F/YR21/0265/O
LAND SOUTH OF FIELD VIEW, MILL HILL LANE, MARCH
ERECT UP TO 4 DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

Alison Hoffman presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Craig Brand, the agent.

Mr Brand thanked Alison for confirming that Cambridgeshire County Council Archaeology do not require an archaeological investigation on this site. He referred to a slide showing on the presentation screen which showed in blue the area allocated as a Broad Location for Growth identified in the Local Plan as South-West March, which encompasses an area of 72 hectares and shows a minor incursion of 0.3 hectares, the application site shown in red, into the area, which is less than half percent of the total area.

Mr Brand stated that the proposal seeks permission in principle to develop the site with 4 executive self-build plots, with the applicant wanting to build on the plot nearest to Mill Hill Lane to be in control of the retained field and its access. He showed an indicative site layout plan to indicate how the plots will be set out, in his opinion, to complement the two new houses built off the recently completed private access road.

Mr Brand expressed the view that the issues with Mill Hill Lane and the byway, as referred to in the officer's report, along with the lack of a footway are the same issues that have been in existence

when the previous developments in the last 8 years have been submitted and approved. He expressed the opinion that the proposed plots will all have access to the new private access road and a safe pedestrian route to Knights End Road is available using countryside footpath No.18, which borders the sites northern boundary.

Mr Brand referred to the impact of the development upon the Grade II Listed barn conversion, Owl Barn Lodge, and showed via a photo on the presentation screen that the barn is only visible when the trees and hedge have no leaves on them and then only the roofline is visible due to the post war agricultural barn extension. He asked when entering the grounds of Owl Barn Lodge using footpath No.18 can any of the listed barns facing Knights End Road be seen and, in his view, the new houses in Mulberry Close have a far greater impact on Owl Barn Lodge than the application site does, showing photographs to demonstrate this.

Mr Brand made the point that officers have determined the arrangement to be satisfactory in their report and the outline application for the two newly built houses off the private access road was regarded as having a negligible impact on the setting of the Listed barn. He expressed the view that the application would have a negligible impact on the Listed barn's setting due to the trees, hedges and post war barn extension.

Mr Brand asked members to allow this tiny fragment of the South West March location for growth to come forward now as, in his opinion, backland development has been approved in the last two years in Upwell Road in a non-designated area for growth. He feels approval will allow a small high-quality estate to be achieved off an existing private drive rather than having a general residential development backing onto the existing two houses in the future.

Members asked Mr Brand questions as follows:

- Councillor Mrs French referred to the road and public footpath into Mill Hill being in an appalling condition and asked what are the plans, if this application is approved, to remedy the appalling state of the road? Mr Brand responded that the public adopted highway, which is a tarmacked surface, does have potholes and cracks, but the byway is the worse part of it and the applicant has been approached by the developer who owns the site on the opposite side as to whether they can go into a scheme to improve the surface and potholes on the byway, but the tarmacked section is the County Council's responsibility.
- Councillor Cornwell referred to the photographs showing a gate, which he understands is not part of the proposal and the gate would remain and provide an entrance to any development of the rest of the field, but this proposal uses the gravel road, which is described as an existing private shared access road, it is blocked paved at the start and then is gravel and asked if the block paving is on the unmade section of Mill Hill Lane? Mr Brand confirmed it is on the byway. Councillor Cornwell stated that this proposal is increasing the vehicular traffic using the byway, which is in an awful condition and asked if there are any proposals to do something to the byway where the shared access road joins it? Mr Brand reiterated that the applicant has been approached by the developer on the opposite side of the road as to whether they could do a joint scheme to improve the surface of it, but it would need permission by the County Council and, in his view, a private access road with four more houses complements the area rather than a residential estate backing onto it.

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

- Councillor Mrs French stated that for many years the Town Council have been recommending refusal of development in this particular area, with the Planning Department usually recommending approval, so the Town Council was surprised to see the recommendation of refusal. She expressed the view that the state of the road is appalling and needs to be rectified, and whilst the houses proposed are of good quality, this area has been developed over the past 8-10 years and enough is enough, especially as March is not short of land. Councillor Mrs French expressed concern that footpath No.18 is not blocked

off as it is a nice walk albeit having to negotiate potholes. She feels that the officer's recommendation is correct.

- Councillor Sutton expressed the view that the road is in an atrocious state and it will not get any better unless something like this proposal comes along to rectify it. He finds the comments about Owl Barn Lodge crazy as the two dwellings approved in 2017/18 did not mention the impact on Owl Barn Lodge and it is now suddenly being raised. Councillor Sutton expressed the view that on his site visit he looked at the two dwellings and their relationship with Owl Barn Lodge and these two dwellings have more impact on Owl Barn Lodge than this proposal. He feels that members should go against officer's recommendation based on getting this developer and another one, with the help of Councillor Mrs French to provide surfacing material, to improve the road, which would not be a costly job. Councillor Sutton expressed the opinion that eventually this site is going to get developed as it forms part of the Broad Concept Area and the impact of Owl Barn Lodge is not going to stop development in the Broad Concept Area.
- Councillor Cornwell referred to an application a couple of meetings ago when there was an application to create a roadway between two properties and building at the back and he said at the time that this should have been part of the Broad Concept Plan for that area. He feels it is the same with this proposal as development in this area has gone too far, with a private road off a byway and it should be dealt with under the Broad Concept Plan to be developed in a proper manner so Mill Hill Lane could become a properly constructed highway, with the current situation being a few bits of development and patching up a farm track. Councillor Cornwell expressed the opinion that it is a nice plot and the gated access to the land protected by this proposal would seem to indicate that someone is going to come up with another development in the future, but he feels it needs to be done in an organised manner in this location. He does not accept the Owl Barn Lodge argument, and agrees with the comments of the County Council at 5.5 of the officer's report in that there should be no further incremental development in this location without improvements to the road.
- Councillor Mrs French referred to the history on the Barn, which cost the applicant a lot to convert it into a beautiful home. She stated that she could support this application if it was a guarantee that the road would be improved and Councillor Sutton is correct that through the County Council there is surfacing material to improve public rights of way, but all residents need to pay for it to be properly laid down.
- Councillor Sutton referred to the report stating that it is a narrow lane, which it is, but also says that there are no passing places, but this is not right as there are about 4-5 passing places. He feels there is the chance to put in some really nice dwellings in this location and why refuse this opportunity.
- David Rowen made the point that the comments of Conversation Officer are set out in the report giving the rationale for the comments on the Listed Barn. He stated that the issue with the road improvements is that there is no scheme for road improvements, it has only been stated by the agent there has been a conversation with the applicant and another landowner over improvements, and no firm proposals on the table and if this proposal is approved there is no certainty of any improvements. David Rowen stated that the Broad Concept Plan could prevent development in this area as it makes specific reference to Owl Barn Lodge and the need to preserve its setting, but the Broad Concept Plan would present a cohesive plan for the overall development of site including open space areas.
- Councillor Connor asked if members are minded to approve the proposal could a condition be put on that the road should be improved before any building work gets over slab level or commences? David Rowen expressed the view that this would be an unreasonable condition given that it is not within the applicant's control to undertake that work as the County Council and other residents have to engage with the process.
- Councillor Cornwell made the point that the officer's report contains a clear statement from Highways "I would question the suitability of the Mill Hill Lane infrastructure to support further development", and as further development includes this application can we not take notice of this statement in arriving at conditions? David Rowen stated there is no dispute that Mill Hill Lane needs improving, the issue is in terms of how you deliver that

improvement and imposing a planning condition on a development for four houses is more the test of applicant's control and how reasonable it is to require this from this proposal.

Proposed by Councillor Sutton, seconded by Councillor Mrs French to approve the application against officer's recommendation, which was not supported on a majority vote by members.

Proposed by Councillor Miscandlon, seconded by Councillor Mrs Bligh and agreed that the application be REFUSED as per the officer's recommendation.

(Councillors Connor, Mrs French and Purser registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they are members of March Town Council, but take no part in planning matters)

(Councillor Skoulding declared an interest in this application, by virtue of his mother residing in the near vicinity to this site, and retired from the meeting for the duration of the discussion and voting thereon)

P21/21 PLANNING APPEALS.

This item was deferred to the next meeting.

5.50 pm Chairman

F/YR20/1235/O

Applicant: NYC Estates Ltd **Agent : Johnson Mowat Planning Ltd**

Land South Of, Bridge Lane, Wimblington, Cambridgeshire

Erect up to 88 dwellings (outline application with matters committed in respect of access)

Officer recommendation: Grant

Reason for Committee: Previously deferred by the Planning Committee for consideration of drainage and flood risk.

1 EXECUTIVE SUMMARY

1.1 The application was previously considered by the Planning Committee on 14th July but was deferred to allow for further consideration of drainage matters, specifically foul drainage capacity and surface water flooding.

1.2 Whilst no further specific technical evidence was requested, the Committee indicated that they would like representatives from Anglian Water, The Lead Local Flood Authority (Cambridgeshire County Council) and Middle Level Commissioners as the Internal Drainage Board to be available to respond to further questions in this regard.

1.3 Representatives from all 3 services have agreed to attend the Planning Committee meeting to answer questions put to them by Members.

1.4 The applicant has prepared a Drainage Technical Note which has been shared with the aforementioned drainage services.

1.5 The original report and update report is attached at Appendix 1

1.6 The recommendation is to grant planning permission as per section 12 of the Officer's report.

2 FURTHER REPRESENTATIONS/ INFORMATION

2.1 1 letter has been received on 30th July from a resident at Manea Road, Wimblington advising that they had previously farmed the application site and has never known it to be wet.

2.2 1 letter has been received on 1st August from a resident at Floods Ferry Road, Doddington, advising that they had previously farmed the application site and that surface water has never been an issue. They advise that the site is above sea level with a gravel soil structure which allows any surface water to soak away and goes on to state that there is an Internal Drainage Board ditch at one end of the field and on another side, the landowner has a ditch which is a least six foot deep, these are both flailed every year for general maintenance.

2.3 The applicant has prepared a drainage technical note (received 9th August 2021) relating to flood risk and drainage, in view of the debate led by the Planning Committee. The report refers to comments received from the LLFA and Anglian Water and the ongoing discussions with Middle Level Commissioners and seeks to address some of the concerns raised by the Planning Committee at the previous meeting.

2.4 Full plans and associated documents for this application can be found at: https://www.fenland.gov.uk/publicaccess/

3 ASSESSMENT

3.1 Having regard to the further representations received, Officers consider that there are no material considerations to indicate that an alternative recommendation should be made to that previously set out in the Officer's report.

4 RECOMMENDATION

4.1 The recommendation is to grant planning permission as per section 12 of the Officer's report attached at Appendix 1.

F/YR20/1235/O

Applicant: NYC Estates Ltd **Agent : Johnson Mowat Planning Ltd**

Land South Of, Bridge Lane, Wimblington, Cambridgeshire

Erect up to 88 dwellings (outline application with matters committed in respect of access)

Officer recommendation: Grant

Reason for Committee: Number of representations received and Parish Council's recommendation contrary to Officers recommendation. The application has also been called in to Committee by Ward Councillor Mrs Davis.

1 EXECUTIVE SUMMARY

1.1 The proposal is in outline for up to 88 dwellings with only access being committed at this stage. The site comprises around 3.6ha of high/medium grade agricultural land to the north of Wimblington.

1.2 Policy LP3 sets out a strategy for growth, identifying Wimblington as a growth village with development or new service provision either within the existing urban area or as a small village extension. In this regard, there is in-principle support for the proposal as the site is considered to lie adjacent to the developed footprint of Wimblington.

1.3 The illustrative masterplan satisfactorily indicates how the site could be laid out in order to achieve both the quantum of development and necessary supporting infrastructure, as well as maintaining a landscaped buffer adjacent to Bridge Lane.

1.4 Highways improvements by way on an additional bus stop and installation of travel information boards have been agreed to be provided by the developer and have been agreed in principle by the Local Highways Authority, subject to final design.

1.5 The development proposes to exceed contributions anticipated to be achievable on greenfield sites, as set out in the Council's recently published HRH viability report – proposing a policy-compliant 25% affordable housing provision on site and a financial contribution for social infrastructure of £2,843 per dwelling, plus £35,000 toward future bus stop maintenance. The County Council has agreed to the offer and Officers consider that the proposed contribution and affordable housing can be given significant weight in the assessment of this application.

1.6 Having fully assessed all three dimensions of sustainable development it is concluded that there are no overriding technical objections or material considerations that indicate that permission should not be granted in this instance and the application is therefore recommended for approval, subject to

the completion of the required planning obligation and conditions.

2 SITE DESCRIPTION

2.1 The site lies at the north of Wimblington and comprises around 3.6ha of high/medium grade agricultural land. It's northern and western boundaries front onto Bridge Lane and March road respectively and it's rear (eastern boundary terminates at an open watercourse) beyond which is a smaller field which is enclosed on its eastern and southern boundary by a belt of trees. Immediately south is the recent Matthew Homes development (67 dwellings: F/YR14/0232/O) and the detached property, 38 March Road ('The Gables'). Eastwood Hall is located directly opposite the site to the west, on the other side of March Road.

2.2 A 2m wide footway has recently been installed along the frontage of the site, linking Wimblington to March.

2.3 The area is open in character but with the backdrop of the main core of Wimblington to the south and the rural, looser-knit developments along Bridge Lane and Wimblington Road heading north. Views eastwards, beyond the site are terminated by the belt of trees that line the easternmost edge of the adjacent field.

2.4 The site lies in Flood Zone 1.

3 PROPOSAL

3.1 The proposal is in outline for up to 88 dwellings with only access being committed at this stage. Layout, Scale, Appearance and Landscaping are 'Reserved Matters' to be considered at a future date, should outline permission be granted. An illustrative layout and committed access plans have been submitted which have been amended during the process of the application to take account of statutory consultee's comments. These include: alterations to the access mouth; further transport information and proposals; amended landscape buffer along the northern boundary adjacent to Bridge Lane and amendments to the surface water drainage strategy.

3.2 The site is proposed to be served by a single vehicular access point leading directly on to Wimblington Road, located at the south west of the site. Indicatively drawn, an attenuation feature is located at the south east corner and a soft landscape buffer with pedestrian/ cycle links is proposed along the northern edge of the site.

3.3 In addition to the new accesses the Highways Technical note sets out the provision of a bus stop on the eastern side of March Road and upgrade of the existing bus stop opposite, on the western side. Tactile paving is also proposed to the footway at the north west corner.

3.4 The illustrative layout also provides details of the type of properties that could be accommodated comprising:

- 29No. 2-storey 4 bedroom dwellings
- 43No. 2-storey 3 bedroom dwellings
- 16No. 2-storey 2 bedroom dwellings

3.5 The illustrative Masterplan is not necessarily the way the development will be carried out, it aims to demonstrate that up to 88 dwellings could be accommodated on this site; the final layout, appearance, scale and landscaping would be established at a future reserved matters stage.

3.6 The following documents have been submitted to support the application:

- Planning Case Report
- Statement of Community Involvement
- Affordable Housing Statement
- Health Impact Assessment
- Design Analysis (Design and Access Statement)
- Master Plan/Illustrative Layout Plan (revision N)
- Existing Site Plan
- Indicative Landscape Masterplan
- Transport Assessment & subsequent Technical note (AMA)
- Interim Travel Plan
- Air Quality Assessment
- Preliminary Ecological Appraisal
- Preliminary Site Investigation Report (ARP Geotechnical Ltd)
- Flood Risk Assessment & Outline Drainage Strategy
- Statement of Community Involvement

Full plans and associated documents for this application can be found at:
https://www.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

4.1 No relevant planning history (see section 10.20 re: adjacent land)

5 CONSULTATIONS

5.1 **Wimblington Parish Council**

Further to last night's Wimblington Parish Council meeting. Councillors object to the above application as follows:
Wimblington Parish Council object as the proposed development is located outside the existing developed footprint of Wimblington village. The proposal would result in development into an area that is currently open agricultural land and has a strong relationship with the adjoining countryside. Further, the proposal would erode an important visual gap and area of separation between Bridge Lane, March Road and Wimblington Village. The proposal would have an unacceptably adverse impact on the character and appearance of the area and is contrary to Policies LP12 and LP16 of the Fenland Local Plan 2014. There is a precedent for refusal as per application F/YR17/1201/F which was to build three bungalows west of 2A Bridge Lane

5.2 **Ward Councillor - Cllr Maureen Davis**

If you are proposing to recommend granting this application I would like to use my right as Ward Councillor to call it in. There is a great deal of opposition to the development and it is in the public interest for this application to go before the Planning Committee.

The proposed development is located outside the existing developed footprint of Wimblington village and in an Elsewhere location. The proposal would result in development into an area that is currently open agricultural land and has a strong relationship with the adjoining countryside. Further, the proposal would erode an important visual gap and area of separation between Bridge Lane and March Road and Wimblington village. The proposal would have an unacceptably adverse impact on the character and appearance of the area and is contrary to policies LP12 and LP16 of the Fenland Local Plan 2014.

5.3 **Anglian Water Services Ltd (summarised)**

Wastewater Services

The foul drainage from this development is in the catchment of Doddington Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the 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 should the Planning Authority grant planning permission.

Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment and Outline Drainage Strategy. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

5.4 **FDC Housing Strategy (FDC)**

As it currently stands, we would expect a contribution of 25% on this site of 88 dwellings. The total number of dwellings we require would be 22.

The current tenure split we would expect to see delivered for affordable housing in Fenland is 70% affordable rented tenure and 30% shared ownership. This would equate to the delivery of 15 affordable rented homes and 7 shared ownership in this instance. I am happy to discuss the details of the housing or tenure mix at a later date, if required. On this application, I would expect the affordable housing requirement to be in accordance with Policy LP5, and the changes made by the new NPPF mentioned.

5.5 **NHS England (East)**

No comments received

5.6 **Cambridgeshire Fire & Rescue Service**

With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

5.7 **Environment & Health Services (FDC)**

This development has some concerns for Environmental Health, mainly concerning the construction phases. In that respect, I would request that a Construction Management Plan (CMP) is produced and submitted for approval by Fenland District Council.
This plan should address the following issues: -

1 *Hours of operation of the site from the initial ground-breaking phase, right through to the hand-over of the site at the end of the project.*
2 *Proposed hours of operation on site, including Sundays and Public holidays.*
3 *Identification of machinery and activities likely to create elevated noise levels and means to ameliorate the impacts of them.*
4 *Identification of machinery and activities likely to create elevated noise levels and means to ameliorate the impact of them.*
5 *Means of dust control from construction activities, including vehicular activity, both on site and accessing and egressing it. Means of dust suppression during dry or windy weather conditions should be referred to.*

There are no concerns that this development will be affected by noise from traffic on the A141 Isle of Ely Way, which runs between March and Chatteris in roughly a north-south plane. I do not consider that this development in itself, will adversely affect the local air quality, even considering the creation of increased traffic flows on the A141 as a result of this development. In that respect, I have also considered the proposed developments to the east of the A141, which are subject to current planning processes.

Ground contamination is not considered an issue as the site is not known to be contaminated, with no known former contaminative uses. However, I would recommend that a Phase I ground investigation is undertaken, which identifies whether a Phase II Intrusive Investigation is required.

I would suggest that the CMP and ground contamination issues in the form of reports, with recommendations, are submitted with the application for full planning consent.

5.8 **Middle Level Commissioners**
No comments received

5.9 **CCC Archaeology**
We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG:

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work which has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

a) the statement of significance and research objectives;

b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

c) *The timetable for the field investigation as part of the development programme;*

d) *The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material*

5.10 **The Wildlife Trust**

I have reviewed the available online documents in relation to this planning application; namely the Preliminary Ecological Appraisal (PEA) and the Indicative Landscape Masterplan and provide my comments / observations as follows:

I would conclude that the PEA has been carried out to an acceptable standard and appears to have assessed potential impacts satisfactorily. The Enhancements section of the report (para 5.29) makes a series of enhancement recommendations and says these have been taken into consideration during the development design. However, when referring to the Landscape Masterplan, I would query the extent to which wildflower planting has been included. The PEA says that : Areas of retained or newly created grassland should be reseeded with a neutral grassland wildflower seed mix ….

The landscape masterplan shows small isolated patches of wildflower grassland in amongst larger areas of amenity grassland, which does not seem in keeping with the recommendations made by the ecologist in the PEA. I understand that the area to the needs also to fulfil a recreational function but wildflower meadows can achieve this, by mowing of rides and pathways through longer sward areas and provision of e.g. picnic benches around the perimeter. Alternatively, a single block of the area in the north could be wildflower grassland; this would be more beneficial that the small, isolated patches shown on the landscape plan. In addition, where amenity grassland is required, a low-growing, nectar rich sward can be used. If that is the intention, it would be useful to see that clarified on the landscape plan.

It would be beneficial to see more natural habitat around the SUDS at the south east corner of the site, if space allows, otherwise this is a rather isolated feature and if part of its function is to deliver enhancements for biodiversity, then improved connectivity to other greenspace would be recommended. Furthermore, I would highlight a lack of ecological connectivity through the wider site from north to south. Other ecological recommendations made in para 5.29 are welcomed and should be secured by an appropriately worded planning condition(s).

In addition to enhancements, mitigation measures are set out earlier in Section (paras 5.16 to 5.28) of the report; the delivery of these should also be secured by planning condition, if permission is granted.

5.11 **CCC Growth & Infrastructure (Section 106)**

Initially set out the following requirements;

	Contribution	**Project**
Early Years	£174,410	1 classroom expansion to Thomas Eaton preschool
Primary	N/A	
Secondary	£528,286	1FE expansion of Cromwell Community College
Libraries	£20,020	Expansion and enhancement of library facilities in

		March
Strategic Waste	N/A	

[Following negotiation and a challenge by the applicant to some of the modelling evidence put forward by CCC, the applicant proposed a revised offer which yielded the following response];

I refer to the report prepared by Alfredson York Associates and have discussed the matters raised with colleagues in the education service.

We still have a number of issues with the analysis presented in the AYA report, notably around birth rates, catchment forecast for early years, primary and secondary year groups and the proposed divergence away from the Council's adopted approach to place planning for secondary provision particularly from rural and village primary catchments. In all of these respects the Council stands by the approach it has adopted to assess the impact of this development on demand for school places, an approach that has been tested by FDC and across the County by planning committees and inspectors.

Whilst no explicit viability evidence relating to this development has been presented I note and largely agree with this conclusion based on experience with other similar developments in Fenland. It is also acknowledged that this development will be providing the full policy compliant 25% affordable housing, which despite compounding the education pressures by virtue of higher pupil yields, will similarly compound the viability issue.

Consequently, the County Council will agree to the offer made by the applicant on the basis of viability, this being £2,843 per dwelling (£192,104) towards early years and/or secondary education provision at settings to be determined by the County Council towards meeting the needs of this development.

5.12 **Cambridgeshire County Council Highways Authority**
[Following revised Transport Assessment modelling];

The Highway Authority does not object to the proposals subject to the following - Condition

1. *Prior to first occupation of the development, the developer shall upgrade the northbound bus stop on March Road within the vicinity of the site to include a shelter and a Real Time Passenger Information display unit. Details to be submitted to and approved in writing by the Local Planning Authority and works to be carried out by the developer.*
2. *Prior to first occupation of the development, the developer shall upgrade the southbound bus stop on March Road within the vicinity of the site to include a shelter and a Real Time Passenger Information display unit. Details to be submitted to and approved in writing by the Local Planning Authority and works to be carried out by the developer.*
3. *Prior to first occupation of the development, the developer shall be responsible for the provision of Welcome Travel Packs to be agreed in writing with the Local Planning Authority. The Welcome Travel Packs shall include the provision of 6 months free bus travel vouchers for use with the relevant local public transport operator. Such packs are to be provided to the first occupiers of each new residential unit on the development site.*

S106

1. *Prior to first occupation of the development, the developer shall pay a S106 payment of £17,500 (seventeen thousand five hundred pounds) for maintenance of the shelter and RTPI unit to be installed at the northbound bus stop on March Road within the vicinity of the site.*
2. *Prior to first occupation of the development, the developer shall pay a S106 payment of £17,500 (seventeen thousand five hundred pounds) for maintenance of the shelter and RTPI unit to be installed at the southbound bus stop on March Road within the vicinity of the site.*

5.13 **Cambridgeshire County Council Highways Authority**

[Following amendments to access details and provision of tracking information];

I have no highway objections subject to the following highway conditions;

1.) No buildings 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 access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.
Reason: To prevent surface water discharging to the highway.

3.) Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority in consultation with the Highway Authority.
Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

5.14 **CCC (Lead Local Flood Authority)**

[Following revisions to the Outline Drainage Strategy];
We have reviewed the following documents:

- *Flood Risk Assessment & Outline Drainage Strategy, Andrew Moseley Associates, 20297- FRA-001. Dated: 01/02/2021.*

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of a detention basin. The opportunity to use permeable paving and bio-retention areas will also be explored at detailed design stage. A complex flow control will be used to restrict surface water will be restricted to 6.87 l/s during a 1 in 1 year storm event (equivalent to the Q1 greenfield rate) and 28.11 l/s during a 1 in 100 year storm event plus a 40% allowance for climate change and 10% allowance for urban creep. Surface water will then outfall into the existing ditch along the eastern boundary of the site, subject to this being agreed with March West Internal Drainage Board (IDB). The site is located entirely within Flood Zone 1 and is at low risk from surface water flooding.

Whilst the opportunity to drain surface water by infiltration will be explored at detailed design stage, BGS flood data suggests that there is a potential for groundwater flooding at the site, indicating presence of high groundwater levels. Finished floor levels should be sufficiently raised to address this risk and basements should be avoided.

We request the following conditions are imposed:

Condition 1
No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Flood Risk Assessment & Outline Drainage Strategy prepared by Andrew Moseley Associates (ref: 20297-FRA-001) dated the 1st February 2021 and shall also include:

a) *Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;*
b) *Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;*
c) *Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);*
d) *Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);*
e) *Site Investigation and test results to confirm infiltration rates;*
f) *Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;*
g) *Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;*
h) *Full details of the maintenance/adoption of the surface water drainage system;*
i) *Permissions to connect to a receiving watercourse or sewer;*
j) *Measures taken to prevent pollution of the receiving groundwater and/or surface water*

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 and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial

preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

Condition 2
No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

Condition 3
Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to any surface water condition imposed.
Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development.

5.15 **CCC Waste & Minerals**

Minerals
The site lies within a sand and gravel minerals safeguarding area as shown on page 66 of Appendix D to the Cambridgeshire and Peterborough Minerals and Waste Core Strategy. Policy CS26 Minerals Safeguarding Areas of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) (MWCS) seeks to prevent the sterilisation of safeguarded minerals resource. Given the location and size of development, and its proximity to the village, I am of the view that it is unlikely that prior extraction could be reasonably undertaken. In the event that the Local Planning Authority (LPA) is of the view that there is an overriding need for the development, then the development would be in accordance with the Policy.

Waste
It is noted that in the Case Report that accompanied the application the topic of waste water is addressed, but the broader topic of waste management is not.

Furthermore, it is noted that the Cambridgeshire and Peterborough Minerals and Waste Core Strategy is erroneously identified as a supplementary planning document, and not as a local development plan document in the adopted development plan for the area. To ensure that Policy CS28 of the MWCS is met it is requested that, if the LPA is minded to grant permission that it should be subject to the following condition:

Prior to the commencement of development or any reserved matters approval, a Detailed Waste Management and Minimisation Plan (DWMMP) shall be submitted to and approved in writing by the local planning authority. The DWMMP shall include details of:

a) Construction waste infrastructure including a construction material recycling facility to be in place during all phases of construction;
b) anticipated nature and volumes of waste and measures to ensure the maximisation of the reuse of waste;
c) measures and protocols to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site, this should also include measures to ensure best use is made of any minerals that are incidentally extracted;
d) any other steps to ensure the minimisation of waste during construction;
e) the location and timing of provision of facilities pursuant to criteria a/b/c/d;
f) proposed monitoring and timing of submission of monitoring reports;
g) the proposed timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development;
h) a RECAP Waste Management Guide toolkit shall be completed, with supporting reference material;
i) proposals for the management of municipal waste generated during the occupation phase of the development, to include the design and provision of permanent facilities e.g. internal and external segregation and storage of recyclables, non-recyclables and compostable material, access to storage and collection points by users and waste collection vehicles.

The Detailed Waste Management and Minimisation Plan shall be implemented in accordance with the agreed details.

Reason: In the interests of maximising waste re-use and recycling opportunities; and to comply with policy CS28 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Guide 2012; and to comply with the National Planning Policy for Waste October 2014; and Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC), Department for Communities and Local Government, December 2012.

5.16 **Local Residents/Interested Parties**

99 objections received (via public access and 2 separate petitions) from individual residents at the following locations;

Wimblington

Bridge Lane x 18; March Road x 8; Addison Road x 4; Eaton Estate x 3; Lily Avenue x 8; Doddington Road x 8; Honeysuckle Close x 1; Chapel Lane x 3; Honeymead Road x 4; Pond Close x 1; Greenwood Way x 3; Dobson Walk x 1; Fenland Close x 1; Ray Court x 1; King Street x 3; Eastwood End x 2; Meadow Way South x 4; Snowdrop Way x 1; The Green x 1; Coney Walk x 2; The Paddocks x 1; Meadow Way x 1; Parkfield Lane x 2; Blue Lane x 2; Norfolk Street x 2; Hassock Way x 2; Willow Gardens x 1.

Doddington - Manor Estate x 3
March - Coneywood Road x 1
Manea - Station Road x 1
Cambridge - Newmarket Road x 1

Raising the following concerns;
- Access
- Agricultural land
- Open countryside development
- Density/Over development
- Local services/ infrastructure/ schools - unable to cope
- Traffic or Highways impacts
- Devaluing property
- Drainage
- Flooding
- Backfill
- Design/Appearance
- Environmental Concerns
- Loss of view/Outlook
- Noise
- Overlooking/loss of privacy
- Proximity to property
- Visual Impact
- Would set a precedent
- Light Pollution
- Wildlife
- Not policy compliant
- Loss of Open Countryside
- Fenland can demonstrate a 5-year supply – no need for the housing/ policy departure
- Not a small village extension
- The findings of appeal APP/D0515/W/16/3146008 should be considered
- Out of character/not in keep with area
- Anti Social Behaviour
- Outside DAB
- Parking arrangements
- Waste/Litter
- Strain on utilities
- Should be developing on brownfield land instead
- Reliability of transport data due to the pandemic
- Site lies on a mineral safeguarding area
- Impacts on sensitive sites e.g. SSSIs nearby

6 STATUTORY DUTY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan

unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 8:	The 3 dimensions of sustainability
Para 57:	Viability
Para 108-110:	Safe and effective access which prioritises pedestrian and cyclists
Para 117:	Promote effective use of land.
Para 127:	Well-designed development.
Para 170:	Contribution to and enhancement of the natural and local environment.

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2019

Context
Identity
Built Form
Movement
Nature
Public Spaces
Uses
Homes and Buildings
Resources
Lifespan

7.4 Fenland Local Plan 2014 (FLP)

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 - Housing
LP5 – Meeting Housing Need
LP6 – Employment, tourism, community facilities & retail
LP12 – Rural Area Development Policy
LP13 – Supporting and Mitigating the Impact of a Growing District
LP14 – Climate Change and Flood Risk
LP15 – Facilitating the creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP18 – The Historic Environment
LP19 – The Natural Environment

7.5 Supplementary Planning Documents/Guidance:

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- FDC Developer Contributions SPD (2015)
- Resource Use & Renewable Energy SPD (2014)
- Cambridgeshire Flood & Water SPD (2016)

- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) which includes the RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES

- **Principle of Development**
- **Impact on the Character of the Area**
- **Loss of Agricultural land**
- **Access, Highways and Transport**
- **Biodiversity & Ecology**
- **Flood Risk & Drainage**
- **Residential Amenity**
- **Planning Obligations**
- **Viability**
- **Other matters – resident comments**

9 BACKGROUND

9.1 The applicant entered into high-level pre-application discussion with the LPA in October 2019, whereby the applicant was advised to submit the land in the future 'call for sites' as part of the Local Plan review. The applicant was also advised of the lack of affordable housing delivery in recent developments and was alerted to the previous appeal decision for 3 dwellings proposed on the adjacent field.

10 ASSESSMENT

Principle of Development

10.1 *Site Location*

Policy LP3 of the Fenland Local Plan (FLP) sets out a strategy for growth, identifying Wimblington as a growth village with development or new service provision either within the existing urban area or as a small village extension. Policy LP12 Part A (a) supports village development in principle where it lies within or adjacent to the existing developed footprint. In terms of its location, the footnote to FLP policy LP12 (Part A) sets out the criteria to define whether a site is, or is not within or adjacent to the developed footprint of a village and states;

10.2 The developed footprint of the village is defined as the continuous built form of the settlement and excludes:

(a) individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement;

(b) gardens, paddocks, and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the settlement;

(c) agricultural buildings and associated land on the edge of the settlement;

(d) outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.

10.3 The lies immediately adjacent to the continuous built form of Wimblington, specifically the recent Matthew Homes development to the south, and to the

properties along Bridge Lane to the north. Therefore, whilst the land is in agricultural use, it is effectively sandwiched between housing developments, albeit the character of Bridge Lane is distinctly more rural than that of the development extending south and is effectively an outlier of ribbon development.

10.4 Notwithstanding this, as can be noted on many housing schemes throughout Fenland, it is commonplace and necessary to develop on agricultural land, inevitably required in order to achieve housing delivery in the District. That is not to say that all agricultural land should be built upon, especially where it relates more to open countryside than to the settlement and Officers consider that this is the intention of criteria (c) above, supported by the preamble at paragraph 4.7.1 of the FLP. An assessment however should be made as to the relationship of the land to the open countryside, in comparison to the built envelope of the settlement. In this instance Officers consider that the site directly abuts the built envelope of Wimblington and does not extend to open countryside due to the Bridge Lane developments. Therefore, it is considered that the site could be deemed to relate more to the built environment than to open countryside. This is explored in more detail with regards to character impact.

10.5 Notwithstanding this, the FLP whilst enabling 'small village extensions' does not define 'small' and therefore Officers consider that the acceptability of the scale of the development depends on the physical and visual impacts of it. It is noted that extensions of 60+ homes have been granted in recent years in other growth villages (e.g. Coates, Wisbech St Mary). Therefore, the concept of 88 cannot be ruled out and its appropriateness is subject to the assessment of its impacts.

Indicative layout and scale parameters

10.6 The indicative plan provided denotes a range of dwelling types set around a network of primary and secondary streets with landscaped open space buffer adjacent to Bridge Lane which would meet with the 22% open space requirement as set out in the developer Contributions SPD.

10.7 As such, whilst the layout is only indicative at this time, Officers consider that the proposed quantum of development could be delivered within the site area along with the policy compliant level of open space including supporting infrastructure.

Community Consultation

10.8 FLP Policy LP12 requires demonstrable evidence of local support where the development threshold set at the time of adopting the FLP has been exceeded. This demonstration is required to be evidenced through a community consultation exercise proportionate to the scale of the development as directed by LP12. In effect this means that subject to demonstration of 'clear local community support' following a consultation exercise, policy LP3 enables sustainable development beyond the initial village threshold limits set under LP3.

10.9 Wimblington is identified as having exceeded the 15% development threshold set, with 175 dwellings committed or built since April 2011 against a threshold of 116 (based on 771 dwellings in existence as at 2011). Therefore, the requirement to undertake the community consultation stages as detailed under LP12 and to demonstrate local support would apply to any proposed residential development in Wimblington.

10.10 The application is accompanied by a Statement of Community Involvement (SCI) which sets out the applicant's approach to community engagement pre-

submission (October 2020) and the results of the consultation. They advise that they engaged with the Parish Council and undertook a leaflet drop in the area and set up a website to enable residents' comments to be submitted and considered.

10.11 The SCI notes that the Parish Council objected to the scheme and a total of 46 responses were received noting the following (summarised);

(i) Concerns over the density of development and dwelling sizes leading to a loss of character of the area.
(ii) Concern – traffic and parking during construction.
(iii) Concern – congestion and highways safety
(iv) Concern – capacity the existing site drainage.
(v) Concern – lack of capacity of local services, particular mention towards the local school and doctors facility.
(vi) Request – affordable housing to be located in the middle or north of the site and POS to be located to the south.
(vii) Concern – public footpaths will be lost and need to be protected.
(viii) Concern – there is a covenant on the land to not be developed.

10.12 The applicant advises that revisions were made to relocate the entrance to the development away from the private driveway of Eastwood Hall. Also, to include greater footpath connectivity and increased landscaping, both detailed within the Landscaping masterplan.

10.13 Whilst the SCI identifies residents' concerns and the Parish Council objection, it does not demonstrate 'clear local community support' as is required under Policy LP12.

10.14 Whilst there is therefore conflict with LP12, regard is had to appeal decision APP/D0515/W/17/3182366 (application F/YR14/0838/O) against the refusal of 32 dwellings in Manea on the lack of 'clear local community support'. In respect of Policy LP12 the Inspectorate opined that;

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

10.15 The Inspector went on to state;

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

10.16 Therefore, whilst there is a lack of clear local support here, having regard to the Planning Inspector's conclusions to this element of LP12 (which is a material planning consideration), if a view were taken to refuse the application on this basis, Officers would be unlikely to be able to robustly defend such a refusal reason.

In respect of establishing the principle of development therefore, it is considered that, subject to compliance with other relevant policies of the FLP as considered below, the principle of development can be supported having regard to policy LP3 of the FLP.

Impact on the Character of the Area

10.17 As noted, the site comprises a parcel of agricultural land which abuts the recent housing development to the south and Bridge Lane to the north. There is clearly a transition between urban (south) and semi-rural (north) with the application site sitting between the two character areas.

10.18 Policy LP12 Part A sets out several criteria where visual impact is to be considered as follows;

(b) It would not result in coalescence with any neighbouring village; and
(c) It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland; and
(d) The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance; and
(e) It would not extend existing linear features of the settlement, or result in ribbon development; and
(f) The site retains and respects natural boundaries such as trees, hedgerows, embankments and drainage ditches; and
(h) It would not result in the loss of important spaces within the village; and

10.19 In respect of (b) the site does not adjoin another settlement, rather it adjoins Bridge Lane which is an outlier, predominantly of ribbon development. In respect of criteria (c),(d),(e),(f) and (h), the following consideration is given;

Appeal site

10.20 In considering the appropriateness of the site, regard is had to the previous refusal and subsequent appeal dismissal for 3 dwellings on land adjacent to the site - West of 2a Bridge Lane (planning ref: F/YR15/0281/F – appeal ref: APP/D0515/W/15/3132906). The Parish Council considers that this sets a precedent for protecting an important gap.

10.21 It is important to note that appeal decisions do not set precedents per se, this can only be established through legal judgements. However, where comparable and appropriate, appeal decisions can be given weight, as material considerations of other schemes. It is for the decision maker to weigh up these material considerations as they deem appropriate and justifiable. Consistency of decision making is also important, however.

10.22 In this regard it is noted that the appeal site referred to by the Parish is located further back in the adjacent field along Bridge Lane, with the proposed 3 dwellings fronting directly onto Bridge Lane and therefore would have had a

distinctly different appearance both locationally and visually to the current proposal. Furthermore, the quantum of the appeal proposal, being just 3 dwellings and therefore the public benefits to weigh up, are significantly different. Finally, at the time of the appeal, the Matthew Homes development had not yet commenced and therefore the overall character of the area appeared different, with the field presented as a far wider area of open land, almost double in width than is experienced today. The Inspector noted;

> *"the appeal site, and the wider fields of which it is a part, contribute strongly to the rural character of the area, and provide a visual break between the sporadic residential development along Bridge Lane, and the developed core of Wimblington."(paragraph 7)*

10.23 The appeal decision is a material consideration, although the appeal proposal was clearly very different both in scale and location to the application now before the Council, notwithstanding the development that has occurred in the interim.

10.24 The application site itself and its surroundings are not identified in any landscape or character appraisals in order to inform any specific qualities, and long distance views across the site to the east from March Road terminate beyond the site with the belt of trees approximately 350m away from March Road. This, combined with the recent residential development to the south and the linear development along Bridge Lane creates a semi-enclosed area of agricultural land, distinctly different to the substantial extent of open countryside opposite to the west, with this character of open countryside interrupted only by Eastwood Hall. The proposed area has been further urbanised through the recent introduction of the footway, which runs along the western boundary and provides a continuous link from the core of the village to the edge of March.

10.25 Whilst Officers acknowledge that the character of Bridge Lane and the looser knit ribbon of development extending along March Road is distinctly different in character to the denser development immediately south, they consider that the indicative layout demonstrates that this urban to semi-rural transition could be achieved through developing the site – through the landscaped buffer on the northern boundary which would still provide a rural feel to Bridge Lane and would provide a clear distinction between the two character areas. It is considered that the indicative layout demonstrates that the development would not have an undue adverse impact on the character and appearance of the surrounding countryside, would not extend the linear features of the settlement whilst respecting the natural boundary features in accordance with Policy LP12 Part A (c), (d), (e) and (f). Furthermore, given the aforementioned changes to the character of the area in recent years, it is considered that the site does not provide the same important gap within the village as it once did. This character harm is predicated on a suitable detailed scheme coming forward which would need to be carefully considered, to ensure the sympathetic transition between character areas is achieved.

10.26 One resident has referred to an appeal for 10 dwellings on land to the north of Bridge Lane, behind the ribbon of houses fronting it (application ref: F/YR15/0798/O - appeal ref: APP/D0515/W/16/3146008), considering that this indicates that the development should not be permitted. Whilst Officers have considered this, the appeal proposal is distinctly different both locationally and in scale, and its impacts not comparable to the current proposal; with the main concerns over the visual impacts of widening Bridge Lane and sustainable travel

options for residents. This latest application does not propose to alter Bridge Lane. In respect of sustainable travel options, the County Council has not raised any concerns and has indeed identified some upgrade projects to existing public transport to promote sustainable travel, notwithstanding the new footway that has recently been completed. Furthermore, it is recognised that the Matthew Homes site is immediately adjacent and the Council did not raise concerns over sustainable travel issues on that occasion. Therefore, to refuse the application on this ground would be inconsistent. Notwithstanding this, the Inspector at that appeal did identify that the appeal site was not adjacent to the built envelope of Wimblington as is required by Policy LP12. The application site however, by virtue of the Matthew Homes development is now considered to adjoin the continuous built form.

10.27 In summary, the proposal is not considered to result in significant adverse impact to the character and appearance of the area, albeit it will result in some change to the character by reducing the gap between urban and semi-rural character areas. This character change could be deemed to be harmful as nearly all development is harmful in some way. It is the degree of harm that should be balanced with the benefits of any scheme, when considered against the development plan.

Loss of Agricultural land

10.28 The site comprises around 3.6Ha of Grade 2 and 3 agricultural land (data taken from DEFRA 'magic' mapping, 2020). The NPPF, paragraph 171(footnote 53) advises that the economic and other benefits of best and most versatile agricultural land (BMV land) should be taken into account and that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Annex 2 of the NPPF defines BMV land to be land in Grades 1, 2 and 3a of the Agricultural Land Classification.

10.29 Therefore, the site is identified as comprising 'high grade' to 'medium grade' (BMV) agricultural land. Having regard to the wider DEFRA mapping site, it is notable that a significant majority of Fenland District falls within the BMV land with only the urban areas of the main Market Towns, the Kings Delph and Morton's Leam areas and the north of March including the prison area falling within the lower grades (3b and below). As such, it is recognised that there are very few areas of poorer quality agricultural land, and it would not be possible therefore for Fenland to meet its housing demands without developing areas of BMV land. It is also important to note that the Council's housing target is not a ceiling and opportunities to deliver housing in places outside of those allocated through the development plan should be favourably considered where they comply with the development plan when taken as a whole.

10.30 Notwithstanding this, the site area is not considered to be 'significant' having regard to para 171 of the NPPF and the extent of BMV land which would remain were the site developed. In this regard, it is considered that there is no conflict with the NPPF.

Access, Highways and Transport

10.31 Policies LP15 and LP16 of the FLP seek to ensure that development can be served by adequate highways infrastructure – avoiding identified risks, maximising accessibility and helping to increase the use of non-car modes by giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. Paragraph 108 of the NPPF requires development

to take account of opportunities for sustainable transport modes, provide safe and suitable access for all people and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

10.32 The scheme is proposed to be served by a single vehicular access point leading off March Road) and this detail is committed as part of this application. The Local Highways Authority (LHA) has raised no concerns over the access arrangements, subject to conditions securing its timely delivery and overall construction detail.

10.33 The County Council's Transport Team has sought amendments to the transport assessment and modelling, requiring updated trip data in view of the difficulty in obtaining reliable data at present due to the pandemic and the impacts this has had on travel patterns (this concern was also raised by some residents). The Transport team have reviewed the latest transport assessment submitted with the application and has agreed to the findings and is seeking improvements to existing bus infrastructure.

10.34 The applicant has agreed to these provisions which are considered necessary to improve sustainable means of travel to the services and facilities in surrounding market towns and beyond in-line with the aims of the NPPF and Policy LP15 of the FLP.

10.35 The LHA has confirmed their acceptance to the proposal having regard to the quantum of the development, proposed access arrangements and the supporting Transport Statement and addendums provided and subject to conditions and S106 obligations securing the aforementioned infrastructure.

10.36 Although illustrative at this time, the internal road configuration comprises mainly of standard gauge road and footways alongside private drives. It is considered that the general indicative layout demonstrates that adequate access could be provided within the site to serve the quantum of development proposed.

10.37 Whilst residents' comments which raise concerns in respect of congestion have been noted, Officers have been provided no clear evidence to substantiate this, or any concerns raised in this respect from the Local Highways Authority (LHA). Therefore, Officers do not feel that they could robustly defend a refusal on this basis.

10.38 As such it is concluded that the development as proposed would not give rise to any severe, cumulative transport impacts, that safe and suitable access can be delivered and that encouraging sustainable modes of transport can be secured through the development thereby satisfying policy LP15 and LP16 of the FLP and the NPPF.

Biodiversity & Ecology

10.39 The proposal is supported by a preliminary ecological appraisal and indicative landscape masterplan and proposes to retain trees and ditches around the edges of the site where possible, in-line with policy LP12, LP16 and LP19 and would support opportunities for enhanced landscaping within the site and along the boundaries.

10.40 The Wildlife Officer has noted that the indicative landscape masterplan doesn't exactly follow the recommendations of the ecology report, however it is

considered that this matter could reasonably be addressed through detailed design and that there appears to be capacity within the scheme to incorporate the biodiversity enhancements, including those around the SuDS feature as recommended.

10.41 In summary, the ecology survey found that there were very few potential habitats for bats, reptiles, amphibians and birds – with the main areas of any value confined to the site margins, which is not uncommon for agricultural fields. The ecology report sets out recommendations for enhancing biodiversity potential e,g. a green corridor along the northern boundary, SuDs feature at the south east corner and tree planting along the western boundary. These should have a positive impact on habitat potential and will also soften the impact of the development through substantial soft-landscaped edges.

10.42 One resident has raised concerns over the impact of the development on the Ouse Washes Site of Special Scientific Interest (SSSI) as well as the Nene Washes SSSI, which form part of the Ouse Washes Special Protection Area (SPA) and Ramsar Site and the Nene Washes SPA and Ramsar site respectively. Both sites are between 5 and 6 miles from the site and it is considered that there would be no immediate adverse impacts, particularly based on the scale of the development. The Wildlife Trust has been consulted on the application and has raised no concerns in this regard and is satisfied with the survey work undertaken to date and the recommended mitigation measures.

10.43 It is concluded that the development, if designed similarly to the indicative layout but with the aforementioned enhancements, would respect ecological and biodiversity features in-line with FLP policy LP12 Part A (g), LP16 (b) and LP19. It is considered that demonstration of biodiversity enhancements in-line with the recommendations of the ecology survey can be reasonably secured via planning condition.

Flood Risk & Drainage

10.44 Policies LP14 and LP16 of the FLP seek to ensure that development can be served by adequate surface and waste-water infrastructure, avoids identified risk e.g. flooding, and uses sustainable drainage systems which should be designed to contribute to improvement in water quality in the receiving water course.

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

10.46 Foul flows are proposed to be managed via a pumping station which is indicatively shown to be located at the north east corner of the site, adjacent to the existing manhole on Bridge Lane.

Surface water

10.47 The County Council, as Lead Local Flood Authority, has considered the FRA and has no objection to the scheme, subject to conditions securing a detailed surface water drainage scheme for the site (including levels), based on sustainable

drainage principles and using infiltration where ground conditions are conducive to this and/ or attenuation. Furthermore, the LLFA require details for the long term maintenance arrangements of the surface water drainage system (including all SuDS features) and confirmation of its completion. This could also be reasonably secured via planning condition.

10.48 It is noted that several residents have objected to the scheme due to recent flooding that has occurred in the area. It is uncertain what specifically caused this flooding but Officers have not been provided with any technical grounds with which to challenge the approach to drainage with this development, or to indicate that the development would exacerbate any existing problems. Notwithstanding this, the drainage strategy is in outline only, with a more detailed scheme to be provided at a future date. The scheme would need to demonstrate that the development can adequately drain without adversely impacting on existing properties.

Foul Water

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

10.50 Anglian Water advises that the foul drainage from this development is in the catchment of Doddington Water Recycling Centre that there is currently no capacity for these flows, but they are obligated to accept the 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 should the Planning Authority grant planning permission. Anglian Water raises no concerns over any existing problems and indicates that the development could be suitably accommodated. This would be subject to securing an agreed scheme for on-site foul water drainage works, including connection point and discharge rate which could be reasonably secured via planning condition.

10.51 In conclusion, the development lies in an area at lowest risk of flooding and could be served by sustainable surface water and waste water drainage systems which would avoid any potential increase in flood and pollution risk from the development in accordance with policies LP14 and LP16 of the FLP.

Residential Amenity

10.52 The site lies adjacent to March Road, however it is not anticipated that future occupiers would exposed to undue noise nuisance e.g. from traffic or any other uses nearby. The applicant has undertaken a phase 1 ground contamination survey which indicates that there is a low risk of contaminates in the ground having regard to its previous use. Notwithstanding this, the recommendations from the survey are to carry out phase 2 intrusive investigations to provide certainty as there may be an area of made ground within the site. This can reasonably be secured via planning condition.

10.53 Given that only access is committed, potential impacts on existing residents e.g. loss of light, overlooking, overbearing, noise and light pollution cannot be fully

considered, however the indicative layout sufficiently indicates that a scheme could likely be secured which would not result in severe harm to the residential amenity of existing neighbouring properties in accordance with Policy LP16.

Planning Obligations

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

10.55 Officers have undertaken consultation with Cambridgeshire County Council's Education, Waste and Transport teams, NHS England, the Council's Housing team and the Developer Contributions SPD; which amongst other things sets out open space and outdoor sports contributions.
The following contributions are sought;

Affordable housing

10.56 LP5 sets out that developments of 10 or more dwellings would require 25% of housing within that development to comprise affordable housing – therefore affordable housing 22 units for this development of 88 dwellings.

Education

10.57 Cambridgeshire County Council has identified that mitigation is required for the development in respect of Early Years and Secondary education and that projects have been identified. They have confirmed that a contribution towards Libraries and Lifelong Learning is also required but that and a waste contribution will not be sought in this instance, as set out above in their comments.

Transport

10.58 Cambridgeshire County Council Transport team has identified that mitigation is required for the development in respect of encouraging non-car of travel and have therefore identified opportunities to upgrade bus provision in the locality by way of enhancing an existing stop and introducing a new bus stop and shelter adjacent. These would be expected to be delivered directly by the developer, but the traffic information boards would require a maintenance contribution as follows;

(i) £17,500 for maintenance of the shelter and RTPI unit to be installed at the northbound bus stop on March Road within the vicinity of the site.

(ii) £17,500 for maintenance of the shelter and RTPI unit to be installed at the southbound bus stop on March Road within the vicinity of the site.

Open Space & Sports

10.59 In accordance with Developer Contributions SPD 2015 the open spaces and sports obligations can be broken down as follows: (site area is 3.6 hectares)

- Neighbourhood Park – £ 14,400 off site contribution

- Natural greenspace – £ 18,000 off site contribution
- Allotments – £ 3,600 off site contribution
- Outdoor Sports contribution – £ 28,800 off site contribution
- Children's Play – 0.143Ha area of locally equipped area of play (LEAP) (one third as Designated Equipped Playing Space and two-thirds as informal playing space) – on site

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

Viability

10.61 The applicant has acknowledged the recent 'HDH Planning & Development' independent viability report commissioned by the Council in respect of site viabilities across the district and the challenges that some developments are finding in meeting infrastructure and mitigation costs. The report sets out that on average, greenfield site developments should be expected to achieve 20% affordable housing with £2,000 per plot for social infrastructure contributions. This was acknowledged by the Council, essentially as an expected starting point for future schemes.

10.62 The 'HDH' Local Plan Viability Report is an evidence-based document to support the production of the Local Plan going forwards. The conclusions and recommendations do not represent Council policy but are intended to inform the Local Plan preparation. However, the viability is a material consideration in planning decisions with the weight to be applied to it to be determined on a case by case basis. Policy LP5 of the FLP sets out that;

> *"The Council will expect to secure affordable housing on the basis of the above targets but will negotiate with developers if an accurate viability assessment indicates these cannot be met in full."*

10.63 In this regard, Officers consider it reasonable for applicants to rely on the Council's own viability assessment to indicate the likely viability of their development.

10.64 The applicant originally proposed a scheme for 36% affordable housing – but this was based on an unknown requirement for social infrastructure mitigation. Therefore, they have reviewed their viability position in light of the County Council's requirements for education and libraries contributions, transport and open space requirements. As such, the applicant has proposed to deliver the site with planning contributions of 25% affordable housing and the equivalent of £2,843 per dwelling in financial infrastructure contribution, plus the required transport contribution, as set out below;

Item	**Amount**
FDC Affordable Housing	Number of Units: 25% (22 units based on 88 dwellings) whichever is the greater. Mix/ Tenure TBA
CCC Education	Project: Early Years / Secondary Education education provision at settings to be determined by

	the County Council towards meeting the needs of this development. £2,843 per dwelling (£192,104 based on 88 dwellings) Trigger: TBC
CCC Transport	Project: Maintenance of the bus shelter and RTPI unit to be installed at the northbound bus stop on March Road, Wimblington £: £17,500 Trigger: Prior to first occupation Project: Maintenance of the bus shelter and RTPI unit to be installed at the southbound bus stop on March Road, Wimblington £: £17,500 Trigger: Prior to first occupation of the development

10.65 Cumulatively, the offer exceeds the anticipated contributions set out in the Council's viability report – in affordable housing terms by an extra 4 dwellings and in financial contribution terms by an extra £109,184 (£74,184 social infrastructure: £35,000 Transport).

10.66 The County Council has accepted the offer which is based on the full social infrastructure contribution gong to education provision. Having regard to the open space requirement, it is noted that the indicative layout could likely provide a substantial area of amenity greenspace including a LEAP, to be maintained in the future at the expense of the developer. If agreeing to allocate the social infrastructure funds wholly to the County Council, this would mean no contribution toward neighbourhood park, off-site natural greenspace, outdoor sports and allotments. This would be a disbenefit to the scheme, to be weighed against the benefits of achieving a policy-compliant level of affordable housing and better than anticipated education contributions.

10.67 Officers consider that, on balance this is an acceptable offer and is taken in the context of a very low delivery of affordable housing in the past few years and evidence to suggest that a lower than policy delivery can be expected in the future though most schemes.

Other matters – resident comments

10.68 Whilst a majority of residents' concerns have been considered in the report above, the following matters require attention;

Local services/ infrastructure/ schools - unable to cope

10.69 The County Council has considered the proposal and raised no objections subject to securing the aforementioned S106 contributions toward education provision. This would indicate that there are no significant capacity issues at the local schools associated with this development. Comments regarding healthcare capacity are noted and the NHS were invited to comment on this application. However, they have not provided any comments with which to inform the impacts of the development or any such mitigation that may be required. In the absence of any evidence to indicate the scheme would place unmitigated burdens on local healthcare services, it would be unreasonable to refuse an application on this basis.

Devaluing property

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

Loss of view/Outlook

10.71 It is acknowledged that the development would result in an altered outlook for residents fronting Bridge Lane and for some along Lily Avenue. However, the specific impacts on outlook would be considered at detailed design stage where layout and scale would inform this. At this time therefore, it is not possible to assess this.

Would set a precedent

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

Fenland can demonstrate a 5-year supply – no need for the housing/ policy departure

10.73 It is acknowledged that the Council are currently able to demonstrate a 5-year supply of housing land. It should be noted however, that windfall sites such as this are required in order to achieve a sufficient supply of housing land, with the larger allocated sites much slower to bring forward. Notwithstanding this, the site is considered to align with h settlement strategies of the Local Plan.

Anti-Social Behaviour (ASB)

10.74 It is uncertain how residents consider the development would encourage ASB. Nonetheless, a detailed scheme would be expected to demonstrate that it has considered al aspects of community safety in-line with Policy LP17.

Parking arrangements

10.75 The indicative layout denotes a policy-compliant levels of parking per property, a detailed scheme would be expected to demonstrate that sufficient on-site parking is accommodated in-lime with the Council's parking standards

Waste/Litter

10.76 Waste produced and removed off-site during the construction of the development would be controlled under license through the Environment Agency. Furthermore, the District Council has a statutory duty to collect household waste and already operates in the area. The future layout reserved matters detail would be expected to provide details of adequate household waste collection arrangements.

Strain on utilities

10.77 Some have expressed concerns over the impact of the development on utilities e.g. water supply, broadband and electricity. Anglian water has not expressed any concerns over future water supply/ pressures and it is not anticipated that other utilities would be placed under any undue strain based on the quantum of development, particularly with a national drive toward housing growth where service providers would be expected to maintain and upgrade infrastructure to meet with demands.

Should be developing on brownfield land instead

10.78 Whilst brownfield sites are encouraged to come forward for development where appropriate, the development plan supports the development of all land in principle, subject to it aligning with the policies therein. In essence there is no policy requirement to sequentially test sites against potentially available brownfield land.

11 CONCLUSIONS

11.1 Officers consider that the site meets with strategic settlement policy LP3 of the Local Plan in that it adjoins the continuous built settlement of a growth village and meets the requirements of Policy LP12 for development in rural settlements.

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

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

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

11.2 In terms of constraints to the potential suitability of the site for development (especially for residential purposes):

- the proposed development of the site will encroach into an area of agricultural land which divides the urban edge of the settlement to the semi-rural character of Bridge Lane and will therefore have some character and landscape implications
- the site currently comprises 3.6ha of grade 2/3 agricultural land which is defined as good to moderate land by Natural England and BMV land as per the NPPF which would be lost.

11.3 In terms of sustainability, the proposal would contribute towards economic growth, including job creation both during the construction phase and in the longer term through the additional population assisting the local economy through spending on local services/facilities. Furthermore, the scale of the development (as opposed to smaller sites of less than 11 dwellings) would yield some financial contributions e.g. towards education. In this regard however, it is acknowledged that the development would deliver a significant shortfall of said contribution which weighs against the scheme, albeit the Council’s district-wide viability appraisal would

indicate that this shortfall is still above the average that can be expected on similar schemes across the south of the District.

11.4 Environmentally, the proposal offers potential for the incorporation of additional planting and habitat enhancement and the visual impacts of the development are considered to be acceptable given the net biodiversity benefits arising from additional landscaping which would also assist in reducing its visual impacts. The development will introduce enhancements to local infrastructure through the bus stops which will have wider (social and environmental) benefits to the community. Finally, it would increase the supply of housing - including a 25% provision of affordable housing to aid in addressing the identified shortfall, with zero affordable homes being completed in either March or Wimblington in the last 3 years. This has substantial social benefits.

11.5 Having fully assessed all three dimensions of sustainable development and in applying the planning balance it is concluded that the benefits of the proposal outweigh the identified harm which is considered to be; some landscape and character impact, loss of BMV land and the viability constraints which given the Council's assumptions in their own viability report is a better than average scenario in such developments. In summary, there are no overriding technical objections that indicate that permission should not be granted, the application is recommended to be approved subject to the recommended obligations as set out in 10.63 above and the conditions as listed below.

12 RECOMMENDATION

1. That the Committee delegates authority to finalise the planning conditions and terms of the S.106 agreement to the Head of Planning, and

2. Following completion of the S106 obligation to secure the necessary contributions and affordable housing and open space as detailed in this report, application F/YR20/1235/O be granted subject to conditions listed in section 13 below.

   OR

3. Refuse the application in the event that the S.106 agreement referred to above has not been completed within 4 months and that the applicant is unwilling to agree to an extended period of determination to accommodate this, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

13 PROPOSED CONDITIONS

The proposed conditions are as follows;

1.	Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved. Reason: To enable the Local Planning Authority to control the development in detail

	and to comply with Section 92 of the Town & Country Planning Act 1990.
2.	Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development to which this permission relates shall be begun no later than the expiration of two years from the final approval of the reserved matters. Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.
3.	The development hereby permitted shall be carried out in accordance with the approved plans listed in the table below insofar as they relate to site access. Reason: For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans.
4.	The residential elements of the development shall not exceed 88 dwellings (Use Class C3). Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.
5.	No buildings 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 in accordance with Policy LP15 of the Fenland Local Plan, 2014.
6.	The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority prior to first occupation. Reason: To prevent surface water discharging to the highway I the interests of highways safety in accordance with Policy LP15 of the Fenland Local Plan, 2014.
7.	Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining highway. Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy LP15 of the Fenland Local Plan, 2014.
8.	Prior to first occupation of the development, the developer shall upgrade the northbound bus stop on March Road within the vicinity of the site to include a shelter and a Real Time Passenger Information display unit as detailed in principle in the Highways Technical Note dated 18th May 2021. Details to be submitted to and approved in writing by the Local Planning Authority and works to be carried out by the developer. Reason: In the interests of encouraging sustainable transport modes in accordance with policy LP15 of the Fenland Local Plan, 2014.
9.	Prior to first occupation of the development, the developer shall upgrade the southbound bus stop on March Road within the vicinity of the site to include a shelter and a Real Time Passenger Information display unit as detailed in principle in the Highways Technical Note dated 18th May 2021. Details to be submitted to and approved in writing by the Local Planning Authority and works to be carried out by the developer. Reason: In the interests of encouraging sustainable transport modes in accordance

	with policy LP15 of the Fenland Local Plan, 2014.
10.	Prior to first occupation of the development, the developer shall be responsible for the provision of Welcome Travel Packs to be agreed in writing with the Local Planning Authority. The Welcome Travel Packs shall include the provision of 6 months free bus travel vouchers for use with the relevant local public transport operator. Such packs are to be provided to the first occupiers of each new residential unit on the development site. Reason: In the interests of encouraging sustainable transport modes in accordance with policy LP15 of the Fenland Local Plan, 2014.
11.	Prior to the commencement of development, a Construction Environmental Management Plan (CEMP), shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with and give effect to the waste management principles set out in the adopted Cambridgeshire & Peterborough Minerals and Waste Core Strategy (2011) and Waste Hierarchy when completed. The CEMP shall include the consideration of the following aspects of construction: a) Site wide construction programme. b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers, c) Construction hours and delivery times for construction purposes d) Maximum noise mitigation levels for construction equipment, plant and vehicles e) Dust suppression management and wheel washing measures to prevent the deposition of debris on the highway and the general environment f) Site lighting g) Location of Contractors compound and method of moving materials, plant and equipment around the site. The Construction Environmental Management Plan shall be implemented in accordance with the agreed details, unless minor variations are otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of safe operation of the highway and protection of general residential amenity in accordance with policy LP15 and LP16 and LP19 of the Fenland Local Plan, 2014.
12.	The details required under condition 1 shall also include details of the finished floor level of all buildings and associated external ground levels. Reason: In the interests of visual and residential amenity in accordance with policy LP16 of the Fenland Local Plan, 2014.
13.	The details required under condition 1 shall also include a detailed design of the surface water drainage of the site. The scheme shall be based upon the principles within the agreed Flood Risk Assessment & Outline Drainage Strategy prepared by Andrew Moseley Associates (ref: 20297-FRA-001) dated the 1st February 2021 and shall also include: a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;

	c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it); d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections); e) Site Investigation and test results to confirm infiltration rates; f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants; g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems; h) Full details of the maintenance/adoption of the surface water drainage system; i) Permissions to connect to a receiving watercourse or sewer; j) Measures taken to prevent pollution of the receiving groundwater and/or surface water k) A timetable for implantation and completion of the approved scheme 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 and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts in accordance with policy LP14 and LP16 of the Fenland Local Plan 2014.
14.	No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence. Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with policy LP14 and LP16 of the Fenland Local Plan 2014.
15	Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to any surface water condition imposed. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.

	Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development in accordance with policy LP14 and LP16 of the Fenland Local Plan 2014.
16.	The details required under condition 1 shall also include a Landscape and Ecological Management Plan (LEMP) detailing the biodiversity enhancements and protection measures commensurate to the recommendations as laid out within Section 5 of the submitted Preliminary Ecological Appraisal (Futures Ecology Ltd: FE68/PEA01 – November 2020). The scheme shall include but shall not be limited to the following; 1. How site clearance and construction works will be undertaken having regard to the protection of amphibians, reptiles, birds, bats, hedgehogs and other mammals which may be present, 2. Details regarding numbers, designs and locations for a range of bat boxes/ bat tiles to be incorporated into the new dwellings 3. Details regarding numbers, designs and locations for a range of bird nest boxes to be installed that cater for a number of different species such as House Sparrow, Starling & Swift. 4. Details of fencing to incorporate hedgehog gaps. 5. Planting details for a range of trees, hedges and wildflower grassland 5. External lighting scheme 6. Habitat management measures, timings, frequencies, monitoring, remedial measures, responsibilities and mechanisms for ensuring implementation. The development shall be carried out in accordance with the approved details. Reason: In order to ensure that biodiversity and ecology in and around the site is preserved and where possible enhanced in accordance with policy LP16 and LP19 of the Fenland Local Plan, 2014.
17.	The details required under condition 1 shall also include a scheme, including dimensioned plans for the protection of retained trees and hedges, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: (a) a layout plan which shows the position, crown spread and Root Protection Area (section 4.6 of BS5837:2012) of all trees to be retained and which also shows those proposed to be removed; (b) a Tree/ hedge Constraints Plan showing the Root Protection Area/s (RPA) and the crown radius in relation to the proposed development layout; (c) a schedule of works for those trees/ hedges to be retained, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons; (d) the location, alignment and specification of tree/ hedge protective barriers, the extent and type of ground protection, and any other physical protection measures. The protection measures must be erected/ installed prior to work commencing with that plot or phase and shall remain in place for the duration of construction works; (e) details of the alignment and positions of underground service runs; (f) any proposed alteration to existing ground levels, and of the position of any proposed excavations, that occurs within the root protection area of any retained tree/ hedge. The development shall be undertaken in accordance with the approved details. Reason: In the interests of visual amenity and environmental quality in accordance with policy LP16 and LP19 of the Fenland Local Plan, 2014.

18.	Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling. Reason: In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.
19.	Prior to the commencement of development a scheme and timetable to deal with contamination of land and/or groundwater shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme and timetable shall then be implemented on site. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing: a) A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the phase 1 risk assessment. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. b) The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the Local Planning Authority. Reason: To control pollution of land or water 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.
20.	If, during development, contamination not previously identified is found to be present at the site: (i) it shall be reported to the local planning authority within 1 working day; (ii) no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until site investigations have been carried out and a remediation strategy has been submitted to and approved in writing by the local planning authority detailing how this unsuspected contamination will be dealt with; (iii) the remediation strategy shall be implemented as approved; (iv) no occupation of any part of the development identified in the remediation strategy as being affected by the previously unidentified contamination shall take place until: a. the approved scheme has been implemented in full and any verification report required by the scheme has been submitted to and approved in writing by the local planning authority; b. if required by the local planning authority, any proposals for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action have been submitted to and approved in writing by the local planning authority. (v) the long-term monitoring and maintenance plan shall be implemented as approved. Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with LP2 and LP16 of the Fenland Local Plan 2014.
21.	Prior to the commencement of any development, a scheme for the provision, implementation and long term management and maintenance of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The

	scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained and maintained in perpetuity. Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.
22.	Approved Plans

COMMITTEE UPDATE

PLANNING COMMITTEE DATE: 14 July 2021 **Agenda No: 6**

APPLICATION NO: F/YR20/1235/O

SITE LOCATION: Land South Of, Bridge Lane, Wimblington

UPDATES

1. Further comments - Anglian Water

1.1 Anglian Water has provided a revised response in respect of this application, advising that the foul drainage from this development is in the catchment of Doddington Water Recycling Centre that will have available capacity for these flows. Further advice which is unchanged to that previously provided is also given in respect of used water network, surface water disposal and any nearby assets (see attached).

1.2 This supersedes the previous response as set out in section 5.3 of the Officer's report.

Officer response

1.3 The updated advice does not raise any material issues or affect the Officer's recommendation

2. Resident comments

2.1 1 further letter of objection received from a resident at Chapel Lane, Wimblington - raising the following concerns;

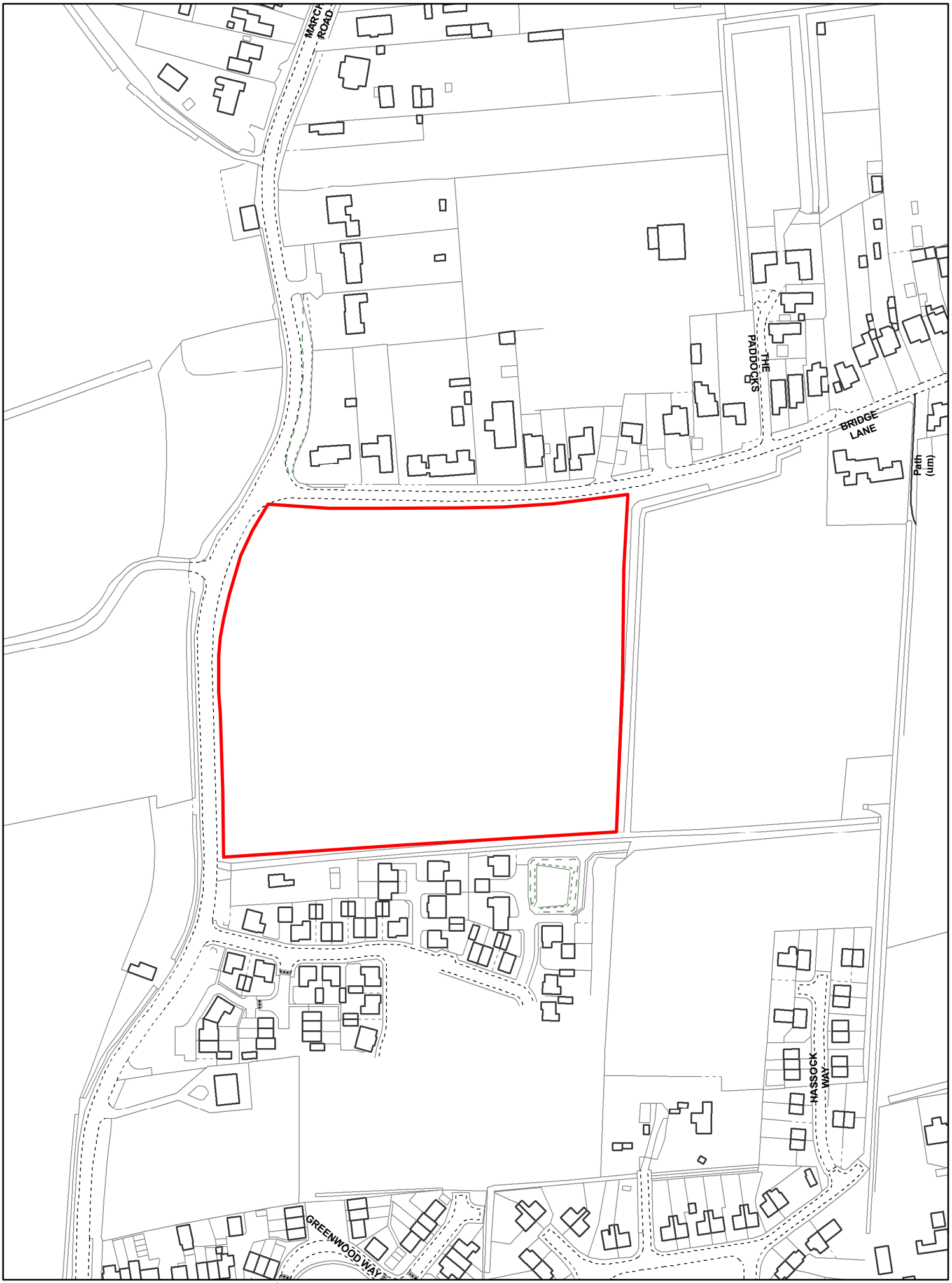
- Agricultural land
- Anti Social behaviour
- Density/Over development
- Design/Appearance
- Drainage
- Flooding
- Local services/schools - unable to cope
- Noise
- Out of character/not in keep with area
- Traffic or Highways and transport pollution
- Visual Impact

- Too much development for a village

2.2 *Officer response*
The comments are noted and it is considered that the above concerns have been considered in the Officer report.

Resolution:

Recommendation grant as per section 12 of the officer's report.



Created on: 22/12/2020

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F/YR20/1235/O

Scale = 1:2,500

N

Fenland CAMBRIDGESHIRE
Fenland District Council

Architects are to be notified of any discrepancies.
Contractors must check all dimensions on site.
This drawing is subject to copyright laws and is for use on this project only.
This drawing is to be used solely for the information as titled only.
For other information refer to the latest revision of any cross referenced drawings.
To be read in conjunction with relevant design standards/protocols.

March Road, Wimblington
(20-6453)

House Types

	OMS	Affordable	Total
Detached 4B6P	21	-	21
Semi-Detached 4B5P	6	2	8
Semi-Detached 3B5P	30	8	38
Terraced 3B5P	-	5	5
Terraced 2B5P	9	7	16
Total	66	22	88

REV	DATE	DESCRIPTION	DRN	CKD
N	11.5.21	amended through planning process	AH	JS
M	20.4.21	9m easement to ditch provided	AH	JS
L	1.4.21	Amended to Client comments.	AH	JS
K	30.3.21	POS provision highlighted	AH	JS
J	29.3.21	Amended to Planners comments	AH	JS
H	02.02.21	Railing added to cycle access points	AH	JS
G	01.02.21	Updated redline boundary.	AH	JS
F	28.01.21	Updated to allow for cycle path	AH	JS
E	11.01.21	Updated to Highways comments	AH	JS
D	16.12.20	Access included in red line	AH	JS
C	20.11.20	Updated to reflect highways design	AH	JS
B	24.9.20	Updated to Client comments	JS	
A	17.9.20	Planting Buffer enhanced	JS	
#	16.9.20	FIRST ISSUE		

AMENDMENTS

STATUS: FEASIBILITY

CLIENT: NYC ESTATES LTD

PROJECT NAME: MARCH ROAD

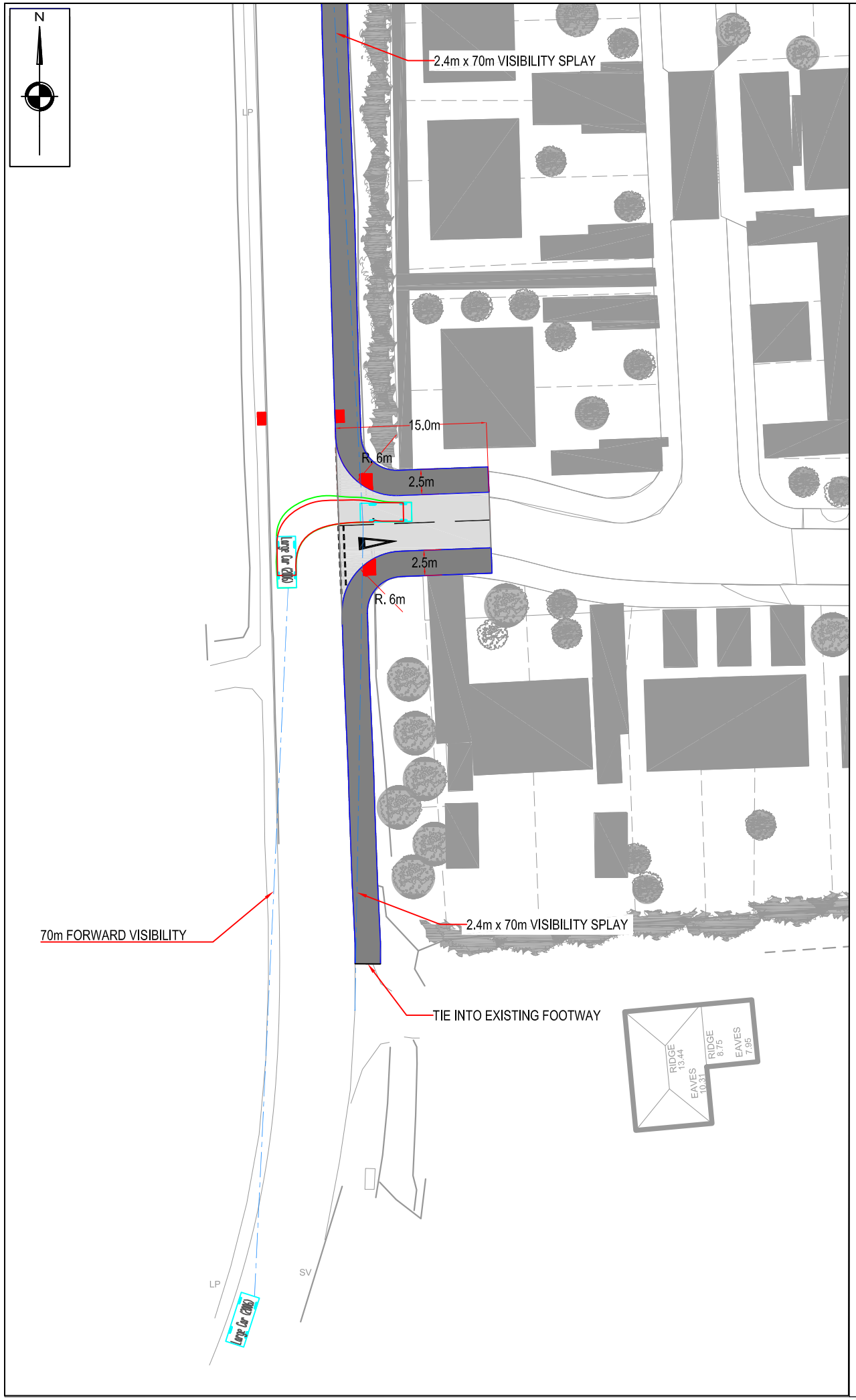
PROJECT ADDRESS: MARCH ROAD WIMBLINGTON

DRAWING TITLE: INDICATIVE SITE PLAN

JOB NO:	DRG NO:	REVISION:
20-6453	SK02	N

DATE:	SCALE:	SHEET SIZE:
July 20	1:500	A1

S+SA ARCHITECTS
1 CARDALE PARK , BECKWITH HEAD ROAD
HARROGATE, N.YORKSHIRE, HG3 1RZ
WWW.SSA-ARCHITECTS.CO.UK
T: 01423 856999



NOTES

REVISIONS

REV	DESCRIPTION	DATE	BY
-	-	-	-

ANDREW MOSELEY ASSOCIATES
TRANSPORT AND DEVELOPMENT PLANNING CONSULTANTS

Project:
MARCH ROAD,
WIMBLINGTON

Client:
NYC ESTATES LTD

Drawing:
PROPOSED HIGHWAY
IMPROVEMENTS

Drawn By:	Date:
GDM	17.05.21
Checked:	Scale:
ATM	1:500 @ A3

Drawing No.: AMA/20297/SK021
Rev.: -

PLANNING COMMITTEE DATE: 18 August 2021 Agenda No: 5

APPLICATION NO: F/YR20/1235/O

SITE LOCATION: Land South Of, Bridge Lane, Wimblington

UPDATES

1. Further comments – Middle Level Commissioners (MLC)

1.1 MLC has reviewed and responded to the Drainage Technical Note provided by the applicant on 9th August, and also the minutes of the Planning Committee of 14th July in relation to this application (see email from MLC attached). This follows previous comments received (as set out in the applicant's drainage technical note) confirming that the principle of the drainage strategy was acceptable.

2 Amended plans

2.1 The applicant has submitted an updated outline drainage strategy plan (received 13th August) which supersedes the plan at Appendix K of the Flood Risk Assessment and outline drainage strategy document. The applicant advises that;

> "*the 'strategy' is no different to that already considered by the LLFA, IDB and Anglian Water. However, [their drainage consultant] AMA have provided some additional annotations and highlighted the maintenance strip which is to be located along the eastern boundary."*

Officer response to 1.1 and 2.1

2.2 The comments from MLC and updated outline drainage strategy plan raises no concerns in the context of the planning application, in particular the outline drainage strategy proposed by the applicant. The outline drainage strategy has been agreed in principle by both the LLFA, MLC and Anglian Water and a detailed drainage strategy will need to be progressed at reserved matters stage to satisfy the relevant authorities.

3 Resident comments

3.1 3 further letters received from residents at Bridge Lane raising concerns over , flooding issues at Bridge Lane and Woodman Way ditches, issues with the attenuation basin and flooding at the adjacent Nursery Gardens development site, 100 letters of objection, potential for traffic accidents and density/ overdevelopment, Anglian Water's comments.

Officer response

Drainage & Flooding

3.2 The existing drainage problems at Bridge Lane were previously noted at the Planning Committee. However, no technical evidence has been presented to indicate that the proposed development would exacerbate this issue – with positive recommendations received from the LLFA, Middle Level Commissioners and Anglian Water. Those

Authorities have not indicated that the proposed development would be affected by or cause further issues to the Nursery Gardens development. In the absence of any such evidence, Officers consider that there would be insufficient grounds to refuse the application on this basis.

Number of objections

3.3 Whilst it is acknowledged that a large number of objections has been received for this proposal, the LPA is legally bound to determine planning applications in accordance with the development plan, unless material planning reasons indicate otherwise. Decisions should not be made solely on the basis of the number of representations, whether they are for or against a proposal. Opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded on valid planning reasons. As such, it is the material planning grounds of representations received, rather than the number of representations which must be considered by the LPA.

Highway safety

3.4 Concerns over potential highways safety were considered at the previous committee. As advised at that time, the Local Highways Authority has considered the applicant's comprehensive transport assessment and has not raised any concerns in this regard. Officers consider that they would be unable to defend a refusal on this basis.

Density/ overdevelopment

3.5 The appropriateness of the scheme in the context of the character of the area which takes into account proposed density and overall development of the area was considered at sections 10.17-10.27 and 11.2-11.5 of the original committee report. Officers consider that these conclusions made remain the same.

Full plans, associated documents and comments for this application can be found at: https://www.fenland.gov.uk/publicaccess/

Resolution:

Recommendation grant as per section 4 of the latest officer's report (section 12 of the original report).

From: Planning <planningmatters@middlelevel.gov.uk>
Sent: 12 August 2021 11:01
To: richard@johnsonmowat.co.uk; Gavin Taylor <GTaylor@fenland.gov.uk>; 'Hilary Ellis (Hilary.Ellis@cambridgeshire.gov.uk)' <Hilary.Ellis@cambridgeshire.gov.uk>; andy.james@amatp.co.uk
Subject: Drainage Technical Note - F/YR20/1235/O – NYC Estates Ltd

E-mail to Richard Mowat richard@johnsonmowat.co.uk Gavin Taylor GTaylor@fenland.gov.uk Hilary Ellis Hilary.Ellis@cambridgeshire.gov.uk Andy James andy.james@amatp.co.uk

Our Ref GM/312/PL/938
(Please quote this reference on any correspondence)

Morning all

March East Internal Drainage Board

F/YR20/1235/O – NYC Estates Ltd

Erect up to 88 dwellings (outline application with matters committed in respect of access) at land south of Bridge Lane, Wimblington

Drainage Technical Note

Further to my message on Monday, I have now had the opportunity to review both the draft Planning Committee Minutes for the meeting held on the 14th July and Andrew Moseley Associates (AMA) Drainage Technical Note dated 6th August.

My comments are as follows:

A. Draft Planning Committee Minutes for the meeting held on the 14th July

i) Cllrs Cornwell, Davis, French and Topgood are all District Council representatives who sit on both March East and other IDB's in the March area.

ii) The annual March East Board Meeting was held on the 3rd June and its members the will have received a copy of the meeting report which includes entries on both the incident experienced in December 2020; Nursey Gardens and this site. Two of the above mentioned Councillors attended the meeting.

iii) There appears to be some confusion concerning the sources of flooding and the various flood mapping used.

iv) Just to clarify, the Boards Drain is protected by 9.0m wide maintenance access strips, not easements or covenants, which enables the Board, not the Council, to access its system in order to undertake maintenance and improvement works.

v) Councillor French is correct in stating that Internal Drainage Boards are not statutory consultees on planning applications.

vi) Councillor Cornwell's comment that the March Internal Drainage Boards have been proactive ensuring that whatever surface water drainage provision is made by a contractor is acceptable to the IDB's before work commences is presumed to refer to the position that March Fifth District Drainage Commissioners, upon which both he and Cllr French are Council representatives, recently took in respect of a development to the east of Berryfields.

vii) In view of the problems experienced with SuDS within and adjacent to our area, March East would be encouraged to follow this principle.

viii) The statements made by both Councillor Cornwell that, if an IDB feels that something needs to be designed to manage an issue on a development, they can insist that a developer provides and meets the specification and the requirements of the IDB; and David Rowen, that they, the Middle Level Commissioners/IDB, ultimately have the control over the flows that they do or do not accept and to some extent whether a development is permitted, are correct as we can act, where applicable, under our byelaws to prevent this situation occurring.

ix) When advising the committee that he, Cllr Cornwell, is aware of serious issues arising from the development which is linked to the drain on the eastern side of the property and immediately behind the neighbouring plot where the IDB had to make important decisions regarding the drainage of the land, it is presumed that he is referring to an on-going problem at Nursery Gardens/Lily Avenue.

x) Little available evidence can be found to support the claims made at the meeting that during the Christmas period, the proposal site was under water. The circumstances experienced during this time were exceptional but, in view of recent evidence, it may become the normal.

B. Andrew Moseley Associates (AMA) Drainage Technical Note dated 6th August

1. Flooding & High Water Table (Page 1)

(i) During the preparation for attendance at the Committee, and not knowing that it had also been invited to attend, I enquired with the LLFA whether it had received any flooding reports in the Bridge Lane area during December 2020.

(ii) The LLFA advised that in addition to a report being received, the location is not identified, "one of the Councillors reported that the Bridge Lane in Wimblington been flooded in December 2020 but we do not hold any more information about this incident". I will leave it to the LLFA to provide a copy of the report.

(iii) I have also checked the Boards records and the District Officer reported that there was flooding in the streets of March and that he had received complaints of cess pools flooding at 5/6 properties, but no locations were provided.

(iv) No response has been received to the more recent consultation with the Boards Chairman and Vice-Chairman referred to in my e-mail dated 5th August.

(v) Paragraph 4 refers to the landscaped areas. Could these be "shaped" to accept and retain flows during extreme events?

(vi) Care is needed when raising ground and floor levels as this can adversely affect overland flow routes and can increase the risk of flooding to neighbouring land and properties that may not have previously flooded. However, this site is not immediately adjacent or beside any existing development so this may not be a problem.

Appendix A – LLFA Response letter dated 27th April 2021 (Page 5)

Comments
The site is within March East IDB not March West.

Watercourse maintenance
The opening sentence is incorrect. This only applies to areas outside of an IDB District.

Otherwise, the document provides a succinct summary which can form the basis of further discussion.

In response to the point raised by Gavin in his e-mail dated 9th August, I posed this question in an effort to understand the reasoning behind the provision of this area.

As growth occurs more urban development takes place adjacent to watercourses that serve the area including the Boards systems. The undertaking of channel maintenance and improvement

works in an urban environment, rather than an open field, brings many challenges, conflicts and increased costs which we have to meet.

Whilst the location of the picnic/amenity area beside the Boards District Drain would still result in some challenges it may be preferable than working in an urban environment.

The re-positioning of the pond into the picnic/amenity area may also be beneficial but it is appreciated that this can be discussed at a later date.

Please note that I am not readily available on Tuesday but am otherwise contactable before Wednesday.

Regards

GRAHAM MOORE
Planning Engineer

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Middle Level Commissioners

85 Whittlesey Road, March, Cambs. PE15 0AH

Tel: 01354 653232 Email: planningmatters@middlelevel.gov.uk

For general enquiries please use: engineers@middlelevel.gov.uk

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END

F/YR20/1257/F

Applicant: Mr S Howard
Howard Renovations Ltd

Agent : Mr Lee Bevens
L Bevens Associates Ltd

7 Station Road, Manea, March, Cambridgeshire

Change of use from restaurant and 2-bed dwelling to mixed use of 7-bed unit for accommodation of up to 18 residents with shared communal facilities and 2-bed dwelling involving retention of existing outbuilding for storage and demolition of existing shed (part retrospective)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

1.1 The application seeks full planning permission to change the use of the restaurant and rooms (5 rooms with shared bathroom and WC) to a 7-bed unit for accommodation of up to 18 residents with shared communal facilities and outside space. The nature of the use is such that it would not fall within HMO legislation.

1.2 The principle of development in this location is accepted subject to compliance with the relevant policies. The proposal would, according to the submitted information, provide accommodation for agricultural workers to support an established farming enterprise and as such support economic growth, in addition it is likely that residents would utilise shops and facilities within the village contributing to its sustainability.

1.3 Internal alterations are proposed to facilitate the change of use and the external appearance of the building remains the same aside from replacement windows of the same design, as such the proposal is not considered to create a significant adverse impact on visual amenity or the character of the area.

1.4 The number of residents and nature of the use proposed of this modest site would result in a significant detrimental impact on the residential amenity of surrounding dwellings.

1.5 The application advises that residents will be transported to and from the site to work by minibus and cars will remain on the farm, however this cannot be guaranteed nor conditioned. There is a significant shortfall of onsite parking and whilst Highways have no objection on safety grounds, there will be a burden placed on the surrounding area to meet the increased parking demand.

1.6 The loss of the restaurant with rooms is considered to be justified and the proposal is to provide accommodation for agricultural workers to support an established farming enterprise and as such support economic growth, in addition it is likely that residents would utilise shops and facilities within the village contributing to its sustainability. However, the number of residents and nature of

the use would result in an over development of this modest site, with no clear regulatory regime to safeguard the well-being of residents, insufficient amenity space and parking provision, resulting in and a significant detrimental impact on the residential amenity of surrounding residents. The benefits of the scheme are not considered to outweigh the harm that would be created, and as such the recommendation is one of refusal.

2 SITE DESCRIPTION

The application site is located on the western side of Station Road and comprises of the former 'Classics' restaurant with rooms above and the associated 2-bed dwelling attached. The building is 2-storey and 'L' shaped with a single-storey lean-to element to the rear. There is a narrow tarmac access drive situated between 7 and 5 Station Road, leading to a small parking and garden area to the rear, there is also a part single-storey, part 2-storey height (there does not appear to be a first floor) brick built outbuilding/store which forms the rear boundary of the site.

3 PROPOSAL

3.1 The application seeks full planning permission to change the use of the restaurant and rooms (5 rooms with shared bathroom and WC) to a 7-bed unit for accommodation of up to 18 residents with shared communal facilities and outside space. Intensive residential occupation of the building has already taken place which resulted in the Private Sector Housing Team and the Fire Service visiting the site, hence the retrospective nature of the application; the precise situation currently is unclear.

3.2 Ground floor accommodation is to comprise of 2-bedrooms with en-suites, communal kitchen, communal lounge, entrance hall, store, 2 WC's and shower room. The first floor comprises 5 bedrooms, 1 with en-suite, utility room, 2 shower rooms, 2 WC's and a bathroom. Internal alterations are proposed to facilitate this, the external appearance remains the same aside from replacement windows of the same design.

3.3 The accommodation is required, according to the submitted information, to provide accommodation to agricultural farm workers, in the main on a seasonal basis though some residents would be staying throughout the year. The Private Sector Housing Team have advised that due to this it would not fall within the HMO legislation.

3.4 The separate 2-bed dwelling is to be retained and will have a separate external area.

3.5 The existing outbuilding is to be retained for storage and the shed has already been demolished. A bin storage area is proposed in the location of the former shed.

3.6 The original submission was for 30 residents which has been reduced down to the current proposal for 18.

3.7 Full plans and associated documents for these applications can be found at:

F/YR20/1257/F | Change of use from restaurant and 2-bed dwelling to mixed use of 7-bed unit for accommodation of up to 18 residents with shared communal facilities and 2-bed dwelling (C3) involving retention of existing outbuilding for

storage and demolition of existing shed | 7 Station Road Manea March Cambridgeshire PE15 0JL (fenland.gov.uk)

4 SITE PLANNING HISTORY

Of relevance:

F/0701/76/F	Use of premises and a guest house (retrospective)	Granted 22/11/1976

5 CONSULTATIONS

5.1 Parish Council (19/1/2021)
OBJECT: Over development.
Lack of parking
Overlooking neighboring rear properties.

5.2 Parish Council (18/5/2021)
Refuse: Overdevelopment of the site, severe lack of parking. Wrong location for this type of development. Request Planning Committee consideration.

5.3 Parish Council (20/7/2021)
REFUSE: Parking at the rear as now proposed is worse than the previous application. The apartment at the rear has no dedicated parking. If the parking spaces are full, it would mean that any other vehicles would have to back out onto a busy main road, opposite the school, over the busy footpath. There are inadequate visibility splays, parking for potentially 15 residents on Station Road is unacceptable. This application cannot be supported in this location.
This application should be discussed at the FDC Planning Committee.

5.4 Environmental Health (FDC) (20/1/2021)
The Environmental Health Team note and accept the submitted information and have 'No Objections' to the development in principle as it is unlikely to have an effect on air quality or be affected by ground contamination.

Chapter 5.6 of the submitted Design & Access Statement states the internal layout of the proposed change of use will ensure that appropriate provision is provided regarding noise transfer from the first-floor utility/shower room to the adjoining bedroom as well as the communal ground floor lounge area and adjoining bedroom. The applicant has also stated that thermal insulating materials can be provided. In chapter 8.4 it states that noise pollution is to be minimised by exceeding current building regulation standards and compliance with robust details, providing appropriate distances, where possible, between housing and potential noise generators.

We note the applicant has not submitted information that describes the appropriate provision to control noise or, further detail to mitigate against potential noise generators as stated in the report.

As this application seeks consent for a change in use of an existing dwelling into an HMO, we would inform the applicant that housing legislation sets out standards which landlords are required to meet in order to achieve acceptable standards of living, this includes minimum room sizes per person(s), fire safety as well as amenity provision. These standards are also controlled through a licence which is issued by the local authority on certain HMO properties.

Given this proposal seeks to convert a period property into an HMO that lies within an established area of Manea where sensitive end-use is sought, we ask the applicant to submit information that covers the appropriate provision to address noise that demonstrates how such measures will mitigate against potential noise generators and provide suitable living conditions for the intended occupiers.

We would recommend that Fenland's Private Sector Housing Team be invited to provide further comment that covers the materials and specifications to be used to convert the property into an HMO and, in the event they may wish to impose conditions relating to the management, use and occupation of the dwelling should the application meet HMO license criteria.

The Environmental Health Team note and accept the applicants comments as taken from paragraph 5.5 of the submitted Planning Statement that in order to minimise the number of vehicle movements and to minimise the highway safety implications of the development, the applicants are willing to enter into a Section 106 Agreement stipulating that occupants of the hostel would not be able to utilise their own motorised transport from the application site. This service considers this an appropriate way to mitigate against unwelcomed noise arising from numerous arrivals and departures through vehicle usage and would recommend a condition that restricts such undertaking at the application site so as to prevent protect both the noise climate and interests of the local amenity.

This service also notes as part of the proposal, demolition of an existing structure will be necessary before the erection of a new dwelling is constructed. In the event that contamination is encountered the applicant should ensure the ground is suitably remediated before any further development takes place. We therefore recommend the 'Unsuspected Contaminated Land' condition be imposed should permission be granted to protect human health and the environment during the development process and future occupiers of the site.

5.5 Environmental Health (FDC) (2/8/2021)

Thank you for your email and the additional information.

The Environmental Health Team have reviewed the application, recent comments and information provided and would further add to our previous consultation.

There have been no previous complaints made to this service regarding noise or other similar disturbance associated with the application site and the reduction from 30 to 18 residents will reduce the likelihood of potential disturbance and acts of anti-social behaviour. We would extend this observation towards the reduced number of vehicles likely to be used by the occupants at this address and as such, we do not believe the use of vehicles will be an issue in terms of the noise climate being adversely affected.

Given the reduction in residents that are considered to be seasonal or otherwise the proposal is based on providing temporary living accommodation, the need for a robust sound insulation design and material plan is considered unnecessary. However we would advise the applicant that measures to reduce the likely interference of internal living noise should be addressed when considering for example, shower plumbing and associated fittings so as to prevent noise disruption between room occupiers. We note the comments provided by the applicant that the final design and layout will be in accordance with current building regulation

guidelines. This service accepts this approach to addressing the potential for unwanted noise issues between room occupiers.

As per our last consultation we ask for the unsuspected contaminated land condition to be added to the consent if granted.

5.6 Private Sector Housing Team (FDC) (20/1/2021)

Having considered the above Planning consultation The Private Sector Housing Team must "Object" to the proposed application on the basis on the following issues:

We do not believe the proposed occupancy of the premises constitutes HMO use as defined under The Housing Act 2004. It would appear that the occupancy of the premises would be on a seasonal basis and linked to the nearby business use. This would suggest that the occupiers are not residing at the property as their main residence and will not have individual written tenancy agreements that provides them with secure tenure.

Some of the proposed rooms are to be shared by un related persons which is not permissible under HMO legislation.

We believe that the proposed operation of the premises is more akin to Hostel accommodation and would suggest that the applicant consult with The Gang Master Licencing Authority (GLA) for Regulatory advice and support should this application be successful.

5.7 Private Sector Housing Team (FDC) (29/1/2021)

It's clear that although it's shared accommodation the size and operation of the development is more akin to Hostel accommodation, i.e. typically where there are shared-room style accommodation that which accepts groups for short-term stays, and that provides common areas and communal facilities.

We believe the style of accommodation proposed is similar to Fridaybridge Camp which is currently Regulated by the Gang Masters Licensing Authority (GLA) and given the similarities to that operation (i.e. short term accommodation, primarily for seasonal workers) we feel that The GLA should be the Regulatory body as they have powers to ensure the health, safety, well-being and employment rights of the workers as well as monitoring the standard of accommodation.

The PSH team concerns were more along the lines of who will be the Regulatory body for this development rather than an objection to the proposal itself.

5.8 Gangmasters and Labour Abuse Authority

No comments received.

5.9 Cambridgeshire Fire and Rescue Service

No comments received.

5.10 Designing Out Crime Team (18/1/2021)

Thank you for the opportunity to comment on the above Change of Use application in regards to community safety and vulnerability to crime. Having spoken to the local police team, Fenland Council and Fire Service I am aware of the large disturbance at the premises in October 2020 – I am also aware following further

consultation that the owners are taking measures and this office is supportive that a Change of Use application has been made. I would just ask that if this is confirmed by planning that the premises will be regulated in the future which would allow for regular checks to be made.

We are supportive of the application and have no further comments at present. Should the owners require site specific security advice we can provide that.

5.11 Designing Out Crime Team (7/5/2021)

Thank you for the opportunity to comment on the revised proposals in regards to the above application. I have also reviewed comments made in January 2021. I am happy that the various regulatory bodies are involved and have no further comments at this stage – I wish my original comments to stand in terms of community safety and reducing vulnerability to crime.

5.12 Designing Out Crime Team (29/6/2021)

I can confirm this office has reviewed the revised proposals and have no further comments to make in terms of community safety or vulnerability to crime – we wish our previous comments to remain – nothing further to add at this stage.

5.13 Cambridgeshire County Council Highways (14/1/2021)

How will the parking be managed along the driveway and in front of the coach house? Will there be allocated parking or will this just provide cycle and pedestrian access only?

How has 30 occupants been calculated? Clearly there will be a percentage of occupant that will own a car. Given the lack of onsite parking, this is likely to result in a demand for kerb side parking, of which is likely to result in parking displacement and potential amenity issues for existing residents along Station Road. FDC need to consider the impact of the lack of parking.

The only highway safety concern I have, is the 'free for all' parking arrangement along the existing access/driveway. Parking along this driveway should either be physically prohibited or restricted to a provision equal to the existing use. Reason: the access is narrow width with substandard visibility and on a frequently used pedestrian route to the local primary school.

Defer for amended plans

5.14 Cambridgeshire County Council Highways (17/2/2021)

Any parking prohibition along Station Road will not make the lack of off-road parking acceptable. The order would also be subject to public consultation, which is likely to receive objection from residents that are reliant on kerb side parking along Station Road.

The only highway safety concern I have is the unfettered/intensified use of the existing vehicular access.

5.15 Cambridgeshire County Council Highways (5/5/2021)

I see the agent has detailed bollards at the access and made the court yard area pedestrian/cycle access only. You may want to impose a condition that ensures the bollards are maintained in an upright position, so to prevent convenience parking to the rear?

I have no highway objections.

5.16 Cambridgeshire County Council Highways (1/7/2021)

Vehicles will only be able to turn around if no one parks in the red dotted turning area. If someone parks in the turning area, mistaking it for a parking space, then vehicles will need to reverse on to Station Road? For the 3 space layout to work, the parking area will need to be surfaced and marked out with line markings.

Unlike previous submissions, the access under this proposal is being opened up to provide better vehicle access. Can you request the applicant provides access geometry plans, detailing access widths' and visibility splays etc?

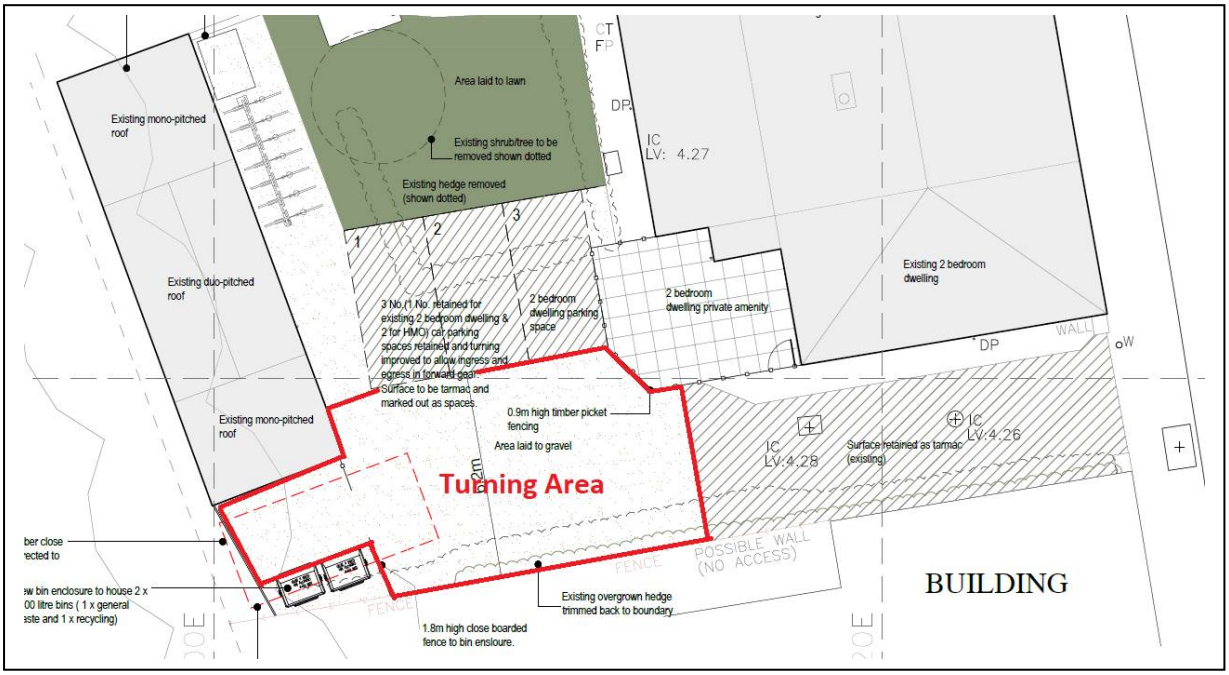
Defer for amended plans.

5.17 Cambridgeshire County Council Highways (30/7/2021)

Having considered the agents comments in respect of the existing parking and the proposed parking and turning, I am able to conclude I have no highway objections to the revised parking, turning and access arrangement. The proposal results in no material harm to the highway network.

Condition recommendations are set out below;

Condition 1 – Parking and turning.



You can either refer to the sketch above in the parking and turning condition wording or request the agent amends the planning layout plan accordingly.

Condition 2 – Prior to first occupation, the vehicular access to be sealed in accordance with the above plan, and drained in accordance with details to be submitted and approved.

5.18 Refuse Team (FDC) (19/2/2021)

In regards to bin provision the proposed 2 x 1 bed flats and 1 x 2 bed house would receive the standard entitlement, the 7 bed HMO would be entitled to maximum of 2 x 240 litre general waste bins and 2 x 240 litre recycling bins. This would equate to 1 x 1100 general waste and 1 x 1100 as the maximum provision.

If additional bins were required (an HMO up to 30 people most certainly will) these will need to be arranged via a licenced carrier at additional cost. The type and frequency of collection would need to be arranged to suit via the landlord (details of HMO waste service standards below) with the cost dependent on the requirements.

- Landlords must ensure the dwelling has adequate waste disposal facilities and are used by tenants correctly. We expect landlords to comply with current HMO Waste Service Standards found at https://fenland.gov.uk/media/15159/HMO-Waste-Service-Standards/pdf/HMO_waste_service_standards.pdf .
- In line with #15 of these service standards, household of five or more will be entitled to an additional blue bin upon application and unused or abused [recycling] bins will be removed.
- In line with #9 of these service standards, households of 6 or more who are recycling actively and cannot contain residual waste in bins will be supplied with an additional residual waste bin. Delivery charges apply.
- Waste accumulations at properties, waste outside of these service standards, construction waste and waste generated as property occupier(s) change are not domestic waste and will need collection by approved waste carriers at the instruction of the landlord.

- *The bin store is of sufficient size and could accommodate up to 6 x 1100 bins, a collection point within 15m of the public highway would also be required.*

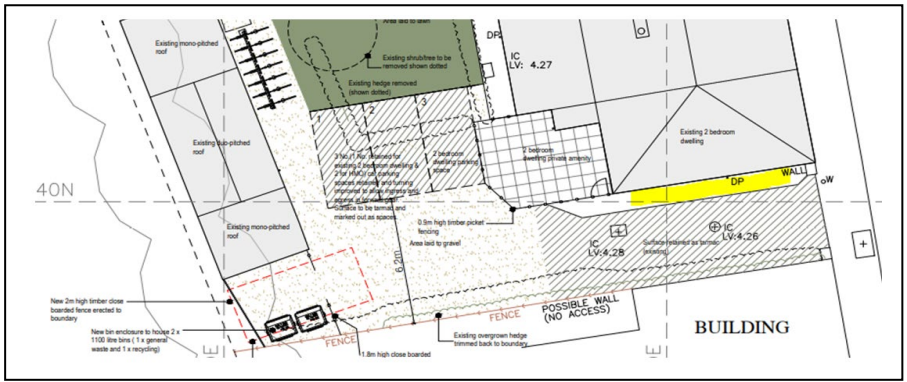
- *New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.*

- *Refuse and recycling bins will be required to be provided as an integral part of the development.*

5.19 Refuse Team (FDC) (9/8/2021)

With the changes, 1 x 2 bed property and 1 x 7 bed unit the maximum bin provision that FDC would provide is 2 x 240 litre general was and 2 x 240 litre recycling for each property. This bin provision and associated policy is relevant to all domestic properties not just HMOs.

240 litre bins are 740mm x 585mm deep, and would need to be presented at the boundary of the property with up to 4 on collection day. Given that the hostel type property is potentially up to 18 residents then further bin provision would be required, I would suggest that a further 4 x 240 litre general waste and 4 x 240 litre recycling would be required, these additional requirements would be chargeable and would need arranging via a licenced waste carrier. This would mean a total of 16 bins on site and 8 present at the boundary on collection day. Looking at the plans these could be stored on site and presented for collection in the area marked yellow below.



As I have said I feel that these arrangements could be accommodated, the site owner would need to be aware that extra bin provision and collections would come at a cost via either ourselves or a private licenced waste collection company and bins would need to be managed to ensure they contain the correct materials and are put for collection.

Local Residents/Interested Parties

5.20 84 objections have been received (all from within Manea) in relation to the following:

- Unreasonable/anti-social behaviour and noise/disturbance has already occurred and police have been called multiple times, adverse impact on quality of life and security
- Lack of parking/on street parking an issue particularly due to location of site rear a bend (visibility), foot and vehicular traffic on School route impeded, amount of cars on site means turning is unavailable, parking not comparable to previous use, limited public transport so car required, increase potential for accidents
- Loss of a business
- Overdevelopment of the site/overcrowding/poor conditions/ accommodation/ too many residents
- Inappropriate in this location/unsuitable for an established residential area
- Loss of residential amenity far above the permitted use
- Overlooking
- Encroachment into garden by proposed flats
- Flats will have an overbearing impact and create overshadowing, loss of natural light and light pollution, timing of demolition should be agreed, fencing should be provided to secure, asbestos to be removed by specialist
- Occupants are likely to congregate outside and cause noise/disturbance
- Concern over the number of residents, security and management
- Location of bin store could give rise to smells, noise and possible infestation/ Scale of waste management required
- Use of minibus to transport residents is not guaranteed, occupants can't be forced not to use their own vehicles
- Occupation should be limited to housing farm workers
- Shed already removed
- No provision for resident/ on-site manager
- Litter has been left in the street
- Former use had maximum of 14 when full including the owners
- Devalue property
- Out of character and unwelcome precedent
- Drainage issues
- Would affect local employment opportunities
- Doesn't look appealing, poorly kept, smell and mess (litter), concerns will not be maintained
- Covid risk
- Proposed minibus not good for the environment

5.21 14 supporting comments have been received (13 from Manea and 1 from Hexham) in relation to the following:

- Accommodation of this kind will help local businesses (farms, local facilities such as shops/takeaways)
- Building used as restaurant with rooms/B&B/Guest house and prior to that village store and bakery, and cars parked on road, perfect layout for HMO, no increase in cars using Station Road
- Will bring building back to use
- Vehicles parked legally slow down traffic through village
- Two former residents of 'Classics' now living in 2-bed house advise great layout of bedrooms and bathrooms could accommodation the number of residents applied for, false accusations being made and residents called the police to an incident, parking not an issue, minibus to and from work each day
- Provides affordable accommodation

5.22 Comments, where they relate to planning matters will be addressed in the sections below.

5.23 The proposed flats were removed from the scheme during the course of the application and existing buildings proposed to be retained, the rear boundary has been revised to reflect Land Registry records.

5.24 It should be noted that devaluation of property is not a planning consideration.

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 Model Design Code 2021

National Design Guide 2019

Context – C1
Identity – I1, I2
Movement – M3
Homes and Buildings – H1, H2, 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
LP6 – Employment, Tourism, Community Facilities and Retail
LP12 – Rural Areas Development Policy
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 and Economic Growth**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Highways and parking**
- **Flood Risk and Drainage**
- **Ecology**

9 BACKGROUND

9.1 Pre-application advice was provided in July 2020 regarding the change of use of the restaurant with rooms to a 7-bed HMO and retention of the existing 2-bed dwelling. Limited information was provided regarding the details of the proposed use and number of residents, it was advised that in principle an HMO may be acceptable in this location subject to a suitable scheme coming forward, sufficient parking and amenity would need to be provided and justification in relation to the loss of the community facility. Information was provided regarding HMO licencing requirements.

9.2 Upon submission of the application the Private Sector Housing Team advised that due to the size and operation of the proposal it would be more akin to a hostel and as such would not fall under HMO legislation or its requirements.

9.3 During the course of the application the scheme has been amended to reduce the number of residents from 30 to 18, the proposed flats have been removed from scheme and outbuilding/store retained, parking and turning has been provided on site, amenity space provided for 2-bed dwelling and the rear boundary of the site has been amended following advice of encroachment.

10 ASSESSMENT

Principle of Development and Economic Growth

10.1 The application site is located within the settlement of Manea which is identified within the Settlement Hierarchy as a Growth Village; Policy LP3 of the Fenland Local Plan 2014 advises that development and new service provision either within the existing settlement (such as this site) or as small village extensions will be appropriate. Policy LP12 of the Fenland Local Plan 2014 (Part A) advises that for villages, new development will be supported where it contributes to the sustainability of the settlement. 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 or ecology.

10.2 LP6 of the Fenland Local Plan 2014 seeks to retain community facilities unless there is adequate justification, this would be applicable to the loss of the restaurant as it provides a service to the village. A statement has been provided by the previous owners, advising that the building was put on the market with a specialist commercial agent in March 2018 and then with a local agent. There were no viewings from the commercial agent from March 2018 until the sale of the building

to the applicant who bought the building not the business, there were only 2 other viewings, and neither were to purchase as a restaurant. The former owners had tested the market 12-13 years ago with 3 national hospitality agents, however there was no interest. The supporting statement advises that the pre-existing business was no longer viable, and it is understood this closed in 2019. Case law has established that the loss an existing use can be a material consideration where there is a likelihood that the use would resume if permission for an alternative use is refused, in this case it is considered unlikely as the business was not bought with the building, and given the backdrop of the Covid 19 pandemic and impact on hospitality.

10.3 The application indicates that the proposal is to provide accommodation for agricultural workers to support an established farming enterprise and as such support economic growth, in addition it is likely that residents would utilise shops and facilities within the village contributing to its sustainability.

Design considerations and visual amenity of area

10.4 Internal alterations are proposed to facilitate the change of use and the external appearance of the building remains the same aside from replacement windows of the same design. The building and location are not considered to be sensitive, hence the replacement of timber windows with UPVC is not considered to create a significant adverse impact on visual amenity or the character of the area.

10.5 Objectors to the application have raised concerns regarding the appearance of the site and it is accepted that the scale and nature of the occupancy could result in an untidy appearance. However, this is dependent upon the behaviour of residents (for example putting rubbish bags in bins rather than leaving them out for collection) and also the owners of the property to ensure it is managed properly.

10.6 The bin storage area is would be visible from the street due to the open nature of the drive/parking and turning area, however this is proposed to be partially enclosed by 1.8m high close boarded fence which would mitigate its impact.

Residential Amenity/Health and wellbeing

10.7 The proposal seeks to provide accommodation for a maximum of 18 residents, in 7 bedrooms, mainly seasonal workers on a temporary basis, though for some it will be their main residence. Whilst the supporting information indicates maximum occupancy would be during peak time (March-June and September – November) and there would be a lesser number at other times, the impact of the maximum residents on site must be considered, as this is the amount they would have permission for should the application be successful. It is considered that this number of residents would be an overdevelopment of the site and there are concerns regarding their welfare, given that due to the nature of the development it falls outside the scope of HMO legislation. The Gangmasters and Labour Abuse Authority have been consulted on the application however no comments or advice has been forthcoming. The applicant has not provided any evidence that any necessary regulations are complied with or licenses obtained to safeguard the well-being of occupants.

10.8 Furthermore, the attached 2-bed unit does not form part of the change of use application and can continue to be used as a dwelling, however it could also be occupied intensively by several additional residents over and above the 18 applied for in the 7-bed unit.

10.9 The number of residents and intensification of use gives rise to concerns of noise and disturbance to surrounding dwellings, in particular when the outside space is used, and any loss of privacy to neighbouring dwellings attributed to the existing building would be worsened due to the increased number and nature of residents. Whilst it is acknowledged that internal space standards in terms of size of bedrooms, communal areas and number of bathrooms may be acceptable, there is limited space for this number of people which may lead to anti-social behaviour, and it is understood this has already occurred on site.

10.10 The nature of the shift work undertaken by residents results in unsociable hours, the minibus schedule provided (Appendix II of the Planning Statement) shows frequent trips between 8am and 5:30am the following day; picking up/dropping off or the use of residents own vehicles to get to and from work in a frequent manner or during unsociable hours would create a significant detrimental impact on the residential amenity of surrounding dwellings. It is acknowledged that the use of the building as a restaurant with rooms would have resulted in a large number of customers and residents on occasion, however the nature of the use is not considered comparable.

10.11 The retained dwelling within the site has limited amenity space, which is not private as it is only surrounded by a 0.9m high picket fence, all but one of the bedrooms and communal kitchen can only be accessed from the rear of the site and as such all residents would need to walk past this dwelling resulting in noise, disturbance and a loss of privacy.

10.12 The Council's Refuse Team have advised that for a development of this scale up to 16 bins would be required on site to accommodate general and recycling waste requirements, with up to 8 being presented near the boundary on collection day. It appears physically possible to house this number of bins within the storage area and a strip of paving is available alongside the 2 bed unit for collection. However, there is some doubt regarding the practicality and useability of this arrangement and concerns regarding the impact on the amenity of residents of the separate 2-bed unit (particularly as they have a door and window onto the collection area), and clearance of the drive given the limited width available. It is considered that this arrangement would have unacceptable impacts on the residents of this unit and is indicative of the overdevelopment of the site.

10.13 It is understood that Cambridgeshire Fire and Rescue Service have previously visited the site, The Council's Private Sector Housing team recommended that they were consulted to check the fire safety requirements of the site, this was undertaken, however no comments have been forthcoming.

10.14 The Council's Environment and Health team have recommended that an unsuspected contamination condition be imposed, however as there is no longer any demolition or building work being proposed this is not considered to be necessary.

10.15 Policy LP2 of the Fenland Local Plan 2014 requires development proposals to promote high levels of residential amenity, promote health and wellbeing, reduce the fear of crime and anti-social behaviour and avoid adverse impacts. Policy LP16 seeks to create high quality living environments, provide sufficient private amenity space and ensure developments do not have adverse impacts on neighbouring users. The proposal is considered to constitute an overdevelopment of this modest site, the number of residents and nature of the use resulting in the

potential for a poor living environment for residents and a significant detrimental impact on the residential amenity of surrounding dwellings, contrary to the aforementioned policies.

Highways and parking

10.16 The application site is located in a central location which would enable access to shops and services within the village by walking and cycling. Modes of public transport are available, though it is acknowledged that the railway station is approximately 1 mile from the site and options may be limited, particularly due to the residents shift working. The application advises that residents will be transported to and from the site to work by minibus and cars will remain on the farm, however this cannot be guaranteed. It is acknowledged that the supporting statement advises that the applicants would be willing to enter into a Section 106 Agreement to prevent occupants from utilising their own vehicles from the application site, however this is not considered to be fair nor reasonable and as such could not be sought.

10.17 It was considered at pre-application stage that occupiers of HMO's have a lower level of car ownership and as there were no parking standards for HMO's that it would be reasonable to adopt the standards for hotels and hostels, however the proposed scheme is not considered to be an HMO and the nature and number of residents is likely to result in a higher number of vehicles and therefore need for parking. It is acknowledged that the use of the building as a restaurant with rooms would create a need for considerable parking on occasion, however this is not comparable with the continuous use of the building for the number of residents proposed.

10.18 The submitted site plan details 3 parking spaces on site, 1 for the 2-bed unit and 2 for the 7-bed unit, however these are not of sufficient dimensions to be considered useable parking spaces, and to widen these to the required standard would result in the cycle parking being inaccessible, as such there is only space for 2 useable spaces on site, a significant shortfall. Cambridgeshire County Council Highways require the parking and turning to be conditioned to ensure that there is no intensification of the access given the narrow nature and lack of visibility, however the turning area indicated by them incorporates the bin store and the spaces shown are not useable, as such this would not be possible. The location of the parking spaces is such that it would not be clear from the highway whether there was a space available, hence it would be necessary to enter the site and then leave if none is available. The number of likely vehicles would either result in intensifying the use of the access or not using the spaces within the site due to inconvenience. Either way there would be a significant increase number of vehicles parking on the road in the vicinity. Whilst Highways have no objection on safety grounds, there will be a burden placed on the surrounding area to meet the increased parking demand, which would result in significant adverse impacts on residential amenity. The proposal is therefore considered contrary to policies LP15 and LP16 of the Fenland Local Plan.

Flood Risk and Drainage

10.19 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. The proposal is to utilise existing foul and surface water connections and no additional impermeable area is being created.

Ecology

10.20 The original scheme proposed the demolition of the existing outbuilding/store, as such a preliminary roost assessment was undertaken and submitted to accompany the application. The assessment concluded that there was no evidence of bat usage or suitable roosting features and no evidence of nesting birds. And would benefit from enhancement; bat and bird boxes were recommended in addition to bat friendly lighting.

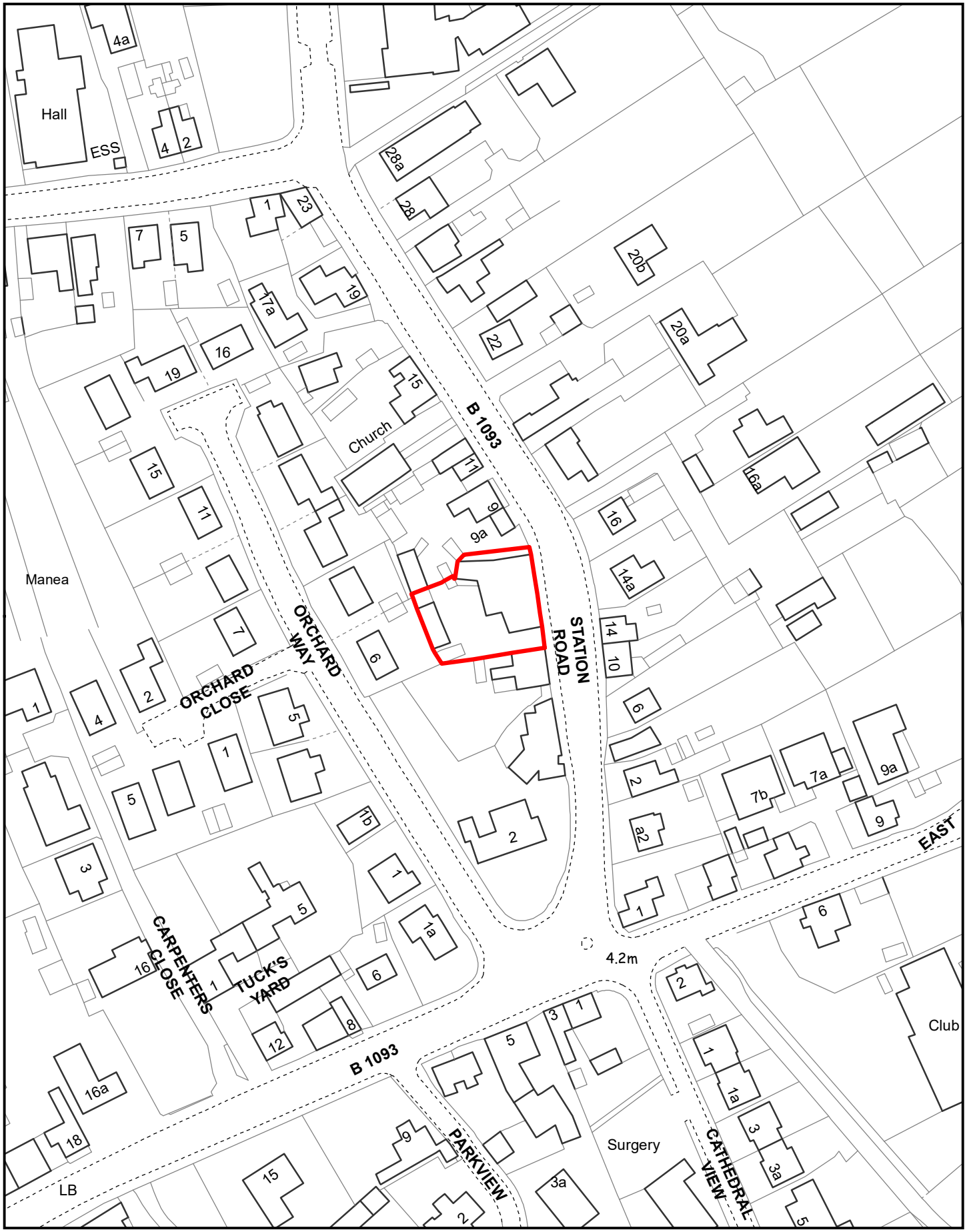
11 CONCLUSIONS

The loss of the restaurant with rooms is considered to be justified and the proposal is to provide accommodation for agricultural workers to support an established farming enterprise and as such support economic growth, in addition it is likely that residents would utilise shops and facilities within the village contributing to its sustainability. However, the number of residents and nature of the use would result in an over development of this modest site, with no clear regulatory regime to safeguard the well-being of residents, insufficient amenity space coupled with unacceptable waste collection arrangements, and inadequate parking provision, resulting in the potential for a poor living environment for residents and a significant detrimental impact on the residential amenity of surrounding dwellings. The benefits of the scheme are not considered to outweigh the harm that would be created, and as such the recommendation is one of refusal.

12 RECOMMENDATION

Refuse for the following reason

1.	Policy LP2 of the Fenland Local Plan 2014 requires development proposals to promote high levels of residential amenity, promote health and wellbeing, reduce the fear of crime and anti-social behaviour and avoid adverse impacts. Policy LP16 seeks to create high quality living environments and ensure developments provide sufficient private amenity space and do not have adverse impacts on neighbouring users. Policy LP15 seeks to ensure developments provide well designed car parking appropriate to the amount of development proposed. The proposal is considered to constitute an overdevelopment of this modest site. The number of residents, nature of the use, unacceptable waste collection arrangements and burden placed on the surrounding area to meet increased parking demand would result in a poor quality living environment for residents of the development and a significant detrimental impact on the residential amenity of neighbouring residents through noise and disturbance, contrary to the aforementioned policies.



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Fenland CAMBRIDGESHIRE
Fenland District Council

Scale: 1:100

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North

548000E

548020E

289560N

289540N

BF

BT

GULLY CHAN

DP

IC LV: 4.19

7 Station Road
Change of Use to hostel/large HMO

Existing boundary wall reduced to suit new building

Existing oil tank to be replaced with modern compliant tank

Existing out-building to be retained.

Existing mono-pitched roof

Existing duo-pitched roof

Existing mono-pitched roof

Area laid to lawn

Existing shrub/tree to be removed shown dotted

Existing hedge removed (shown dotted)

CT
FP

DP

IC LV: 4.27

1 2 3

3 No.(1 No. retained for existing 2 bedroom dwelling & 2 for HMO) car parking spaces retained and turning improved to allow ingress and egress in forward gear. Surface to be tarmac and marked out as spaces.

2 bedroom dwelling parking space

2 bedroom dwelling private amenity

Existing 2 bedroom dwelling

DP

WALL

oW

0.9m high timber picket fencing

Area laid to gravel

6.2m

IC LV:4.28

Surface retained as tarmac (existing)

IC LV:4.26

IC LV:4.11

New 2m high timber close boarded fence erected to boundary

New bin enclosure to house 2 x 1100 litre bins (1 x general waste and 1 x recycling)

FENCE

FENCE

POSSIBLE WALL (NO ACCESS)

1.8m high close boarded fence to bin ensloure.

Existing overgrown hedge trimmed back to boundary

Existing shed to be demolished shown dotted and for clarity

BUILDING

Rev G	Jul. 21	Parking spaces surface amended to differentiate between gravel and tarmac finish and note added to ensure spaces are clearly marked out as spaces in accordance with Highway Officer's comments.
Rev F	Jun. 21	Boundary fence adjusted to western boundary and fencing added for retained 2 bedroom dwelling.
Rev E	Jun. 21	Proposed new out-building removed and existing building and parking shown. Bollard to entrance removed.
Rev D	May. 21	Position of new out-building amended to allow for new foundations to stay within applicants land ownership.
Rev C	May. 21	Position of 2m high fence to rear of out-building amended and clarified.
Rev B	Mar. 21	Outbuilding revised to new design, oil tank position amended, bin store enclosure added, cycle storage added and lockable bollards shown to entrance.
Rev A	Nov. 20	Outbuilding amended to suit latest proposals.

arb Architects Registration Board
REG NO: 065480I

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DRAWING STATUS: PRELIMINARY ☐ CONSTRUCTION ☐ PLANNING ■ FILE COPY ☐

CLIENT
Howard Renovations Ltd

PROJECT
Former Classics Restaurant, 7 Station Road, Manea, Cambridgeshire.

DRAWING TITLE
Proposed Site Plan

SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	Oct. 2020	LB	

DRAWING NUMBER: CH20/LBA/540/FP-1-100

REVISION: G

Scale: 1:100

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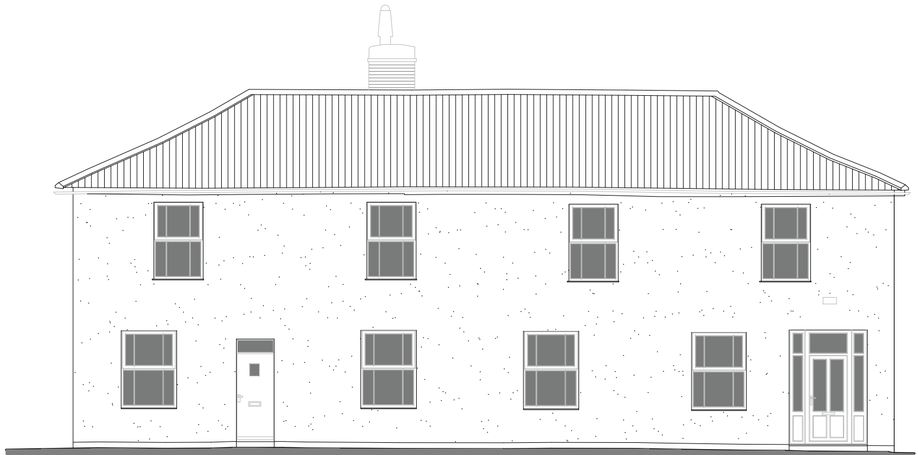
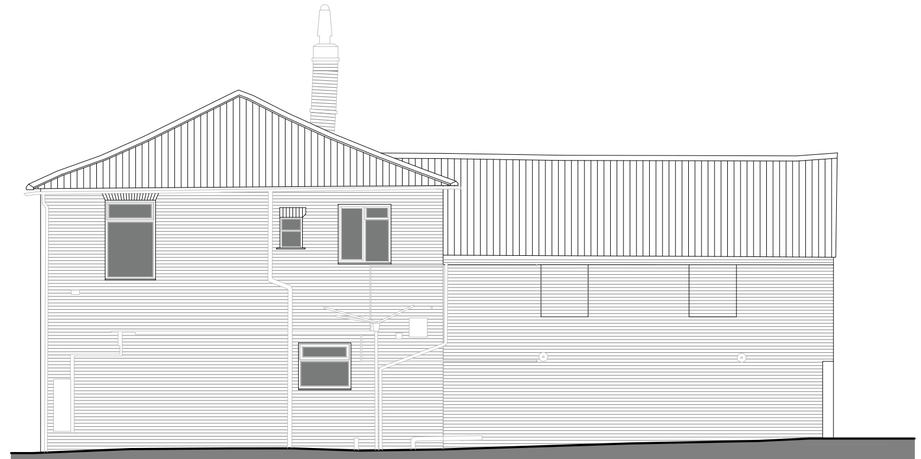
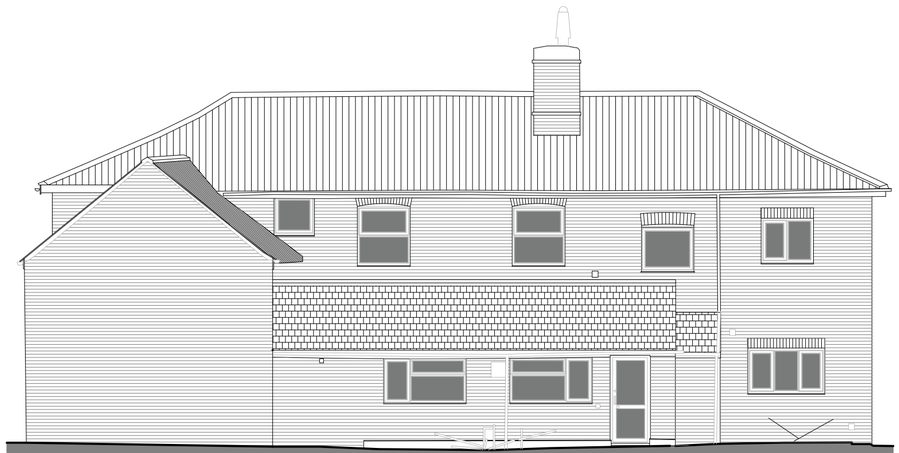


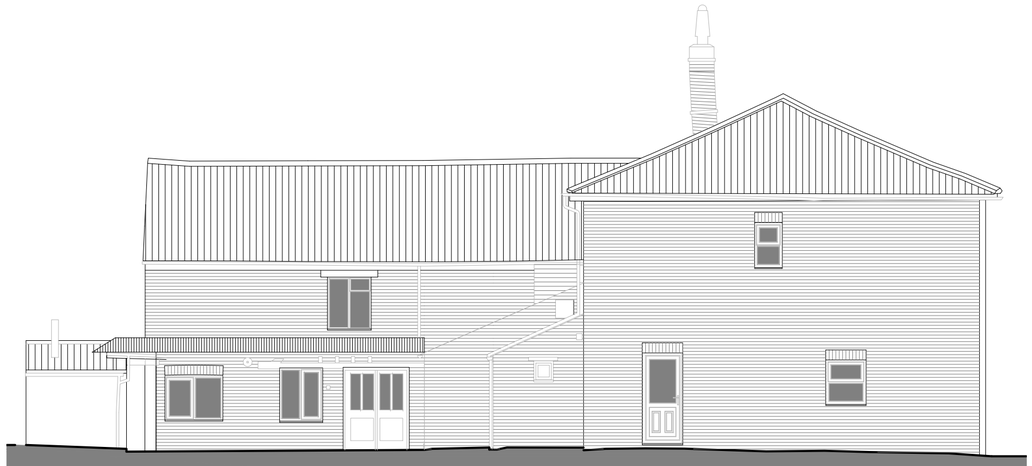
Proposed East Elevation



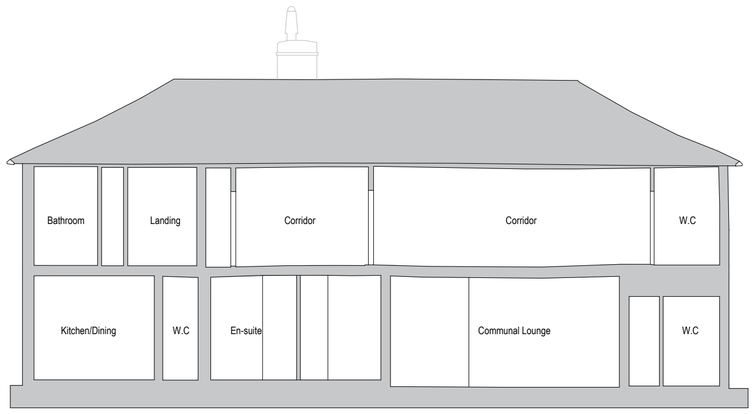
Proposed North Elevation



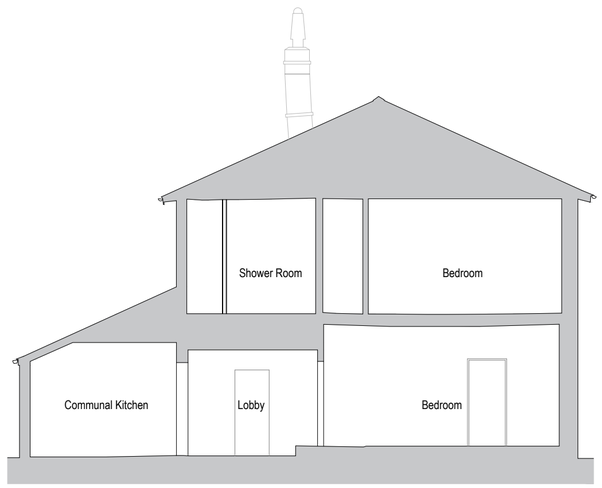
Proposed West Elevation



Proposed South Elevation



Proposed Section A-A



Proposed Section B-B

Rev B	Nov. 20	Minor amendments
Rev A	Oct. 20	Minor amendments

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DRAWING STATUS: PRELIMINARY ☐ CONSTRUCTION ☐ PLANNING ■ FILE COPY ☐

CLIENT
Howard Renovations Ltd

PROJECT
Former Classic Resturant, 7 Station Road, Manea, Cambridgeshire.

DRAWING TITLE
Proposed Elevations
Proposed Sections

SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	Oct. 2020	LB	

DRAWING NUMBER
CH20/LBA/540/FP-1-102

REVISION
B

Scale: 1:100

0m 1 2 3 4 5m 10m

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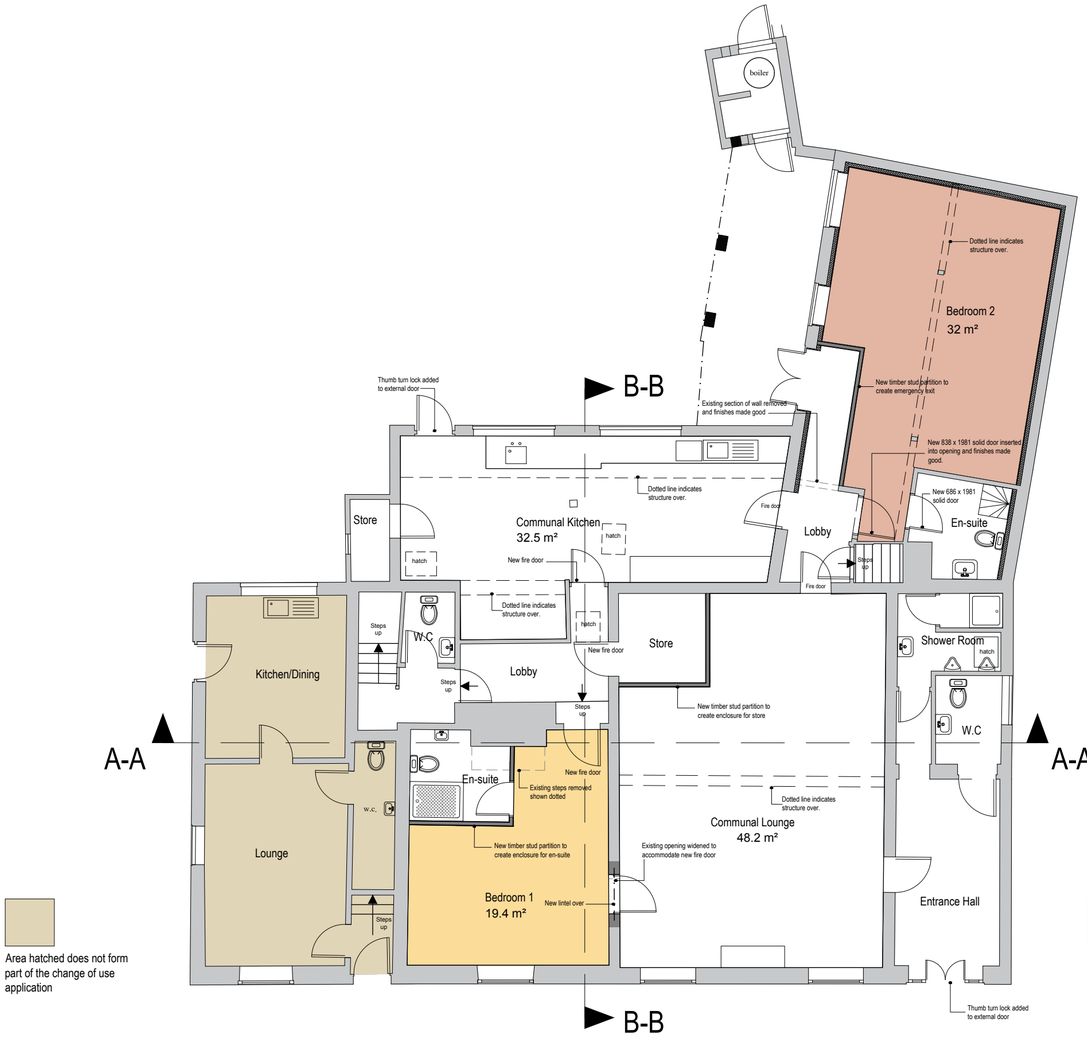
Bedroom Schedule

Bedroom 1	19.4 sq.m
Bedroom 2	32 sq.m
Bedroom 3	21 sq.m
Bedroom 4	19.5 sq.m
Bedroom 5	18.5 sq.m
Bedroom 6	32 sq.m
Bedroom 7	8.8 sq.m



Area hatched does not form part of the change of use application

Proposed Ground Floor Plan

Area hatched does not form part of the change of use application

Proposed First Floor Plan

Rev B	Nov. 20	Minor amendments
Rev A	Oct. 20	Minor amendments

Architects Registration Board REG NO: 0654801

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DRAWING STATUS: PRELIMINARY ☐ CONSTRUCTION ☐ PLANNING ■ FILE COPY ☐

CLIENT: Howard Renovations Ltd

PROJECT: Former Classics Resturant, 7 Station Road, Manea, Cambridgeshire.

DRAWING TITLE: Proposed Ground and First Floor Plan

SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	Oct. 2020	LB	

DRAWING NUMBER: CH20/LBA/540/FP-1-101

REVISION: B

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PLANNING COMMITTEE DATE: 18th August 2021 **Agenda No: 6**

APPLICATION NO: F/YR20/1257/F

SITE LOCATION: 7 Station Road, Manea

UPDATE

The application reference number in relation to agenda item 6 on page 2 of the agenda front sheet and report pack should read F/YR20/1257/F.

The applicant's agent has responded to the Committee report to advise that a private company could be used for the collection of waste. However, no details have been forthcoming to evidence that this would overcome the concerns raised or could be successfully achieved.

Since the report has been published it has been noted that there is a fire door leading from the communal lounge to the remaining accommodation, as referred to at paragraph 10.11 of the report it was previously believed that this could only be accessed from the rear of the site. Nevertheless, this does not lessen the harm identified.

Resolution: No change to the recommendation which is to refuse the application as per Section 12 of Agenda item 6 on page 101.

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F/YR20/1157/F

Applicant: TP24 Ltd **Agent : Mr Tom Nellist**
Trundley Design Services

TP24, West Park Street, Chatteris, Cambridgeshire PE16 6AH

Conversion of existing buildings to form 7 x dwellings, comprising of: 1 x 3-bed 2-storey house and 6 x flats (4 x 1-bed & 2 x 2-bed) and erect an approx 2.1m high brick wall and 1.2m high front boundary wall and railings

Officer recommendation: Grant

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

1 EXECUTIVE SUMMARY

1.1 The application seeks to convert the former chapel building to residential use comprising 6 x flats and a dwellinghouse.

1.2 The site lies close to the town centre of Chatteris and within the Conservation Area.

1.3 The application has undergone several revisions following negotiation, most notably to reduce the quantum of the development, to accommodate secure cycle storage within the envelope of the building, improvements to the frontage, amendments to the rear dwelling and outbuilding uses and glazing to the side windows.

1.4 The principle of developing this site is supported by Policy LP3 and LP4 which seeks to direct growth to the main Market Towns in the district. The layout and design of the development is considered acceptable having regard to the general character of the area. The proposal is not considered to have a significant detrimental impact on the surrounding properties and raises no technical issues.

1.5 As such the application is recommended for approval subject to conditions.

2 SITE DESCRIPTION

2.1 The site lies in the Conservation Area of Chatteris, approximately 60m south of the town centre boundary and on the eastern side of West Park Street. Grade II Listed buildings can be found c.20m to the north, west and south west of the premises and beyond. The site comprises a former Baptist Chapel built c.1835 which sits back around 12m from the highway and incorporates many original features e.g. brickwork, rear arched windows and slate roof, but also incorporates modern uPVC windows and doors at the front and along the flank walls.

2.2 The building almost fills the entire width of the plot save for a c.0.9m wide passageway which runs along the southern side leading to the rear of the building

which opens into a small courtyard. Within this courtyard along the eastern boundary a detached single-storey building remains and retains many of its original features.

2.3 A large, open, metalled surfaced front yard area exists which leads onto the highway. The site is bounded by 1.8m high fences along its northern and southern boundaries, the aforementioned detached building at the rear screens the eastern boundary and the site remain open along its front, western boundary.

2.4 The building has most recently been in use as a lighting store and showroom (TP24).

3 PROPOSAL

3.1 The application seeks full planning permission for the conversion of the building to accommodate 6 flats and 1 house. The ground floor of the main building is proposed to accommodate 3 flats (1 x 2-bed and 2 x 2-bed) and a front lobby area with secure cycle storage. A communal lobby is located along the southern facet enabling 1st floor access to 3 flats (1 x 2-bed and 2 x 2-bed)

3.2 The rear of the building accommodates the 3-bed house which utilises the roof-space to provide the first floor bedroom accommodation and is proposed to be attached to the rear outbuilding via a flat-roofed extension which provides a further 2 bedrooms, bathroom and study/ garden room. The house is served by a private courtyard/ garden area. Rooflights are proposed in both the outbuilding and main building to the house to enable natural daylight to enter.

3.3 At the front of the building, the yard area is proposed to incorporate a communal bin store, screened from the public realm by a 1.5m high hit and miss fence enclosure. A visitor bike store is also proposed with details to be agreed and the surfacing of the yard area and side passage is proposed to be finished in block paviours, with a pathway delineated by a different paviour (details also to be agreed). The frontage where it meets the highway is proposed to include a 1.2m high boundary comprising 700mm of brick wall with 500mm of railing top. Brick piers are proposed either side of the access. A new section of 2.1m high brick wall is proposed along the southern boundary and soft landscaping by way of ornamental trees are proposed to provide a formal architectural element to the scheme.

3.4 The application has undergone several revisions following negotiation, most notably to reduce the number of properties by 1 dwelling, to accommodate an internal cycle store, improvements to the frontage, amendments to the rear dwelling and outbuilding uses and glazing to the side windows.

3.5 Full plans and associated documents for this application can be found at: https://www.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/93/0385/F	Change of use of existing chapel to premises for the storage of furniture and furnishings	Granted 31.01.1994

5 CONSULTATIONS

Chatteris Town Council

5.1 [Originally commented];

Recommend Refusal, over development within the building, unsympathetic conversion, minimum standards are not acceptable. Lack of parking will also be a problem as the road outside already has parking problems. The concerns of the fire service should be taken into consideration.

[Following amended plans July 2021];

Chatteris Town Council stands by its original decision to recommend refusal of this application. This is an overdevelopment of the site and members are convinced that the absence of any parking provision will lead to major difficulties in the area. Parking is already a problem in that area and potential residents will not use the towns car parks - which only allow parking for a maximum of 24 hours - and walk to the site. They will park on the streets nearby which are already crowded with cars. Members also remain concerned about the access for emergency vehicles bearing in mind the Fire Service's comments.

Cambridgeshire Fire & Rescue Service

5.2 [Originally commented];

From the information given, access for fire appliances may be considered inadequate. Access and facilities for the Fire Service should be provided in accordance with the Building Regulations Approved Document B5, Volume 1: Dwellings, Section: 13 Vehicle Access. The responsibility for approving access and facilities for the Fire Service rests with the Building Control Department of the Local Authority and they should be consulted on any proposals.

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

[Following re-consultation and further discussion July 2021];

I'm satisfied with the interpretation detailed [that as the development will comprise flats, the Fire Service would automatically be consulted through the Building Regulation process]*. It's appreciated that sprinklers will be mentioned as an informative in the decision notice, due to Fire Service access constraints being identified at planning stage. This matter should then also be picked-up by the Fire Service during statutory consultation under building control.*

Middle Level Commissioners

5.3 No comments received

Cambridgeshire County Council Highways Authority

5.4 [Originally commented];

What is the existing use classification of the various parts of the building? Given there appears to be zero parking for the existing use, the applicant should assess the existing demand for off road parking and consider any additional/net impact in respect of the development parking demand. The proposed residential use should provide the following parking to comply with FDC parking policy;

2xHouses x2bed = 4 parking spaces
6 flats 4x 1bed and 2x2bed = 4x1.25 + 2x1.5 = 8 parking spaces

Any increase or demand for vehicle parking should be fully considered by the applicant. A parking beat survey may be useful evidence to assess whether there is alternative parking available within walking distance of the application site. I note the objection raised by Town Council and their parking concerns.

The communal area to the front is likely to be used by residents for parking. If this is accepted by FDC as a suitable zero parking development, then vehicular access to the communal area should be prevented and restricted to pedestrian and cyclist movements only. I suggest secure cycle storage/parking provision is provided within this communal area. This will encourage low car ownership within the development. Allowing the communal area to be used for parking could result in a free-for-all between occupants of the development which in turn could result in abortive manoeuvres and a safety issue at the access.

Defer for additional information/amended plans.

[Following parking survey undertaken by applicant March 2021];
Accept there are car parks and available kerb-side parking within walking distance of the development. Your authority just needs to be mindful of parking displacement problems and the extra demand for public car parks caused by this type of development.

The agent does not mention the area to front of the building being used as a parking area. This could be become a free-for-all parking area that could result in problems for the occupants. It is unlikely that this would result in a highway safety problem given its town centre location. What are your thoughts on this? If the applicant intends to make this pedestrian access only, then they should remove the dropped kerb and replace with footway construction.

[Following amended plans July 2021];
The applicant has satisfactorily addressed the parking/highway concerns I raised in previous consultation responses.

I have no highway objections subject to details of the cycle parking being provided i.e. cycle parking provision of 'x' Sheffield stands with secure and sheltered parking provision.

Chatteris Past, Present & Future

5.5 *Although it is not a listed building, the former chapel is an important non-designated heritage asset within the Chatteris Conservation Area. As such, I believe that the civic society should have been notified of this application as a consultee and that the conservation officer should be asked to provide remarks.*

I see that neither are on the consultee list that was published today. I'm happy to say that the civic society is now aware of it, but I am concerned that the conservation officer might not be in absence of notification.

Conservation Officer (FDC) (summarised)

5.6 [Originally commented];
Amendments should be made to the design in order reduce the impact on both buildings and take account of its character and interest. This in turn will enhance the character and appearance of the conservation area by promoting good design. Clarification should be provided as to the impact on the timber ceiling. It may be

that a reduction in the number of units will provide easier solutions to this as well as to potential amenity and fire safety issues. Fabric should be re-used and salvaged where possible. If upvc products are employed for windows and doors, these should be foil-finished/wood grain effect, which are an improvement on those currently in situ and those proposed.

[Following amended plans July 2021];
There is no objection to this application.
The front elevation will now remain unaltered, and a boundary wall with railings will be introduced to the front boundary. There would be the introduction of 2 doors to the south side elevation and frosted glazing, and one window and four roof lights to the extended element. These are minimal interventions and given the retention of details to the front elevation now, acceptable in terms of bringing this building back into a viable use.

To the rear elevation it is proposed to replace two of the windows with French doors in a style to match the existing with a further door leading out from the utility. It seems likely that these will be replaced with UPVC doors and given that these are the only remaining original fenestration, their loss would be a real shame. Furthermore, given the style of uPVC doors and windows employed and proposed elsewhere in the building, they are likely to detract from the building. It is also proposed to install two windows to the upper floor of the main body of the chapel at this rear elevation and once again they are not of a style sympathetic to the character of the building. A link will be constructed to connect the main building with the school/storeroom and so bring this area into use as residential accommodation and the original door and window arrangement will now be retained and accommodated within the proposed floor layout.

Where timber windows survive to the rear of the building, they should be retained and the proposed new doors to the rear elevation should be in timber, and in keeping with the existing fenestration. The proposed new doors to the south elevation should also be in timber or of a style more in keeping with the character of the building.

Conditions suggested to secure details of;
- Product details for all new windows and doors
- Samples of materials for the extension and boundary walls/ railings

Environment & Health Services (FDC)

5.7 [Originally commented];
The Environmental Health Team have read the submitted information and have 'No Objections' to the proposed conversion as it is unlikely to affect the noise climate, air quality or be affected by ground contamination.

The application seeks to convert a former chapel into residential living accommodation comprising separate living units. When converting a period property into separate dwellings the developer should have regard to the sensitive end use and therefore, as part of the overall design and fabrication of the conversion, suitable sound insulation and ventilation provision should be addressed to achieve an acceptable living environment.

The applicant should therefore ensure that all relevant materials to be used for the conversion offer the enhanced level of both noise and ventilation provision required for a future living space.

[Following amended plans July 2021];
The Environmental Health Team have read the additional information submitted in support of this application and have no adverse comments to make following our earlier consultation of 22nd December 2020.

In our last consultation we advised that we had 'No Objections' to the proposed conversion as it was unlikely to affect the noise climate, air quality or be affected by ground contamination.

The proposed conversion involves the creation of residential living accommodation from a former chapel. As advised in our earlier consultation, converting period structures originally intended for non-sensitive use into residential dwellings, will require greater levels of sound insulation and ventilation to be included during the design and development stages. So that an acceptable living environment can be achieved, the applicant should ensure such provision is included in this scheme and ensure it complies with current building regulations.

Local Residents/Interested Parties

5.8 3 letters of objection received from 2 residents; at 74 High Street, and 13 West Park Street, raising the following concerns;

- Access
- Anti Social behaviour
- Devaluing property
- Overlooking/loss of privacy
- Parking arrangements – adverse highway impacts, poor public transport
- Proximity to property
- Waste/Litter

N.B. 1 of the residents did raise positive comments in respect of the re-use of the building and retention of character notwithstanding their concerns.

6 STATUTORY DUTY

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

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Paragraph 2:	Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise
Paragraph 11:	Presumption in favour of sustainable development.

Paragraph 194: Need to describe the significant of affected heritage assets
Paragraph 197: LPA should consider sustaining and enhancing heritage assets (HA) and putting them to viable uses, the positive contribution HA can make to sustainability communities including economic viability
Paragraph 199: Weight should be given to the significance of the heritage asset, the more important the asset the greater the weight
Paragraph 202: Where a development proposal causes less than substantial harm to a heritage asset this harm should be weighed against the public benefits, including securing its optimum viable use.

7.2 **National Planning Practice Guidance (NPPG)**
Use of Planning Conditions

7.3 **National Design Guide, 2019 & National Model Design Code, 2021**
Context
Identity
Built Form
Movement
Nature
Public Spaces
Uses

7.4 **Fenland Local Plan 2014 (FLP)**
LP1: A Presumption in Favour of Sustainable Development
LP2: Facilitating Health and Wellbeing of Fenland Residents
LP3: Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4: Housing
LP14: Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15: Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16: Delivering and Protecting High Quality Environments across the District
LP18: The Historic Environment
LP19: The Natural Environment

7.5 **Supplementary Planning Documents/Guidance:**
- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- FDC Developer Contributions SPD (2015)
- Resource Use & Renewable Energy SPD (2014)
- Cambridgeshire Flood & Water SPD (2016)
- RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES
- **Principle of Development**
- **Impact on the historic environment**
- **Access and Layout**
- **Highways and parking**
- **Residential Amenity**
- **Other matters**

9 ASSESSMENT

Principle of Development

9.1 Policy LP3 sets out the spatial strategy for the district, identifying Chatteris and the 3 other market towns the main focus for growth. The site lies within the settlement of Chatteris and therefore benefits from good links to the town's services and facilities. Notwithstanding this, the effective re-use of land and buildings is encouraged both through local and national planning policy.

9.2 In this regard therefore, the re-use of the building for residential use is supported in principle.

Impact on the historic environment

9.3 The site is identified as a non-designated heritage asset due to its historical connection to the town dating back nearly 200 years as a Baptist Chapel. Whilst some of its originality has been lost, most notably through the introduction of modern uPVC windows, it's general historic character and appearance remains as does its prominence on the steetscene. It is considered therefore that the building makes a positive contribution to the character and appearance of the CA. Policy LP16 seeks to protect and enhance affected heritage assets and their settings commensurate to policy LP18 and the NPPF.

Heritage Statement

9.4 Policy LP18 of the FLP sets out that proposals affecting designated or non-designated heritage assets will be required to;

a) Describe and assess the significance of the asset and/ or setting to determine its architectural, archaeological or historic interest;
b) Identify the impact of the proposed works on the special character of the asset; and
c) Provide clear justification for the works, especially if these would harm the asset or its setting, so that the harm can be weighed against public benefits.

9.5 Chapter 16 of the NPPF concerns the conservation and enhancement of the historic environment. In this regard, paragraph 194 follows the above approach of LP18.

9.6 The application is accompanied by a planning and heritage statement. The statement identifies the site as lying within the Chatteris Conservation Area ('CA'), however fails to identify the building as a non-designated heritage asset, only that it is not listed. Unfortunately, the statement goes into little detail of the history of the building, only that it ceased to be used a chapel in 1990. The statement concludes that no heritage asset will be affected by the proposal. In respect of the heritage statement therefore it is considered that it fails to accord with the requirements of LP18 and NPPF para. 194.

9.7 Notwithstanding this, sufficient detail has been submitted through the plans and through further discussion to enable the LPA to adequately assess the impact of the proposal on the non-designated heritage asset. The applicant has also enabled Officers access to all parts of the building to understand its significance, in the absence of a satisfactory heritage statement.

Alterations and Impacts

9.8 The general approach to the development seeks to retain the existing fabric and character, with most alterations affecting the internal fabric/ features. The front boundary wall and general front yard arrangement are considered to be sympathetic to the character of the area and to the proposed use and the applicant has agreed to these changes which will add interest to the streetscene when compared to the current arrangement, whilst accommodation necessary domestic features e.g. bin store, cycle parking etc. It is recommended that specific details of the walls and railings are secured in order to ensure that they are aesthetically acceptable and will enhance the character of the area.

9.9 The bulk of the external alterations will occur to the southern flank ground floor, with the addition of entrance doors and 2 first floor windows to the rear elevation and the extension to the link the outbuilding. Much of the amendments will be screened from the steetscene and therefore not immediately apparent when viewed in the context of the CA. Notwithstanding this, the first floor windows are not sympathetic to the character of the heritage asset, particularly in terms of their proportions relative to existing fenestration, and it is recommended that improvements to this aspect are secured through planning condition e.g. details of any soldier course headers, materials and finishes, in order to preserve the character of the building. This is in addition to securing details of all new brickwork and fenestration and doors to the remaining development which again can be reasonably secured through planning condition.

9.10 In summary, minimal alterations are proposed to the external character and appearance of the building, particularly when appreciated from the public realm, in the context of the surrounding CA. In this regard, the proposal is considered to preserve the significance of the asset, subject to securing acceptable details of materials, and any new fenestration and doors . Furthermore, the re-design of the front yard area will enhance the general setting of the heritage asset and the character of the wider CA and will more effectively reflect the proposed residential use of the site.

Access, Highways and Parking

9.11 The site is accessed solely via the western access, which leads onto individual access doors to the flats and to the rear dwelling. The current layout does enable motor vehicles to enter and park within the area of hardstanding, off the highway. However, due to its limited width (c.9m at its widest), manoeuvring within the site to then exit in forward gear would be constricted and would likely result in users reversing into the highway to leave the site. This poses highway concerns, given the use of the main road along West Park Street, notwithstanding the limited visibility in doing so.

9.12 The scheme proposes 6 flats and 1 dwelling which in accordance with the Council's parking standards as set out at Appendix A of the FLP would equate to a need for 11 parking spaces (2 for the dwelling and a total of 8 for the flats which includes visitor parking). The scheme comes forward with a nil parking provision for motor vehicles.

9.13 Concerns have been raised by residents, the Town Council and initially by the Local Highways Authority (LHA) regarding the impact arising from the lack of on-site parking. As such and following advice from the LHA, the applicant undertook a parking survey of the area, to establish whether there would be adequate on-street parking to accommodate the needs of the development. The survey was

undertaken at 6.30pm on a Wednesday evening during March and assessed a 100m stretch across the front of the site along West Park Street and identified a number of spaces where parking would be available. The survey also identified 3 car parks within 800m of the site which could also be used.

9.14 The LHA has reviewed the survey and considered the impacts of the development on the local highway network and considers that the development would not result in any severe harm in transport terms. They have advised that the LPA should consider parking displacement issues and demands on public car parks.

9.15 In this regard, the location of the site is recognised to be within close proximity to the town centre and Chatteris is considered to have relatively good transport links to surrounding settlements. Appendix A of the FLP sets out that developments in a central area of a market town may be acceptable with a limited or, in special circumstances, a nil parking provision. The development is a conversion of an existing building and therefore the scheme is restricted somewhat to the limitations of the existing site conditions. Furthermore, the site benefits from a lawful commercial use and the parking demands placed on such a use must be considered against the likely demands of the residential use, notwithstanding its historic use as a meeting place of worship. Finally, the host building is identified as a non-designated heritage asset and is located within the heart of the Chatteris Conservation Area.

9.16 The owner has begun already relocating the business to alternative premises and there is a risk therefore the building may become disused, with potentially limited alternative other uses available due to the existing constraints and the need to preserve its significance. It is in this context that Officers consider that whilst the parking proposals are far from ideal and might be difficult to support in the case of a new-build of such scale, the special circumstances as enabled under Appendix A of the FLP exist, to favourably consider a nil parking provision with this particular development, particularly given the lack of highways concerns and the ability of the development to preserve the special interest of the heritage asset.

9.17 Notwithstanding this, the development proposes a secure cycle storage area within the envelope of the building and a further area for visitors to store bikes (which could even include motorbikes). Whilst further details on the latter are recommended to be secured through planning condition, the internal cycle store would enable secure storage of bikes for occupiers and meets with the policy aims of encouraging non-car modes of travel under FLP policy LP15.

Residential Amenity

Existing neighbours

9.18 The neighbour immediately adjacent to the north (no.13) has raised concerns over the potential risk of overlooking from the 14 windows that face out onto their rear garden. Furthermore, it is noted that views south over rear gardens are also achievable albeit more so from 1st floor windows than from ground floor.

9.19 The applicant has responded to these concerns by proposing to obscure glaze all north facing windows at ground floor level and to obscure glaze all first floor windows up to 1.7m from finished floor level. The resident however has also raised concerns that these windows are top-openable and therefore future occupiers could peer over the transom of open windows and down into the private amenity space of the neighbour.

9.20 As a starting point, it is noted that under schedule 1, Part 1, Class A of the current Town and Country Planning (General Permitted Development) Order ('GPDO'), new openings for 1st floor windows on side elevations can be installed, provided they meet with the condition that they are obscure glazed and non-openable below a height of 1.7m from floor level. This is considered to set a benchmark of standard approach to assessing the appropriateness of other such similar scenarios where overlooking is concerned. In this regard, the heights of the openable part of the windows versus the internal finished floor levels has been carefully considered as follows;

Ground floor north elevation

The windows along this elevation are set c.1m above the internal finished floor level, with the horizontal transom at 1.9m from anticipated finished floor level. All windows are understood to be top-opening above the transom and fixed below which would therefore exceed the requirements otherwise set out under current GPDO requirements. Furthermore, the applicant originally proposed to fully obscure these windows which includes 3 bedroom windows, 2 bathrooms and a kitchen and dining room. In respect of the bedroom and kitchen/ Dining windows, to fully obscure these windows may result in an oppressive environment for future occupiers. Furthermore, it was not considered necessary to obscure glaze the upper part of these windows above the transom line having regard to their height and the GPDO benchmark. As such officers have sought to amend these windows and recommended that the obscure glazing should remain on all bedroom, kitchen and dining room windows below the transom line with full obscure glazing to the bathroom windows. The obscure glazing proposed to the rear garden room and utility serving the house is acceptable.

Ground floor south elevation

Views from these windows are restricted by the existing boundary treatment and therefore it is considered that no mitigation is necessary.

First Floor North and south elevation

The glazing to these windows has been amended to ensure that obscure glazing exists on all windows up to 1.7m from finished floor level. However, it is recognised that the taller windows serving flat 6 would be openable below the aforementioned benchmark of 1.7m height. In this regard, the applicant has agreed in principle to incorporate window restrictors to relevant windows – which would limit the views downwards from these windows thereby protecting privacy. As these windows are not necessary for fire egress, this is considered to be an acceptable solution and specific details of how this will be achieved can be reasonably secured through planning condition.

House rooflights

The rooflights serving the upper floor of the house at the rear are positioned over 1.7m from floor level and therefore will not achieve overlooking to adjacent properties.

Future Occupants

9.21 It is acknowledged that in order to protect amenity of adjacent neighbours, it has been necessary to obscure glaze the lower part of windows serving the development or utilise existing boundary treatments at close proximity. This will limit outlook from these windows, with longer range views only achievable through the upper half of windows serving habitable rooms in most cases. Whilst this is a

limitation of the scheme, given that natural daylight *is* able to enter from north and south windows and that high level outlook is achievable, this is considered to be acceptable in this scenario having balanced this slight limitation against the benefits of bringing forward a heritage asset into an effective use, and housing delivery in a sustainable location.

9.22 In summary, it is considered that the scheme would provide satisfactory living conditions for future occupiers and would not compromise the amenity of existing residents e.g. through overlooking or overbearing in accordance with policies LP2 and LP16 of the FLP.

Other matters

Fire Access

9.23 Concerns have been raised over the adequacy of access for the Fire and Rescue service. The scheme is limited in terms of access options in this regard, relying on a c.0.9mwide side passage to access the entrance doors to the flats and the rear dwellinghouse. Officers have discussed this in detail with Cambridgeshire Fire and Rescue who have advised that due to the scheme being for flats, they would automatically be consulted on and feed into the development through the Building Regulations process and are satisfied that a suitable scheme could be achieved, noting the applicant's intention to install a sprinkler system.

9.24 In this regard, this aspect would be controlled through a regulatory regime outside of the planning system. The PPG sets out that the planning system should not seek to impose controls (i.e. via conditions) where compliance with other regulatory regimes is otherwise required (Planning Practice Guidance: Paragraph: 005 Reference ID: 21a-005-20190723). As such, it is not necessary to seek to control this element through any planning decision. Notwithstanding this, it would be recommended to insert an informative on any grant of planning permission for this scheme alerting the developer to the need to engage the Fire and Rescue Service through the Building Regulations process.

Waste/Litter

9.25 Waste produced and removed off-site during the construction of the development would be controlled under license through the Environment Agency. The District Council has a statutory duty to collect household waste and the layout demonstrates that adequate household waste collection arrangements would be provided. The scheme is considered to achieve policy compliant arrangements for household waste collection.

Anti-Social Behaviour (ASB)

9.26 One resident has raised concerns over ASB, although it is unclear as to the specific concern in this regard. The scheme is for residential development of an existing building and it is not considered that the nature, scale and design of the development would attract any significant ASB issues.

Devaluing of property

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

10 CONCLUSIONS

10.1 The scheme would bring back in to use a currently semi-vacant building which would assist in preserving the structure, which is of historical interest due to its social and architectural significance in the Chatteris Conservation Area. The site is sustainably located and therefore appropriate for residential use. Such use would provide a positive contribution to Chatteris' housing need and would not compromise the residential amenity of adjacent neighbours or of future occupiers of the development.

10.2 The scheme comes forward with no on-site parking and this will have some negative impact due to further cars parking on the highway, albeit the LHA has not indicated that this would lead to any severe harm on the highway network. Whilst this weighs against the scheme, it is considered that the benefits of bringing this building into residential use and the ability of the development to preserve the special interest of the heritage asset and the character of the CA outweighs this limitation. On balance therefore, the scheme is considered to comprise sustainable development and is therefore recommended for approval.

11 RECOMMENDATION

11.1 **Grant subject to the following conditions;**

1	The development permitted shall be begun before the expiration of 3 years from the date of this permission.
2	The development shall utilise restricted opening mechanisms on the first floor windows serving flats 5 and 6 in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented prior to the first occupation of the development and thereafter retained in perpetuity. Reason: in the interests of residential amenity in accordance with policy LP16 of the Fenland Local Plan, 2014.
3	Notwithstanding the approved plans, full details of the dimensions and external finishes of all new windows and doors proposed to the dwellinghouse shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: In the interests of preserving the historic character of the building in accordance with policies LP16 and LP18 of the Fenland Local Plan, 2014.
4	Notwithstanding the approved plans, details of the paviours, facing brick and railings for all new walls and surfacing shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. Reason: In the interests of visual amenity and to preserve and enhance the character of the Conservation Area in accordance with policies LP16 and LP18 of the Fenland Local Plan, 2014.
5	Prior to the first occupation of the development, the bin store enclosure, hard landscape surfacing and boundary walls and railings to the site frontage shall be provided fully in accordance with the details approved.

	Reason: In order to ensure that occupiers are supported by appropriate means of access, refuse storage and means of enclosure in accordance with policies LP15 and LP16 of the Fenland Local Plan, 2014.
6	Full details of the visitor bike store as denoted under plan 20-P35-PL006E shall be submitted to and approved in writing by the Local Planning Authority The development shall be carried in accordance with the approved details prior to the first occupation and thereafter retained and maintained in perpetuity. Reason: In order to ensure a satisfactory means of visitor parking by non-car modes of travel is provided in accordance with the sustainable transport aims of policy LP15 of the Fenland Local Plan, 2014.
7	Notwithstanding the approved plans, all windows serving the flats on the ground floor and first floor northern flank wall and the first floor southern flank wall, and the ground floor windows serving the ground floor northern flank wall of the dwellinghouse shall be obscure glazed to a height no lower than 1.7m from finished floor level. The level of obscurity shall be submitted to and agreed in writing by the Local Planning Authority. The windows shall be finished in accordance with the details agreed prior to the first occupation of the development and thereafter retained to that specification in perpetuity. Reason: In the interests of residential amenity in accordance with policy LP16 of the Fenland Local Plan, 2014.
8	All soft landscape works shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 and LP19 of the Fenland Local Plan 2014.
9	Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations: i) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D); ii) alterations to or the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B); iii) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);
10	The bike store as detailed on plan reference: 20-P35-PL003F shall be provided prior to first occupation of the development and thereafter retained for the benefit

	of residents of the associated flats and for no other purpose. Reason: In order to provide a secure area for residents' bikes in the interests of promoting sustainable modes of travel in accordance with policy LP15 of the Fenland Local Plan, 2014.
11	No external meter boxes shall be installed to the frontage of the building without the details first being submitted to and agreed in writing by the Local Planning Authority. Any such meter boxes shall thereafter be installed strictly in accordance with the details approved. Reason: In the interests of preserving the historic character of the building in accordance with policies LP16 and LP18 of the Fenland Local Plan, 2014.
12	Approved Plans:

Created on: 07/12/2020

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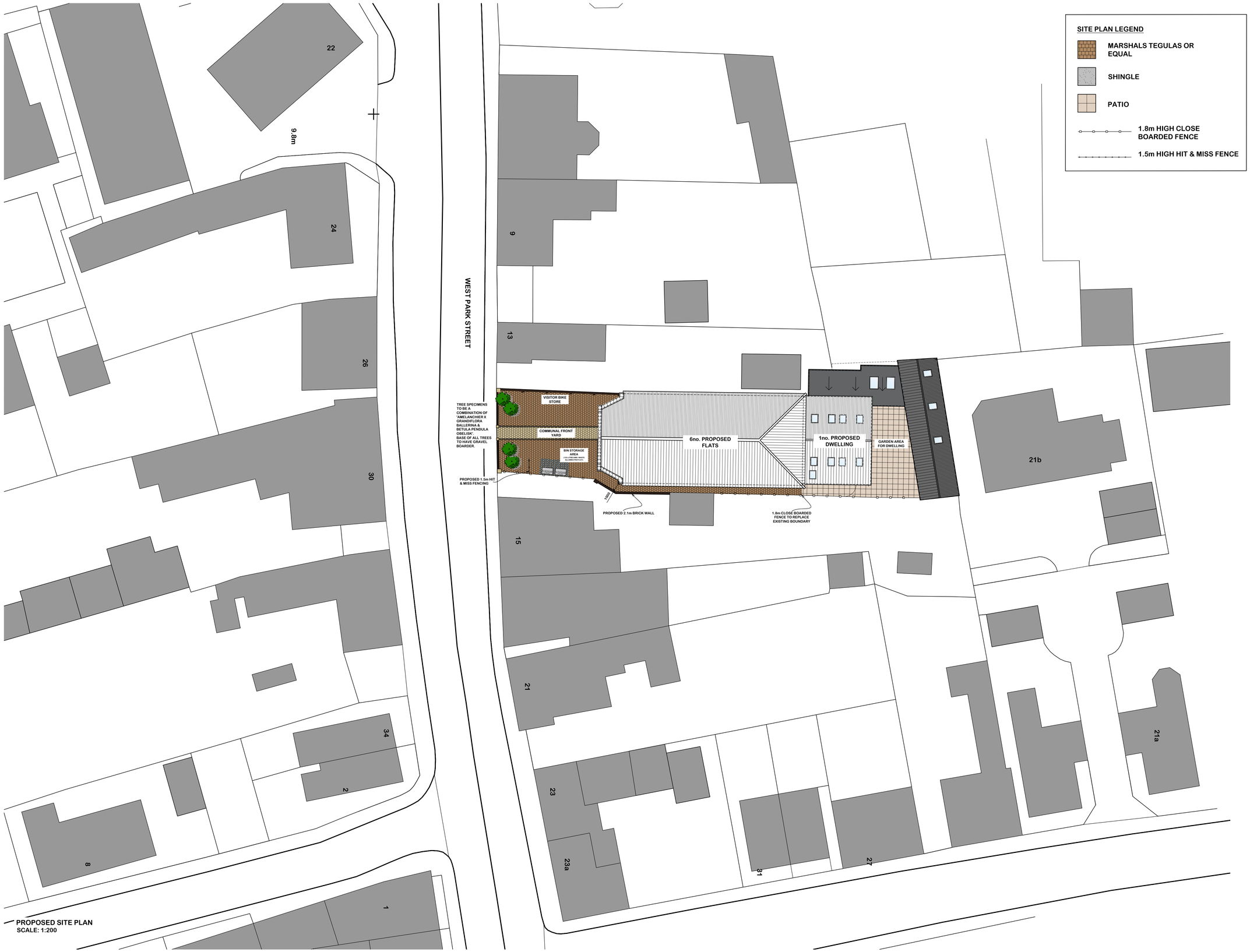
F/YR20/1157/F

Scale = 1:1,250

N

Fenland CAMBRIDGESHIRE
Fenland District Council



PROPOSED SITE PLAN
SCALE: 1:200

SITE PLAN LEGEND

- MARSHALS TEGULAS OR EQUAL
- SHINGLE
- PATIO
- 1.8m HIGH CLOSE BOARDED FENCE
- 1.5m HIGH HIT & MISS FENCE

N
W E
S

1:200 SCALE BAR (m)
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Notes:

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This information should be included as part or commencement of the Health and safety file for the project.

no	date	amendment description
E	10.06.2021	UPDATED TO SUIT PLANNERS COMMENTS
D	25.05.2021	UPDATED TO SUIT PLANNERS COMMENTS
C	23.02.2021	UPDATED TO SUIT PLANNERS COMMENTS
B	22.02.2021	UPDATED TO SUIT PLANNERS COMMENTS
A	20.11.2020	HEIGHT OF EXISTING WALL NOTE ADDED

Revisions

Drawing Status: **PLANNING**

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Project Title:

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CONVERSION OF EXISTING STORE/ SHOW ROOMS TO 7no RESIDENTIAL DWELLING

Drawing Title:

PROPOSED SITE PLAN

Scale:	Date:	Drawn:
AS STATED @ A1	OCTOBER 2020	AP

Drawing Number: **20-P35-PL006E** Revision: E

Checked by: Date:

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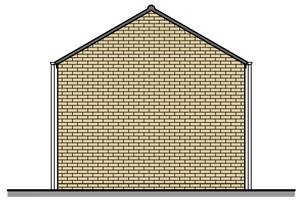

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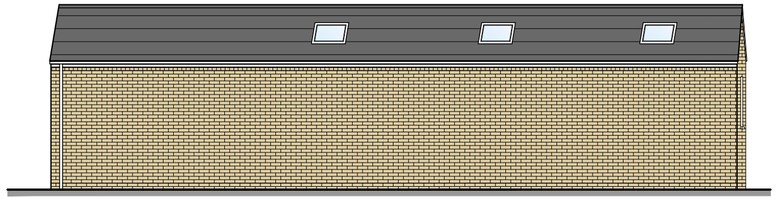

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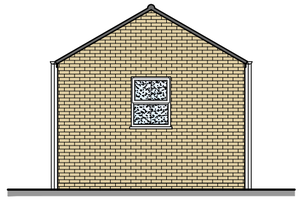

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SCALE: 1:100

Finishes Legend

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- ROOF TILES: TO MATCH EXISTING
- WINDOWS & DOORS: COLOUR & MATERIAL TO MATCH EXISTING
- RAIN WATER GOODS: COLOUR & MATERIAL TO MATCH EXISTING

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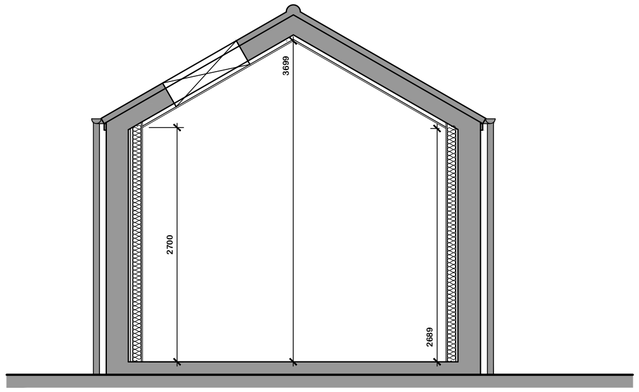

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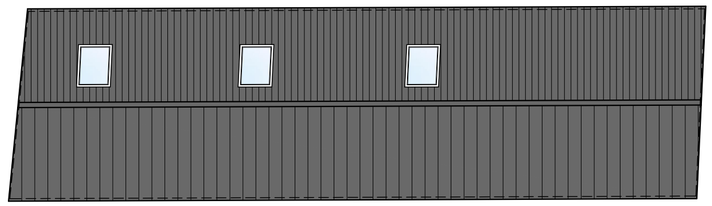

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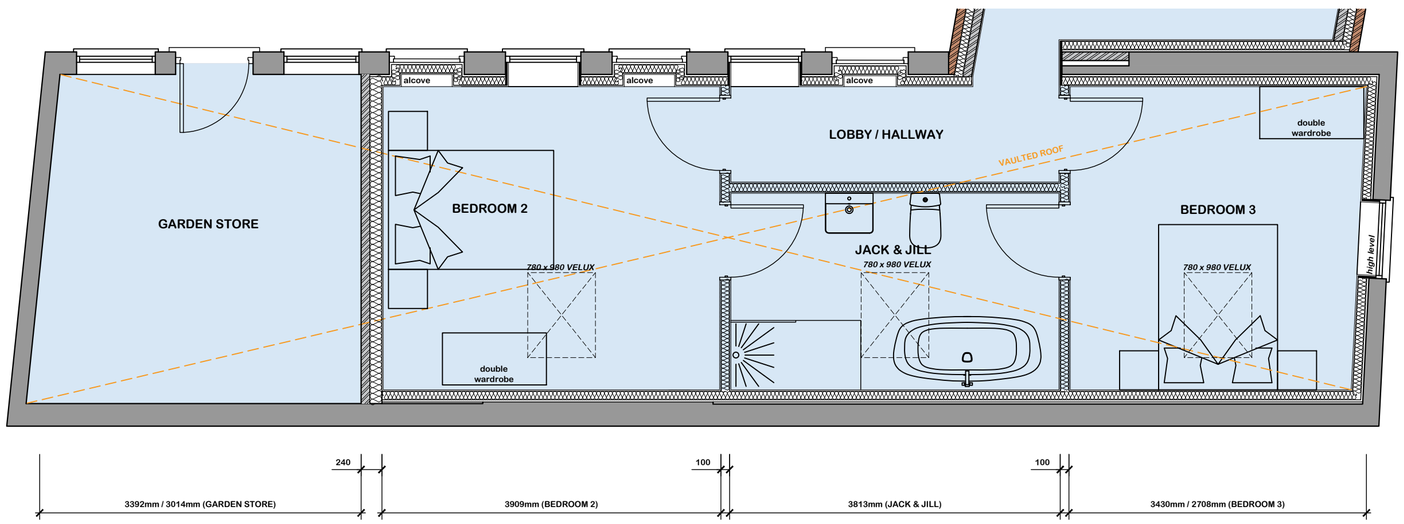

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no	date	amendment description
C	22.02.2021	UPDATED TO SUIT CLIENTS COMMENTS
B	22.02.2021	UPDATED TO SUIT PLANNERS/CLIENTS COMMENTS
A	20.11.2020	FLOOR PLAN UPDATED & NOTE SECTION UPDATED

Revisions

Drawing Status: **PLANNING**

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Project Title:

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CONVERSION OF EXISTING STORE/ SHOW ROOMS TO 7no RESIDENTIAL DWELLING

Drawing Title:

PROPOSED PLANS AND ELEVATIONS
HOUSE 1

Scale:	Date:	Drawn:
AS STATED @ A2	OCTOBER 2020	AP

Drawing Number: **20-P35-PL005C**

Revision: C

Checked by: Tom Nellist Date 02.03.2021

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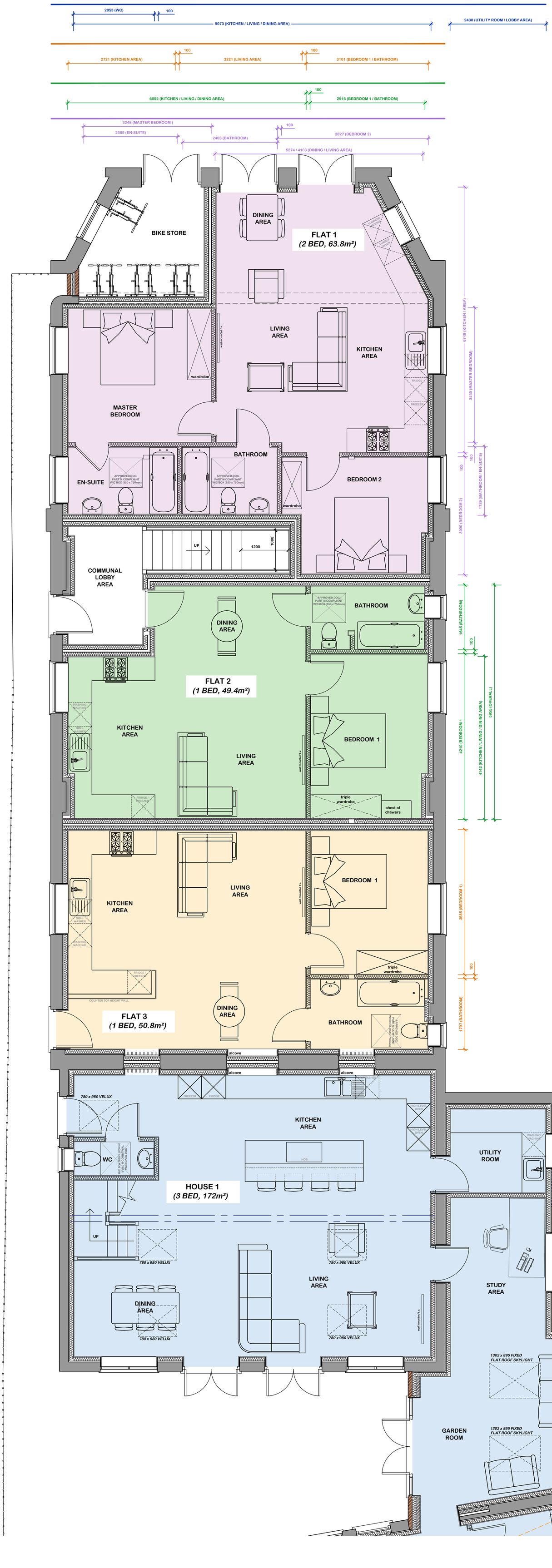

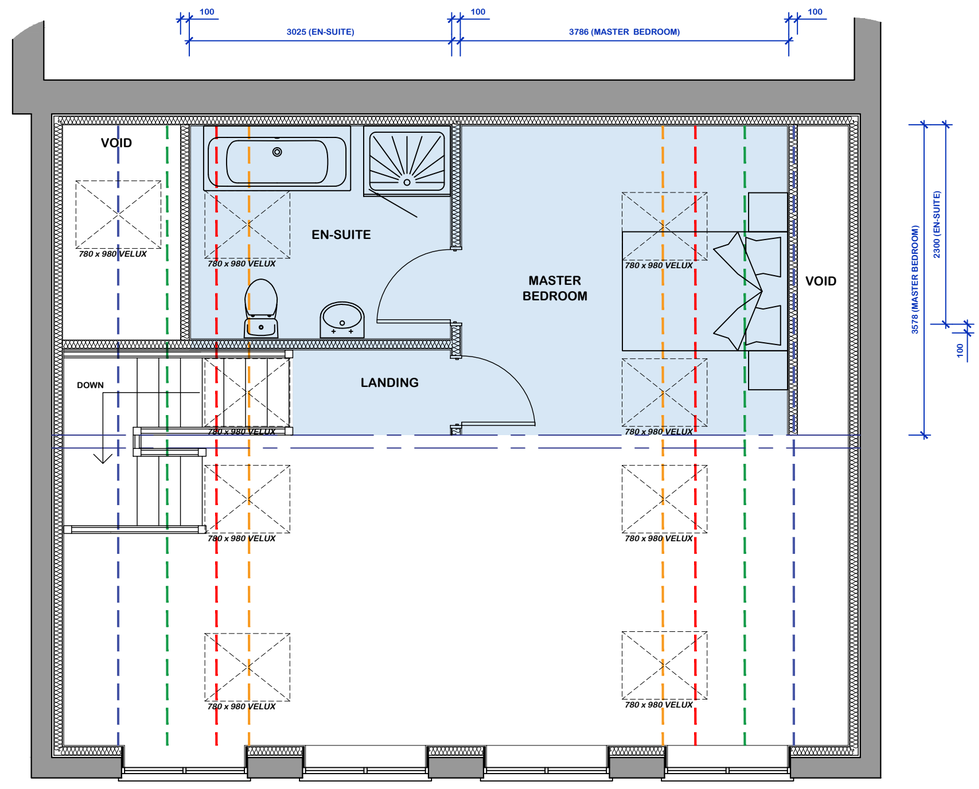

LEGEND

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- 1.5m CEILING HEIGHT
- 1.8m CEILING HEIGHT
- 2.0m CEILING HEIGHT

PROPOSED FIRST FLOOR PLAN
SCALE: 1:50

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no	date	amendment description
F	01.03.2021	UPDATED TO SUIT CLIENTS COMMENTS
E	01.03.2021	UPDATED TO SUIT CLIENTS COMMENTS
D	23.02.2021	UPDATED TO SUIT CLIENTS COMMENTS
C	22.02.2021	UPDATED TO SUIT CLIENTS COMMENTS
B	22.02.2021	UPDATED TO SUIT PLANNERS/CLIENTS COMMENTS
A	20.11.2020	FLOOR PLAN UPDATED & NOTE SECTION UPDATED

Revisions

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Project Title:

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CONVERSION OF EXISTING STORE/SHOW ROOM TO 7no. RESIDENTIAL DWELLINGS

Drawing Title:

PROPOSED GROUND FLOOR PLAN
3no. FLATS & 1no. DWELLING

Scale:	Date:	Drawn:
AS STATED @ A1	OCTOBER 2020	AP

Drawing Number: **20-P35-PL003F**

Revision:

Checked by: Tom Nellist Date 02.03.2021

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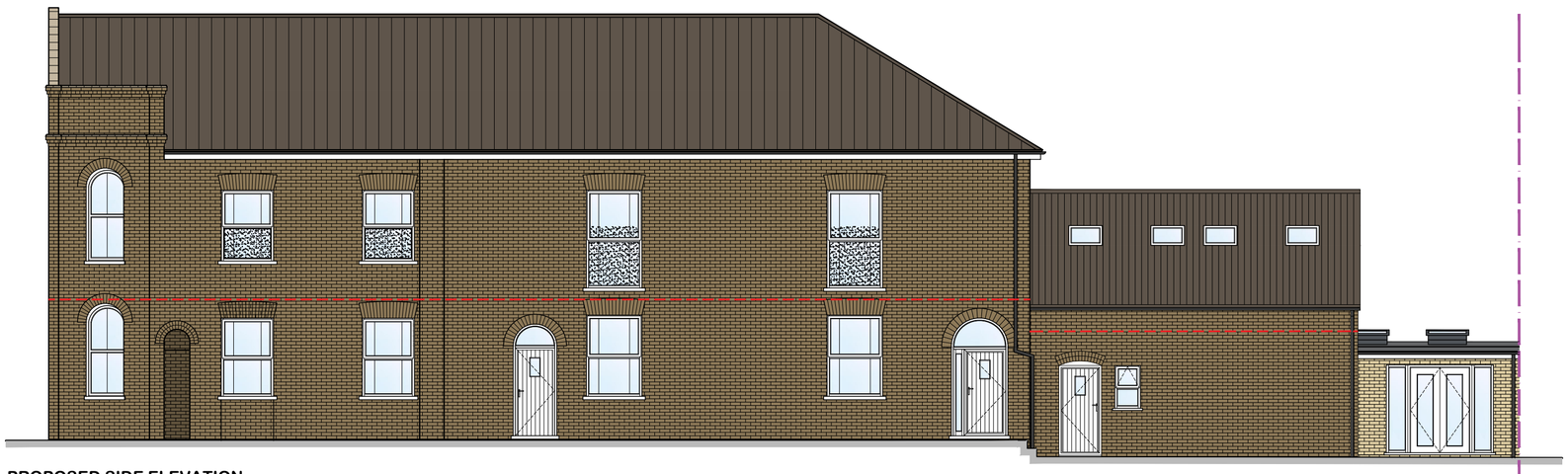

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Finishes Legend

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- WINDOWS & DOORS: TO BE UPVC & COLOUR TO MATCH EXISTING
- RAIN WATER GOODS: COLOUR & MATERIAL TO MATCH EXISTING
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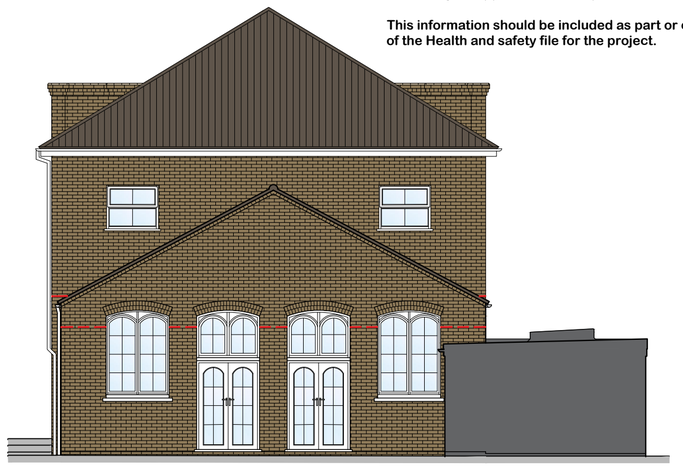

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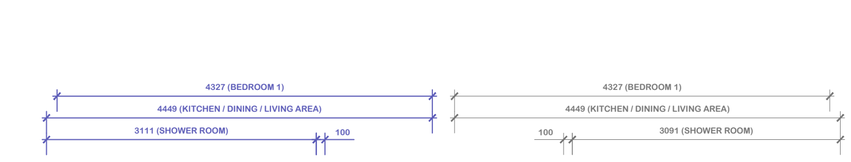

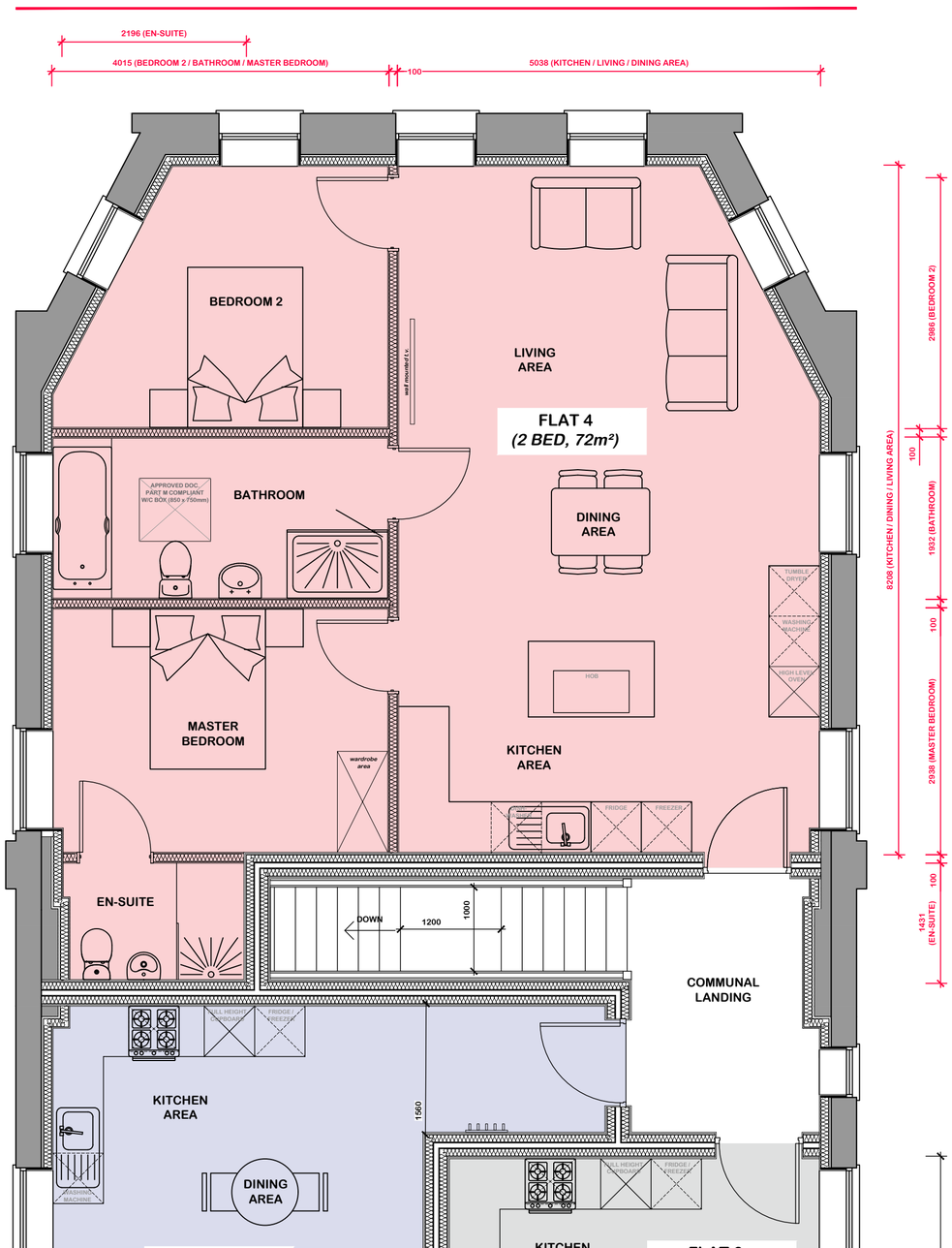

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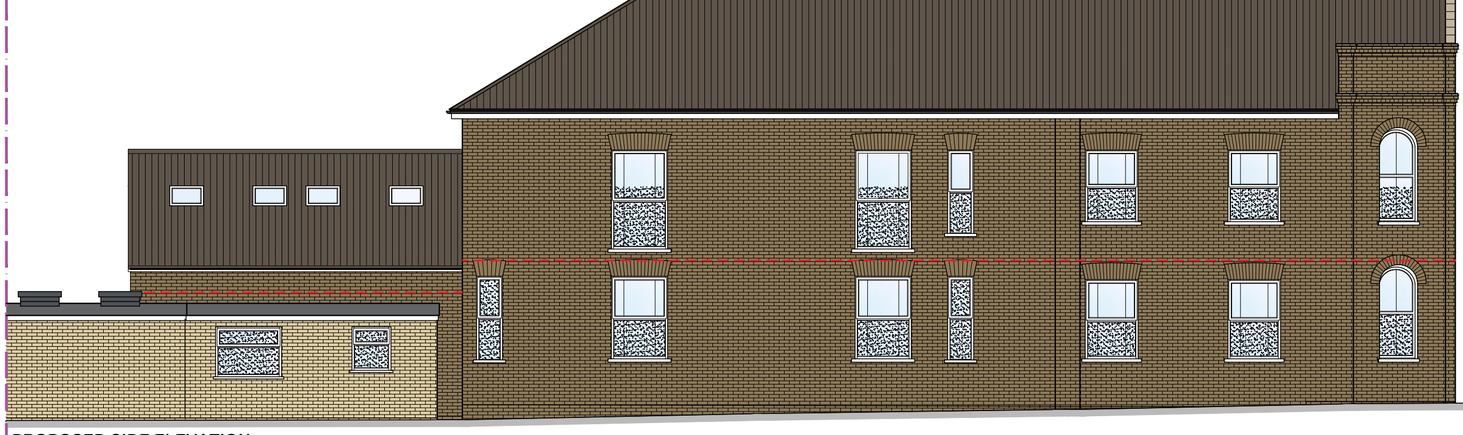

PROPOSED SIDE ELEVATION
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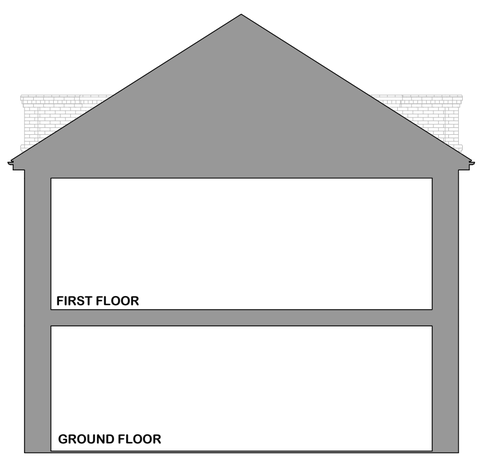

PROPOSED TYPICAL SECTION
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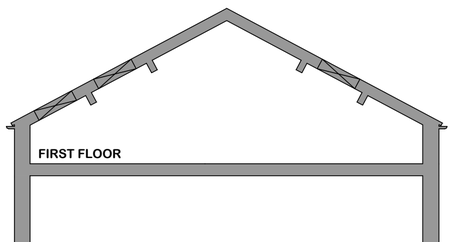

TYPICAL SECTION - HOUSE 1
SCALE: 1:100

PROPOSED TYPICAL SECTION
SCALE: 1:100

1:50 SCALE BAR (m)
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1:100 SCALE BAR (m)
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Notes:

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no	date	amendment description
G	30.07.2021	OBSCURED GLAZING UPDATED
F	07.07.2021	FLAT NUMBERING UPDATED
E	10.06.2021	HIT & MISS FENCE UPDATED AS PER PLANNERS COMMENTS
D	25.05.2021	UPDATED TO SUIT CLIENTS COMMENTS
C	01.03.2021	ELEVATIONS UPDATED TO SUIT CLIENT COMMENTS
B	22.02.2021	ELEVATIONS UPDATED TO SUIT PLANNERS/CLIENTS COMMENTS
A	20.11.2020	ELEVATIONS UPDATED & NOTE SECTION UPDATED

Revisions

Drawing Status: **PLANNING**

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Project Title:

MR S. DAVIS
WEST PARK STREET,
CHATTERIS,
CAMBS,
PE16 6AL

CONVERSION OF EXISTING STORE/SHOW ROOM TO 7no. RESIDENTIAL DWELLINGS

Drawing Title:

PROPOSED FIRST FLOOR PLAN (DWELLINGS 4-6), ELEVATIONS & ROOF PLAN

Scale:	Date:	Drawn:
AS STATED @ A1	OCTOBER 2020	AP

Drawing Number: **20-P35-PL004G** Revision: **G**

Checked by: Date:

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PLANNING COMMITTEE DATE: 18 August 2021 Agenda No: 7

APPLICATION NO: F/YR20/1157/F

SITE LOCATION: TP24, West Park Street, Chatteris, Cambridgeshire PE16 6AH

UPDATES

1 Further Representation

1.1 9 letters of objection received from 7 residents at 6 addresses at: 5, 13 and 24 West Park Street, 9 and 31 South Park Street, 77a London Road, and 29 Fairway raising the following concerns;

- Lack of on-site parking and subsequent impact on existing users, local businesses – people with poor mobility who need to park near to facilities
- The parking exemption does not apply to this development
- Lack of access for emergency vehicles
- Overlooking
- Devaluation of property
- Does not conserve the area
- Overdevelopment/ density
- The fire brigade have stated concerns about their ability to access the property with large fire fighting equipment.
- Chatteris Town Council recommended refusal of this application
- There was a change of use in 1994 from Chapel to storage of furniture and furnishings. Presumably there will be a change of use to allow residential usage?
- Welcomes guidance as to obligations to allow access to their back garden for the benefit of contractors working next door both in respect of the proposed refurbishment/development and ongoing maintenance.

N.B. One adjacent neighbour (no.13 West Park Street) whilst maintaining some concerns over transport, emergency access, parking and privacy from overlooking, advises they are "*somewhat comforted by the attention paid by Council Officers to the detailed arrangements for windows on the north side of the building...*"

Officer response

1.2 *Lack of on-site parking and subsequent impact on existing users, local businesses – people with poor mobility who need to park near to facilities. The parking exemption does not apply to this development. Lack of access for emergency vehicles*

These matters are largely addressed at sections 9.11-9.17, 9.23-9.24 and 10.2 of the Officer's report. Notwithstanding this, in respect of impacts on local businesses – with particular reference to the Osteopaths opposite the site; whilst it is unfortunate that some businesses are unable to offer on-site parking in their own right, there appears to be no reserved parking on-street for these businesses in the vicinity and therefore no guarantees that parking would be available to serve these businesses in any

case. There may an opportunity for such businesses to put forward a case to the Local Highways Authority (LHA) to secure disabled parking bays or double yellow lines (which could still be used by persons with mobility issues) in the vicinity of their businesses. Notwithstanding this, the indication from the LHA is that the development would not result severe harm to the highway network, the test set out under paragraph 111 of the NPPF, and whilst it is recognised that this may have an impact on amenity or convenience for local users, this is balanced with the benefits of the scheme as set out at section 10.2 of the report. In respect of emergency access, matters of fire safety have already been considered and it is not anticipated that access by other emergency services would be impeded, albeit they may not be able to park directly outside the premises, which is not uncommon in a town centre environment.

Overdevelopment/ density

1.3 Whilst it recognised that the nature and use of the building would materially change through this development, it is also acknowledged that the site was previously used as a communal place of worship and more recently as a store with an ancillary showroom. Notwithstanding this, up to 500 square metres of floorspace could be converted to office accommodation under Permitted Development Rights (Schedule 2, Part 3, Class I), with no limits on the number of occupiers or times of use for any of these alternative uses. Arguably, converting the premises into 7 units of residential accommodation may result in a lesser impact in terms of density and on the aforementioned parking demands placed upon it.

Overlooking

1.4 This matter is addressed at 9.18 to 9.22 of the Officer's report.

Devaluation of property

1.5 This matter is addressed at 9.27 of the Officer's report.

Does not conserve the area

1.6 This matter is addressed at 9.3 to 9.10 and 10.1 to 10.2 of the Officer's report.

The Town Council recommended refusal

1.7 The Town Council's comments and concerns have been considered as part of the assessment of this application as set out in the Officer's report.

Change of Use to residential

1.8 To confirm, this planning application if approved would allow for a change of use of the building by virtue of the conversion to flats and a dwelling.

Access for refurbishment/ future maintenance

1.9 The matter of access for the developer/ future occupier/ maintenance contractor etc. would be a civil matter between landowners. The grant of planning permission does not convey the right to access third party land without consent of that landowner or other such agreement.

2 Further Information

2.1 The applicant has provided a supporting statement (received 11th August) which

seeks to respond to the concerns raised. Officers have no comments to make on this document.

Full plans, associated documents and comments for this application can be found at: https://www.fenland.gov.uk/publicaccess/

Resolution:

Recommendation Grant as per section 11 of the officer's report.

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F/YR21/0267/F

Applicant: Mr Guy Burton
Bank Farm Ltd

Agent : Mr Ted Brand
Brand Associates

Farm Building Bank Farm, Whittlesey Road, Benwick, Cambridgeshire

Change of use of agricultural building to 5 x 2-storey dwellings with detached shed and bin stores comprising of 2 x 3-bed and 3 x 2-bed and formation of a new access road

Officer recommendation: Grant

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

1 EXECUTIVE SUMMARY

1.1 The application seeks full planning permission for the change of use of an existing agricultural barn to 5 dwellings.

1.2 The site lies outside the established footprint of Benwick.

1.3 The site has a detailed planning history, some of which is material to the consideration of this scheme.

1.4 The proposal offers no technical issues that can't otherwise be addressed through suitable worded planning conditions.

1.5 Furthermore, the development raises no significant issues in terms of visual or residential amenity harm, although it is recognised that some visual harm will occur to the countryside location through paraphernalia associated with the residential use.

1.6 The development would make an efficient use of an existing under-utilised building and would provide housing which is sustainably linked to the core of the village via a link to an existing footway, whereby residents would be able to access services and facilities, thereby supporting the local community.

1.7 The application is recommended for approval.

2 SITE DESCRIPTION

2.1 The site comprises c.0.2Ha of agricultural land which accommodates a single agricultural building constructed from a low brick plinth wall with corrugated grey wall cladding and cement fibre roof boards. The double doors to the front are steel doors to allow farm machinery access inside, with a small pedestrian door insert.

2.2 Open agricultural land is to the north and north-west of the building. A second agricultural building is located c.20m to the north east of the application site.

2.3 The River Nene runs to the south east of the building with residential dwellings backing onto the edge of river on the opposite bank (Neneside).

2.4 To the north-west of the building is a large area of hardstanding within the site area which is adjacent Whittlesey Road. To the south corner of the site is the bridge over the Nene which provides vehicular and pedestrian access.

2.5 The site lies in Flood Zone 3.

3 PROPOSAL

3.1 The application seeks full planning permission for the change of use of the agricultural building to achieve 5No. 2-storey dwellings. The centre 3 units accommodate 2 bedrooms, with the outer 2 incorporating 3 bedrooms, with all units including an upstairs bathroom. All dwellings include an open-plan lounge, kitchen/ dining area, utility room and downstairs W.C.

3.2 The proposal seeks to replace the existing asbestos cladding walls and roof panels with insulated grey panelling and to insert a number of windows and doors to all facets. The eaves are proposed to be raised slightly (which will lower the roof pitch) in order to accommodate first floor.

3.3 Externally, the site is proposed to be accessed via a new point of access at the south western corner of the site, via a previously permitted access track (yet to be implemented) with the current access proposed to be sealed off with a new hedge across the frontage. The existing concrete hardstanding at the front will be laid out to accommodate 10 parking spaces leading from the point of access at the south western corner of the site. Pedestrian access to the dwellings and individual bin stores are proposed along the north western edge of the site, with private gardens, secured via close boarded fencing proposed along the south eastern edge of the site.

3.4 A pedestrian access linking to the existing tarmacked footway on the southern edge of the site is proposed.

3.5 Each dwelling is proposed to be served by its own package treatment plant to manage foul waste

3.6 Full plans and associated documents for this application can be found at: https://www.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR20/0376/F	Formation of new access road	Granted 22.06.2020
F/YR20/0029/PNC04	Change of use from agricultural building to 3 x 2-bed and 2 x 3-bed two-storey dwellings (Class Q (a) and (b))	Prior Approval granted 09.03.2020
F/YR19/0351/PNC04	Change of use from agricultural building to 3 x 2-bed and 2 x 3-bed two-storey dwellings (Class Q (a) and (b))	Prior Approval Refused 27.06.2019 Appeal Dismissed 27.12.2019
F/YR19/0023/PNC04	Change of use from agricultural building to 3 x 2-bed and 2 x 3-bed two-storey dwellings (Class Q (a) and (b))	Prior Approval Refused 01.03.2019
F/YR18/1040/F	Formation of new access in association with existing agricultural workshop	Granted 11.01.2019
F/YR15/0838/PNC04	Change of use of an agricultural building to 2 x 2-storey 4-bed dwellings and 1 x 2-storey 3-bed dwellings (Class Q (b))	Prior Approval Refused 13.11.2015
F/YR14/0205/F	Erection of 6 dwellings involving demolition of existing buildings	Withdrawn 01.05.2014

5 CONSULTATIONS

Benwick Parish Council

5.1 *In respect of planning application F/YR21/0267/F Change of use of agricultural building to 5 x 2-storey dwellings with detached shed and bin stores comprising of 2 x 3-bed and 3 x 2-bed and formation of a new access road, Farm Building Bank Farm Whittlesey Road Benwick Cambridgeshire, although Benwick Parish Council understand that this application is being applied through a dispensation for redundant agricultural buildings and we do not have any valid objections under planning regulations, we object to this work being authorised.*

We have the following objections:

1. *It is outside the village boundary with no supporting infrastructure or facilities.*
2. *It is a design with one intent, to maximize its financial return by squeezing as many housing units as possible into a small space irrespective of its location.*
3. *It is inconsistent with the vision that Benwick Parish Council are working with Fenland Council to develop a Year 2040 Vision of the village.*
4. *The village has an abundance of eyesore sites that need to be built on first. We strongly request that this application be rejected.*

Cambridgeshire County Council Highways Authority

5.2 *The principle of development has already been consented (F/YR20/0029/PNC04).*

I have no highway objections.

[Following amendments for inclusion of pedestrian access point]
No highway objections subject to the following conditions;

Conditions;

1.) *1.5m metalled footpath (indicatively shown on plan XXX, details to be submitted pre-commencement and implemented in accordance with approved details prior to first occupation.*

2.) *Vehicular access to be implemented in accordance with previous planning consent.*

3.) *Existing access to be closed and reinstated to verge in accordance with details to be submitted and approved. To be implemented prior to first occupation.*

4.) *Parking and turning*

Environment Agency

5.3 *Please note that the application falls under Advice Note 6 of your Local Flood Risk Standing Advice.*
Environment Agency Position
We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the relevant Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds. The IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.
In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Middle Level Commissioners

5.4 No comment received

Cambridgeshire Fire & Rescue Service

5.5 *Should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.*

Environment & Health Services (FDC)

5.6 Comments are summarised due to the lengthy response but in summary;

Raises concerns over lack of phase 1 ground investigation in view of evidence of underground fuel tank. Suggests a phase 2 intrusive ground investigation is required to establish risk and remediation requirements. Also raises concerns over the retention of the asbestos cladding. Should it be removed in part or in full this would need to be undertaken by a licensed contractor. Objects to the retention of asbestos on health risk grounds.

[Further comments received on 03.08.2021]
I have reviewed the proposal and the various comments/ information on file and would advise following our previous response, the full suite of contaminated conditions continue to apply due to the likely presence of contamination on site and absence of any information to suggest otherwise.

I note the comments regarding the presence of 'AC' and welcome the proposal to replace the AC cladding during the conversion to reduce risk and for the other reasons stated in the submitted information. In this regard, an informative will be

necessary to inform the developer of the need to observe current HSE guidance for the safe and effective handling, removal and disposal of the AC material.

Local Residents/Interested Parties

5.7 1 letter of objection received from resident at Neneside, raising the following concerns;

- Overlooking form upstairs windows
- Health and safety impacts of handling asbestos through the development

The resident adds;
"I would be very happy to see this old farm building re-used for residential, but would wish to see the windows perhaps realigned to solve my first issue, and very strict methods of working agreed by all before any work around the AC cladding takes place"

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 **National Planning Policy Framework (NPPF)**
Chapter 11: Making effective use of land

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

7.3 **National Design Guide, 2019 & National Model Design Code, 2021**
Context
Identity
Built Form
Movement
Nature
Homes and Buildings
Resources
Lifespan

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
LP12 – Rural Areas Development Policy
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 **Supplementary Planning Documents/Guidance:**

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- Cambridgeshire Flood & Water SPD (2016)

- RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES

- **Principle of Development**
- **Highways and parking**
- **Visual Amenity**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Ground Contamination and Asbestos**

9 BACKGROUND

9.1 The site has a comprehensive planning history, more recently with several applications for prior approval consent to convert the building into dwellings under what is now Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

9.2 In 2020 prior approval was granted for the conversion of the barn into 5 dwellings. Subsequent to this, the applicant approached the LPA to establish whether, in view of the permission under Class Q, that if the asbestos sheeting were to be changed wholesale to insulated panelling, whether the LPA could favourably consider a full planning application. The applicant referred to the 'fall-back' position of the Class Q permission (see email exchange on public access dated 14th April 2021).

9.3 A review of the Class Q permission by the LPA revealed that the applicant had omitted to declare that they had already converted 3 dwellings within their agricultural holding (land west of the application site under F/YR16/111/PNC04). The PD rights under Class Q only permit for a total of 5 dwellings to be created within the same holding. As such, it is now Officers view that permitted development rights to convert this building into 5 dwellings does not exist and that the applicant would not be able to lawfully implement the Class Q permission previously approved.

9.4 As such, it is of Officers view that the 'fall-back position' to convert this building to 5 dwellings does not exist. However, it may be possible to convert the building into 2 dwellinghouses, thereby not exceeding the maximum of 5 dwellings per holding as set out under Class Q.1(d.ii) which is material to the subsequent considerations of this scheme before the LPA.

10 ASSESSMENT

Principle of Development

10.1 The site is considered to lie outside of the defined settlement of Benwick when considered against the criterion that guide this assessment, particularly under footnote of policy LP12 Part A, as it is clearly detached from the continuous built form of Benwick, most notably by the old river Nene. It is however acknowledged that the site is not 'isolated' with regard to paragraph 80 of the NPPF. As such, in terms of general new housing growth, the site would not be supported through the settlement strategy under LP3. However as this proposes to re-use an existing building, FLP policy LP12 Part B is relevant.

10.2 Policy LP12 Part B states that 'the re-use and conversion of rural buildings for residential use which are outside or not adjacent to the developed footprint of a

settlement' will only be supported where, amongst other specified criteria, the building is of significant architectural or historic merit and intrinsically worthy of retention in its rural setting'. The main barn subject of this pre-application enquiry is not considered to be of any architectural or historic merit, and would therefore not comply with policy LP12 Part B. The development is therefore in conflict with the FLP in this regard. The proposal therefore does not accord with local policy and it is necessary to establish whether any other material considerations exist that outweigh the policy objections to the scheme.

NPPF

10.3 Whilst there is clear conflict with FLP policy, Chapter 11 of the NPPF sets out the aims of making effective use of land and promoting and supporting the development of under-utilised land and building in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. NPPF paragraph 80 also is permissive of redundant or disused buildings irrespective of their historic or architectural merits, providing the re-use leads to an enhancement in the immediate setting

Permitted Development

10.4 It is acknowledged that the proposal put forward does not strictly fall within the terms of conversion given the amount of development involved particularly with the proposed wholesale replacement of the asbestos walls and roof material. However, as set in the background section above, the conversion of the barn to residential use could likely result, were an application for prior approval to convert the barn to only 2 dwellings come forward – particularly as there were no technical restrictions to the residential use of the land e.g. in terms of drainage, flood risk, contamination etc.

10.5 Having regard to the latest NPPF which, to an extent supersedes the adopted policies of the FLP in respect of LP12 Part B, and the potential for some residential conversion of the barn under PD rights which can be afforded moderate weight, it is considered that the principle of the development is established.

10.6 Whilst the concerns of the Parish Council are noted, in respect of the proposal conflicting with the 2040 vision of the village, at present there is no adopted policy against which to weigh this at this time. As such no weight can be afforded to this.

Highways, Access and Travel

10.7 The Local Highways Authority (LHA) has considered the application against the previous Class Q approval and raises no objections. The development relies on an access track which runs north-westwards, parallel to the Whittlesey Road behind the established hedgerow, connecting to the existing access at White Farm. The existing agricultural access is proposed to be closed off. This access reconfiguration follows historic discussion and concerns raised by the LHA regarding the adequacy of the agricultural access for residential use, given its junction relative to the crest of the bridge and associated visibility issues. It would be necessary to ensure that the new access is fully completed and the agricultural access closed off to future residents prior to the first occupation of the development. This could be reasonably secured through planning condition.

10.8 In order to improve pedestrian access to the development, the applicant has proposed to tie into the existing footway adjacent to the site which will enable better access for pedestrians to the core of the village and will enable them to

cross the highway at the crest of the bridge thereby maximising visibility. This was otherwise unachievable through the constraints of the permitted development right.

10.9 The development proposes a policy-compliant level of parking and adequate on-site manoeuvrability and raises no concerns when considered against policy LP15.

Visual Amenity

10.10 The principle of barn conversions is that they maintain, as far as possible, the visual aesthetic of a barn, often in view of the fact that they exist in rural locations where the countryside and landscape should be protected, as set out in the preamble to policy LP12 of the Local Plan.

10.11 In this regard, the proposal seeks to make physical alterations to the building in respect of replacement walls and roof with anthracite grey seamed panelled sheets and the insertion of windows and doors. Whilst the external appearance will change through these works, it is considered that the overall scale and massing will still reflect the current barn and, in this regard, the general design of the building is considered to be acceptable having regard to policies LP12 Part B(c) and LP16(d).

10.12 The introduction of the bin stores along the north western boundary and the erection for the fencing to secure private garden along the south eastern side of the site will change the rural aesthetic of the site which weighs negatively against the scheme, although somewhat unavoidable in order to achieve the high levels of residential amenity as set out under policies LP2 and LP16. This negative effect is also balanced with the possibility of achieving some level of residential use of the site through permitted development rights which would, in any case most likely result in a domestic character to the site.

10.13 The applicant has however proposed to extend the hedgerow across the frontage of the site, and to clad the bin stores with trellis to enable some landscaping. These measures would likely reduce the residential impact of the development and it recommended that a condition securing further details and implementation of soft landscaping is imposed, in order to ensure that the development responds to the rural character of the area as much as possible.

Residential Amenity

10.14 The development achieves adequate levels of amenity for future occupiers, with the fenestration enabling good natural daylight and acceptable private amenity space. The bin stores enable adequate waste sorting and storage. It is recommended to ensure that the pedestrian footway is surfaced in a bound material given the reliance on this route to present wheeled bins for weekly collection. This can be reasonably secured via planning condition.

10.15 In summary it is concluded that the development would achieve an acceptable living environment for future occupiers.

10.16 The resident at Neneside has raised concerns of potential overlooking into their property from the development. In this regard there are 1st floor windows proposed which will face onto the rear garden at Neneside. However, these are positioned c.36m to the rear boundaries of properties at Neneside (48m to the nearest dwellinghouse) which exceeds general standards of 20-22m window to window. In this regard therefore, Officers do not consider that the development

would result in any significant adverse effects on residential amenity – neither through the slight change of outlook likely to be experienced by residents at Neneside. Other than properties at Neneside, there are no other residential dwellings in the vicinity of the site that are anticipated to be adversely affected by the development.

Flood Risk and Drainage

10.17 The site lies in Flood Zone 3 and therefore at high risk of flooding. As the proposal is for change of use, the application of the sequential test is not required as set out in the NPPF and the Council's Flood and Water SPD. Notwithstanding this, the applicant has provided a flood risk assessment to accompany the scheme which sets out that floor levels should be set at 150mm from existing floor level and that occupiers should sign up to the Environment Agency's flood line warning service.

10.18 The EA has also recommended that the LPA considers the evacuation and rescue implications associated with this development. In this regard, the development comprises 2-storey thereby providing safe refuge for occupiers should it be required. Furthermore, given that flood depth of around 150mm are anticipated in an extreme event, it is not anticipated that future occupiers would become stranded within their properties and should be able to make their way to the core of the village, which is at a lower flood risk level, should this be required. Notwithstanding this, in the interests of enabling awareness for future occupiers, it is recommended to secure a scheme for emergency evacuation procedures in an extreme flood event, which can be reasonably achieve through a planning condition.

10.19 The scheme indicates that each dwelling would be served by independent package treatment plants and that surface water would be managed (as it currently is) by discharging directly to the adjacent watercourse. Whilst the surface water discharge is not anticipated to substantially change, in order to ensure a satisfactory means of foul drainage is achieved, it is recommended that a condition is imposed requiring further details in this regard, should the application be approved.

Ground Contamination and Asbestos

10.20 The Council's Environmental Health team previously identified the presence of an underground fuel tank, which is not uncommon in such scenarios and have requested that full ground investigations are carried out and a scheme of remediation is agreed. It is necessary to require this information and for any remediation to be completed prior to the first occupation of the development in the interests of public health. In this regard, as was the case with the previous permission, a planning condition requiring full details of contaminated land investigations and remediation is recommended should the application be approved.

10.21 Concerns have also been raised with regards to the existing asbestos sheeting on the building. The planning statement makes it unclear whether this sheeting is to remain or not, however the application form clearly states that the external cladding and roofing material is to be replaced with TATA Steel 'Colorcoat Urban' steel profile panels and the elevation details also denote this, which would form part of the approved documents should the application be approved. As such, Officers understand that the proposal is to remove all known asbestos panelling.

10.22 This process would need to be undertaken by a licensed contractor under current HSE requirements and would therefore sit outside of planning controls. Notwithstanding this, it is recommended to include an informative, notifying the developer of this requirement on the planning decision notice, should the application be approved.

11 CONCLUSIONS

11.1 The development would make an efficient use of an existing under-utilised building and would provide housing which is sustainably linked to the core of the village whereby residents would be able to access services and facilities, thereby supporting the local community. The scheme presents no technical issues, subject to satisfying matters of contamination and would achieve adequate levels of amenity for future occupiers without compromising that of existing residents. Finally, the site would be served by safe and effective access and the development would not result in severe visual harm to the rural character of the area, subject to a satisfactory scheme of soft landscaping.

11.2 It is considered that the scheme would achieve a sustainable form of development for which there is a presumption in favour of and is therefore recommended for approval.

12 RECOMMENDATION

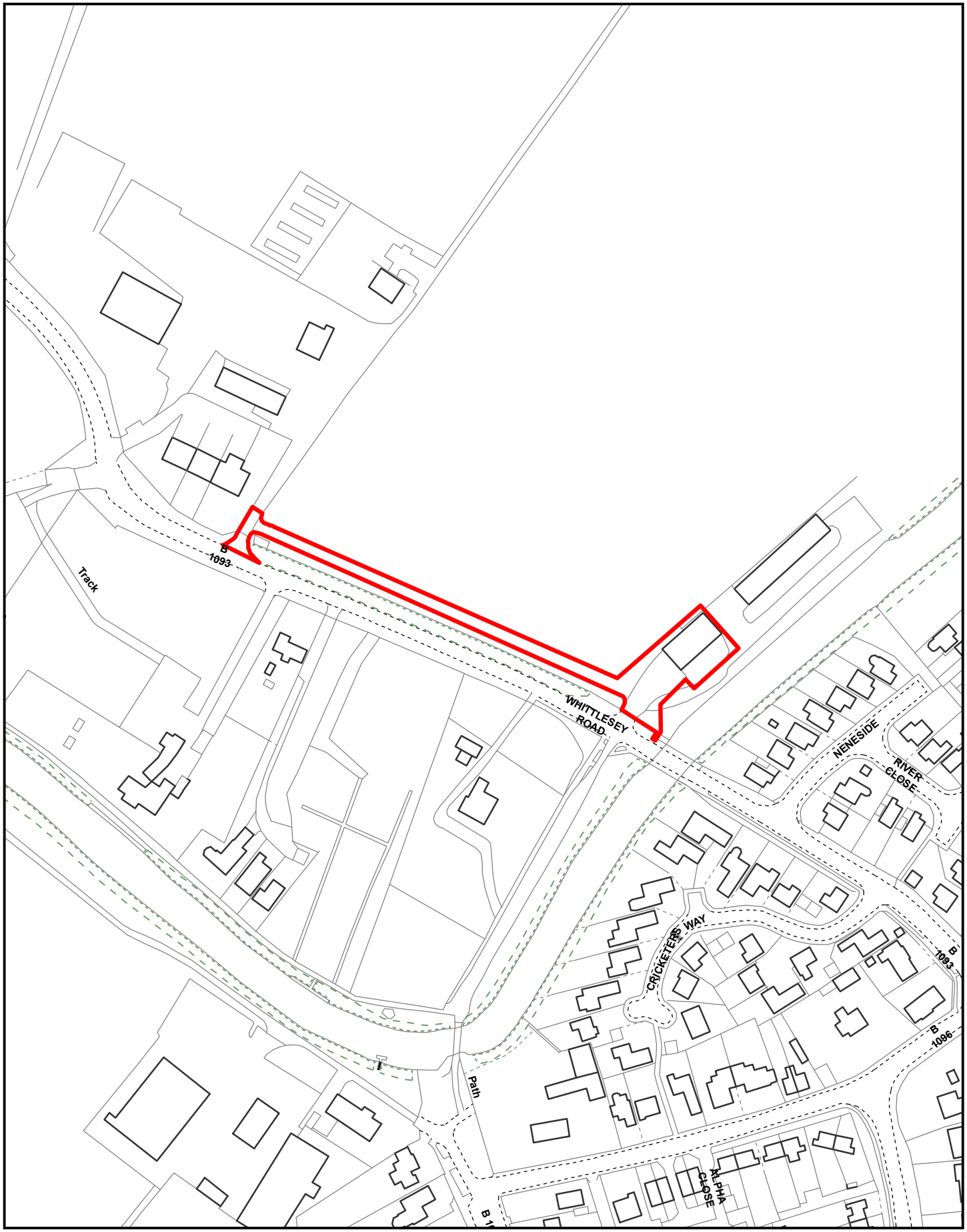
12.1 Grant subject to the following conditions;

1	The development permitted shall be begun before the expiration of 3 years from the date of this permission.
2	No ground works or occupation of the development shall proceed until a scheme and timetable to deal with contamination of land and/or groundwater has been submitted to and approved in writing by the Local Planning Authority ('LPA'). The approved scheme and timetable shall then be implemented on site. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing: 1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. This should include a conceptual model, and pollutant linkage assessment for the site. Two full copies of the desk-top study and a non-technical summary shall be submitted to and approved in writing by the LPA. IF during development any previously unsuspected contamination is discovered then the LPA must be informed immediately. A contingency plan for this situation must be in place and submitted with the desk study. If a desk study indicates that further information will be required to grant permission then the applicant must provide to the LPA: 2.A site investigation and recognised risk assessment carried out by a competent person, to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until: (i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above. (ii) The requirements of the LPA for site investigations have been fully established, and

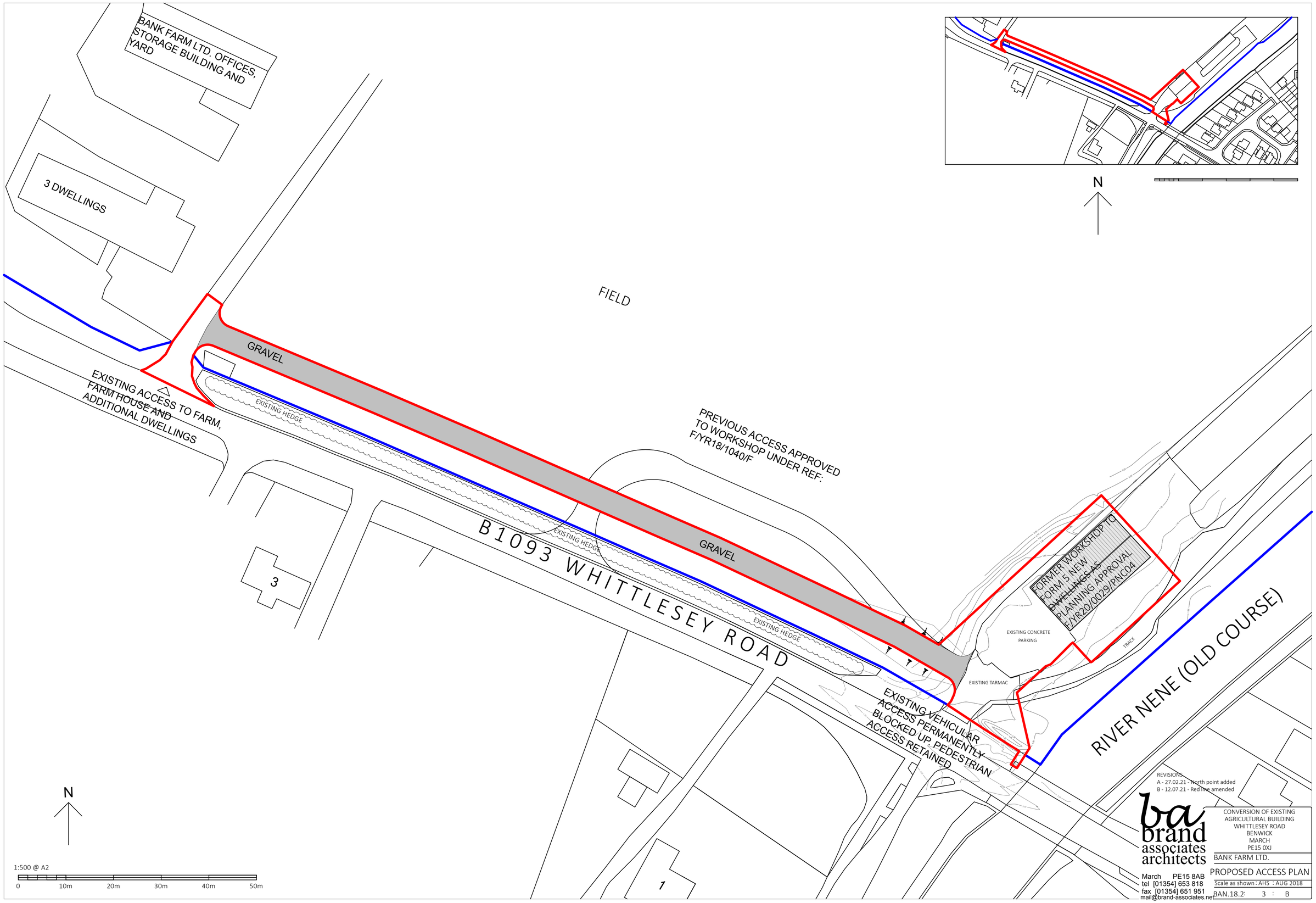
	(iii) The extent and methodology have been submitted to and approved in writing by the LPA. Two full copies of a report on the completed site investigation shall be submitted to and approved in writing by the LPA. Following written LPA approval of the Site Investigation the LPA will require: 3. A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the LPA. 4. The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the LPA. Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179.
3	Details of the external finishes of all windows and doors proposed for the development shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. The development shall be carried out in accordance with the details approved. Reason: In the interests of visual amenity in accordance with Policies LP12 and LP16 of the Fenland Local Plan, 2014.
4	Details of the foul drainage method including management and maintenance details shall be submitted to and approved in writing by the Local Planning Authority. The approved foul drainage strategy shall be implemented in accordance with the approved details prior to the first occupation of the development. Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.
5	Prior to the first occupation of the development, a scheme for the provision of fire hydrants or an alternative method of fire safety shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development and thereafter maintained in perpetuity. 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 or an alternative strategy in accordance with policy LP2 and/or LP13 of the Fenland Local Plan 2014.
6	Prior to the first occupation of the development, a flood warning and evacuation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details; - Confirmation that all future occupiers will be signed up to the Environment Agency Flood Warning system;

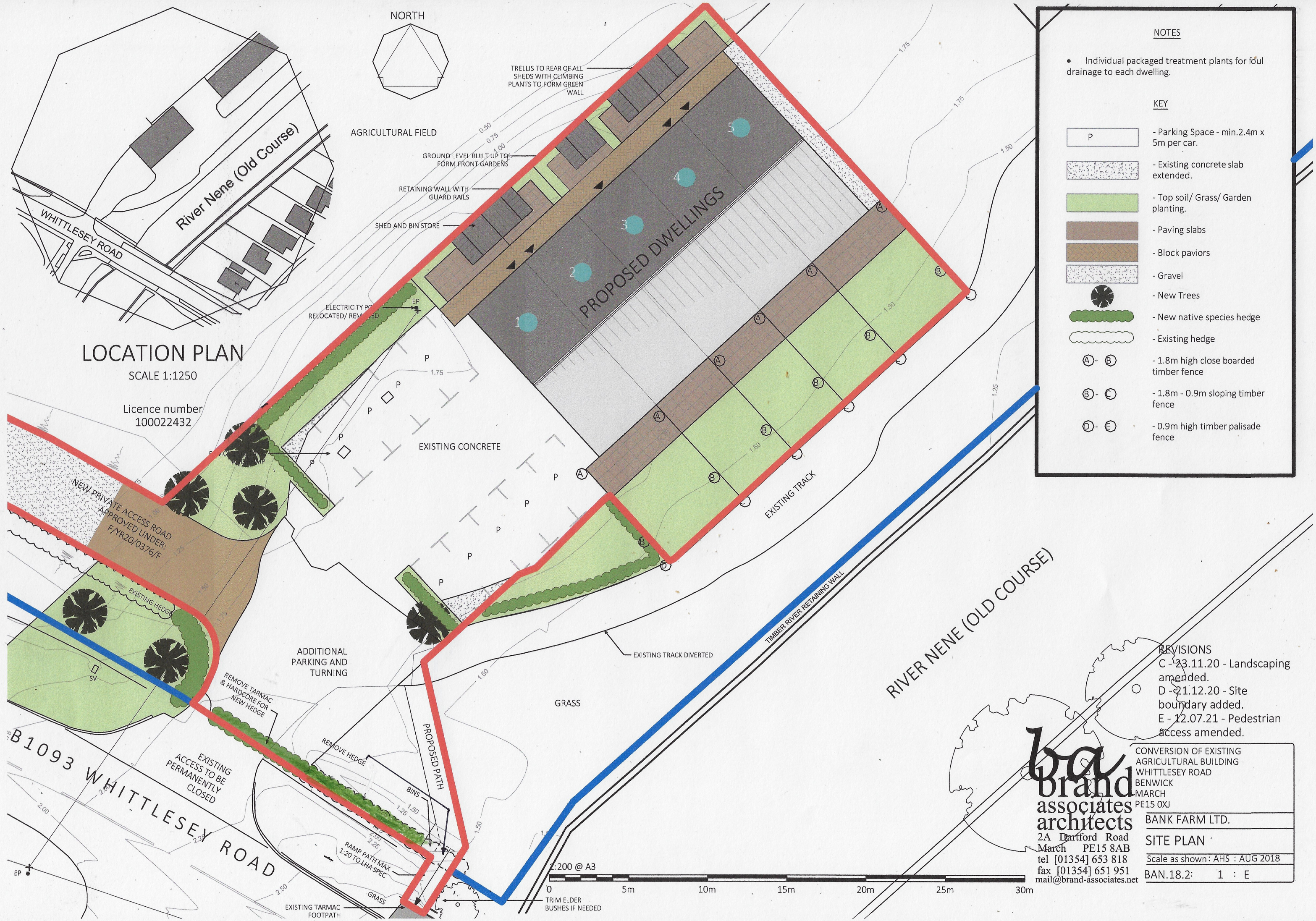
	- A plan detailing an evacuation route to a place of safe refuge in the event of a flood warning and confirmation that this will be passed onto all future occupiers. The development shall be carried out in accordance with the approved details prior to first occupation. Reason: In order to provide an acceptable standard of flood resilience and safety to the development in accordance with policies LP2 and LP14 of the Fenland Local Plan, 2014.
7	Prior to the first occupation of the development a scheme of soft landscaping shall be submitted to an approved in writing by the Local Planning Authority. The scheme shall include the following; - Species and density of plants, hedgerow, trees and shrubs - Long term management and maintenance details All soft landscape works shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner. Any trees or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan, 2014.
8	Details of the access closure to Whittlesey Road as detailed on plan reference BAN.18.02:1 Revision E shall be submitted to and approved in writing by the Local Planning Authority. The access shall be closed in accordance with the approved details prior to the first occupation of the development. Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan, 2014
9	Full details of a 1.5m wide (minimum) footpath linking each entrance door to the footway along Whittlesey Road as shown indicatively on plan reference BAN.18.02:1 Revision E shall be submitted to and approved in writing by the Local Planning Authority. The footpath shall be provided in accordance with approved details prior to first occupation and thereafter maintained in perpetuity. Reason: To ensure a satisfactory means of pedestrian access to the development in accordance with policies LP2 and LP15 of the Fenland Local Plan, 2014.
10	The development hereby approved shall not be occupied until the access arrangement as permitted under permission reference F/YR20/0376/F has been completed in full.

	Reason: In order to ensure safe and effective access to the development in accordance with policy LP15 of the Fenland Local Plan, 2014.
11	The parking and turning areas as detailed on plan reference BAN.18.02:1 Revision E shall be laid out in accordance with the approved details prior to the first occupation of the dwelling and thereafter retained for that purpose for the lifetime of the development. Reason: In the interests of highways safety and amenity in accordance with policy LP15 of the Fenland Local Plan, 2014.
12	The external walls and roof of the development shall be finished in TATA Steel Colorcoat Urban Anthracite sheet as detailed on plan reference BAN.2.2 Revision K. Reason: For the avoidance of doubt and to ensure a satisfactory appearance of the development in accordance with policies LP12 and LP16 of the Fenland Local Plan, 2014.
13	The floor levels of the development shall be set at 150mm above existing workshop level. Reason: In order to provide an acceptable standard of flood resilience to the development in accordance with Policies LP2 and LP14 of the Fenland Local Plan, 2014.
14	Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations: i) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B); ii) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C); iii) the erection of any walls, fences or other means of enclosure (as detailed in Schedule 2, Part 2, Class A), other than those approved through this permission. Reason: To safeguard the visual and residential amenities of the area in accordance with policies LP12 and LP16 of the Fenland Local Plan, 2014.
15	The development hereby permitted shall be carried out in accordance with the approved plans and documents



Created on: 16/07/2021 © Crown Copyright and database rights 2021 Ordnance Survey 10023778	**F/YR21/0267/F** Scale = 1:2,134	N Fenland CAMBRIDGESHIRE Fenland District Council


BANK FARM LTD. OFFICES, STORAGE BUILDING AND YARD
3 DWELLINGS
FIELD
GRAVEL
EXISTING ACCESS TO FARM, FARM HOUSE AND ADDITIONAL DWELLINGS
EXISTING HEDGE
PREVIOUS ACCESS APPROVED TO WORKSHOP UNDER REF: F/YR18/1040/F
B1093 WHITTLESEY ROAD
3
1
FORMER WORKSHOP TO FORM 5 NEW DWELLINGS AS PLANNING APPROVAL F/YR20/0029/PNC04
EXISTING CONCRETE PARKING
TRACK
EXISTING TARMAC
EXISTING VEHICULAR ACCESS PERMANENTLY BLOCKED UP. PEDESTRIAN ACCESS RETAINED
RIVER NENE (OLD COURSE)
N
1:500 @ A2
0
10m
20m
30m
40m
50m
REVISIONS
A - 27.02.21 - North point added
B - 12.07.21 - Red line amended
brand associates architects
March PE15 8AB
tel [01354] 653 818
fax [01354] 651 951
mail@brand-associates.net
CONVERSION OF EXISTING AGRICULTURAL BUILDING
WHITTLESEY ROAD
BENWICK
MARCH
PE15 0XJ
BANK FARM LTD.
PROPOSED ACCESS PLAN
Scale as shown : AHS : AUG 2018
BAN.18.2 3 : B



LOCATION PLAN

SCALE 1:1250

Licence number
100022432

NOTES

- Individual packaged treatment plants for foul drainage to each dwelling.

KEY

- P - Parking Space - min.2.4m x 5m per car.
- Existing concrete slab extended.
- Top soil/ Grass/ Garden planting.
- Paving slabs
- Block paviors
- Gravel
- New Trees
- New native species hedge
- Existing hedge
- A - B - 1.8m high close boarded timber fence
- B - C - 1.8m - 0.9m sloping timber fence
- D - E - 0.9m high timber palisade fence

REVISIONS
C - 23.11.20 - Landscaping amended.
D - 21.12.20 - Site boundary added.
E - 12.07.21 - Pedestrian access amended.

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CONVERSION OF EXISTING AGRICULTURAL BUILDING
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MARCH
PE15 0XJ

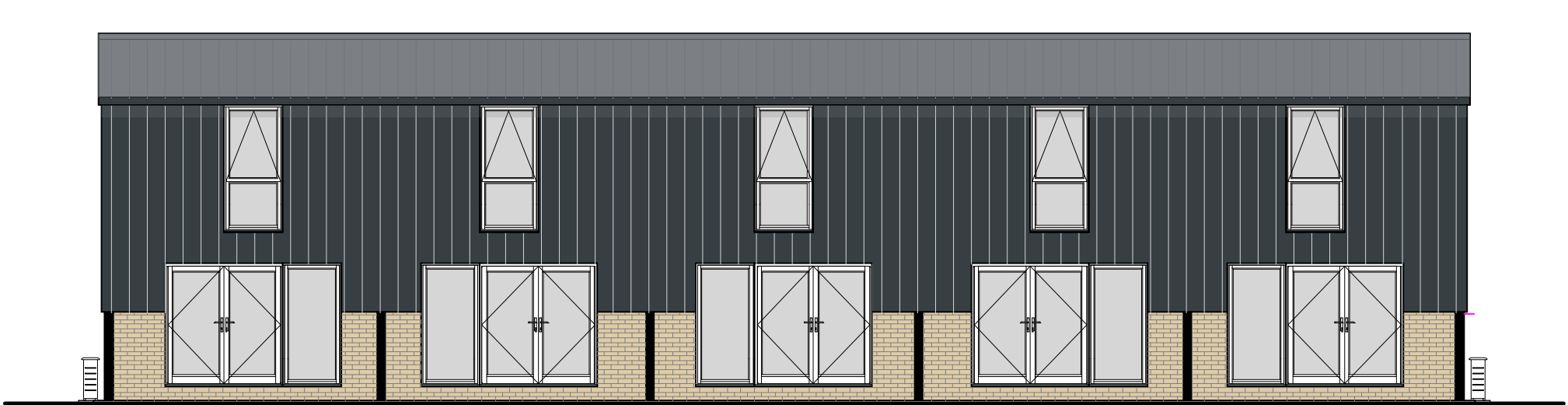
BANK FARM LTD.

SITE PLAN

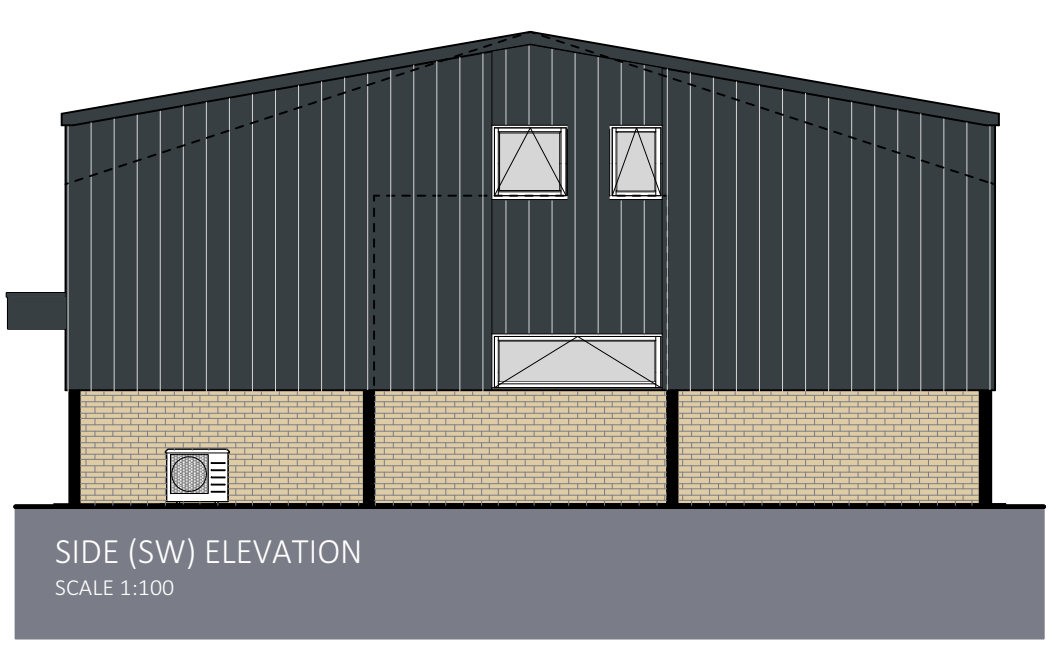
Scale as shown: AHS : AUG 2018

BAN.18.2: 1 : E

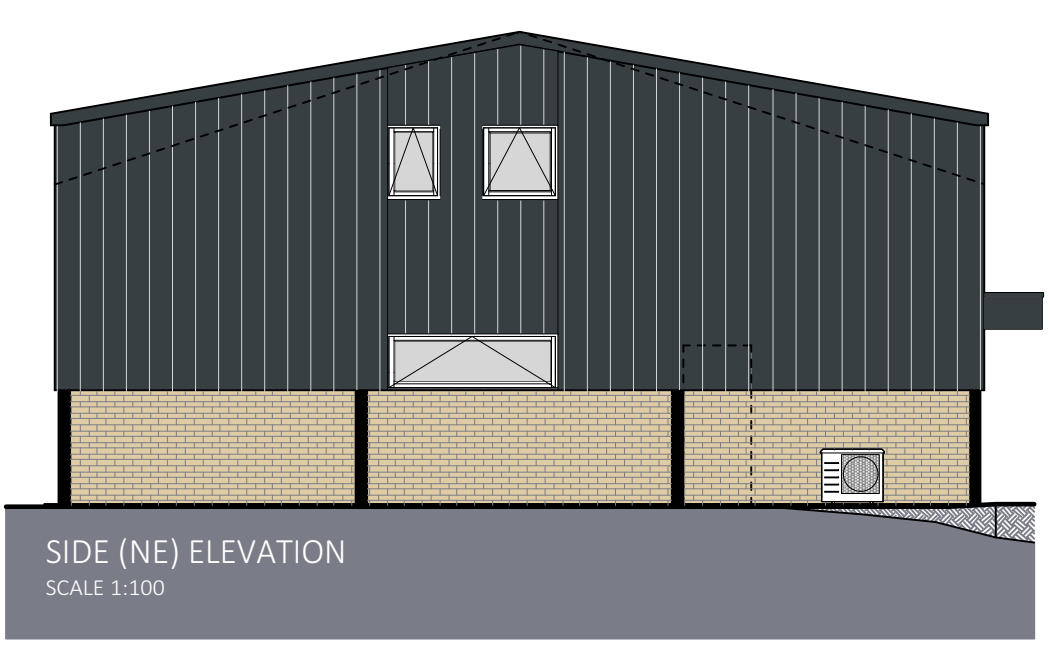
FRONT (NW) ELEVATION
SCALE 1:100



REAR (SE) ELEVATION
SCALE 1:100



SIDE (SW) ELEVATION
SCALE 1:100



SIDE (NE) ELEVATION
SCALE 1:100

- TATA STEEL, COLOURCOAT URBAN, ANTHRACITE (RAL 7016)

- INDICATES GROUND LEVEL TO BE BUILT UP

1:100 @ A3

0 2m 4m 6m 8m 10m

REVISIONS
H - 16.12.20 - Gable end windows amended.
J - 21.12.20 - Cladding hatch amended.
K - 27.02.21 - ASHP added to front & rear elevation.

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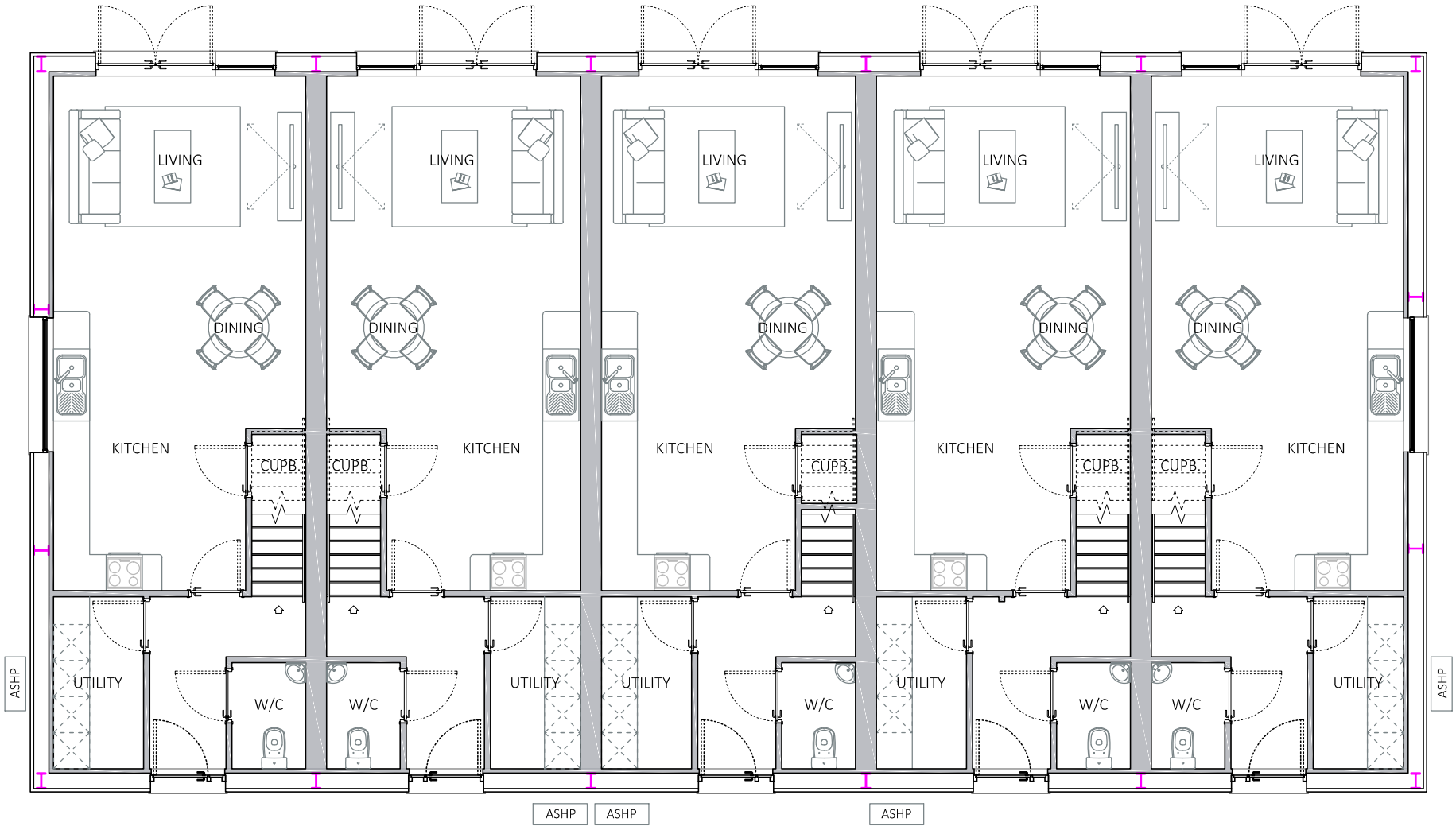
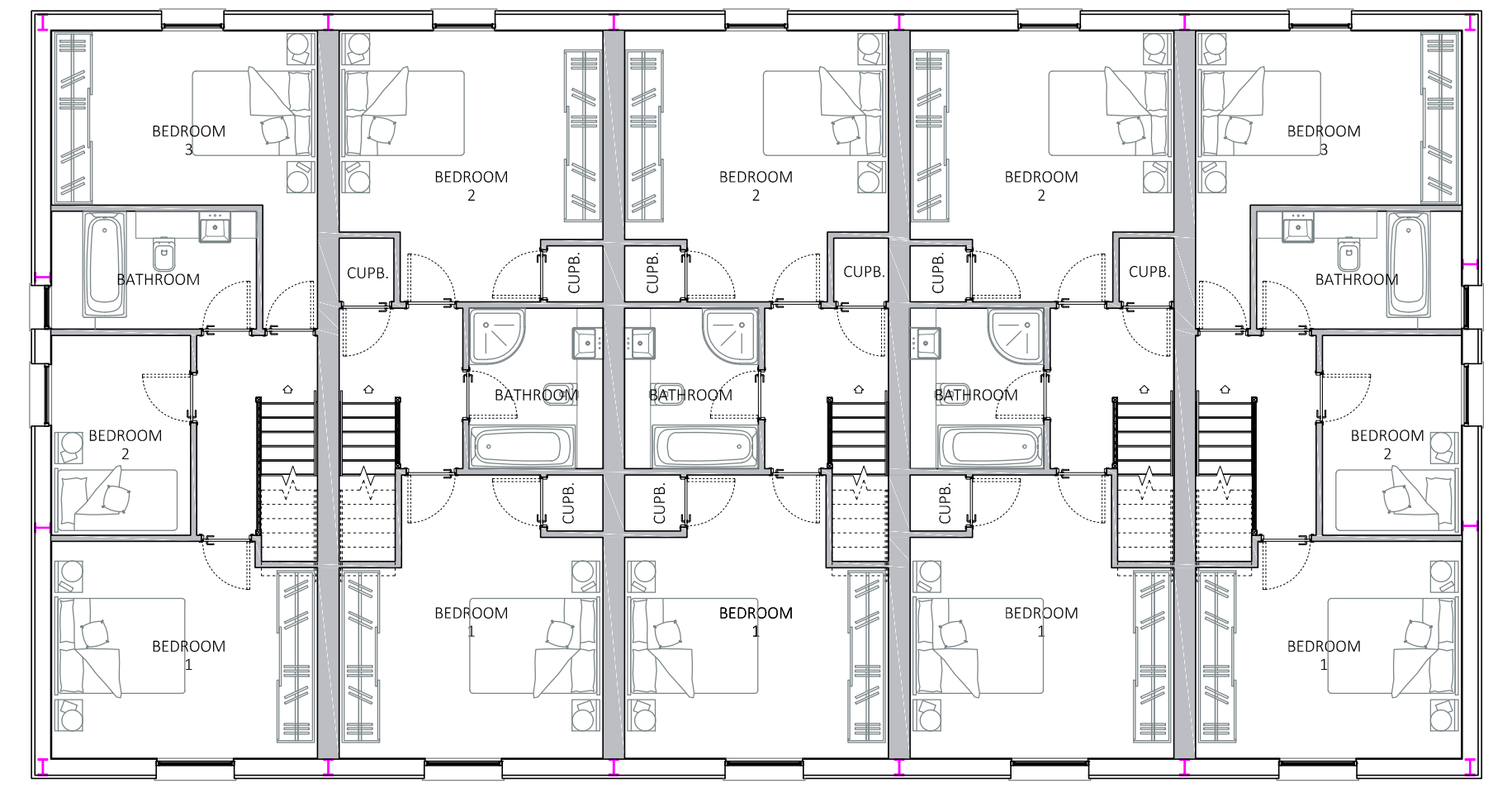
PROPOSED ELEVATIONS

1:100 : AHS : AUG 2020
BAN.18.2 2.2 : K



GROUND FLOOR PLAN

SCALE 1:100



FIRST FLOOR PLAN

SCALE 1:100

REVISIONS

C - 14.12.20 - Entrance halls and side windows amended.

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BANK FARM LTD.

PROPOSED ELEVATIONS

1:100 : AHS : AUG 2020

BAN.18.2 : 2.1 : C

1:100 @ A3

0 2m 4m 6m 8m 10m

PLANNING COMMITTEE DATE: 18 August 2021 **Agenda No: 8**

APPLICATION NO: F/YR21/0267/F

SITE LOCATION: Farm Building Bank Farm, Whittlesey Road, Benwick

UPDATES

1 Amended Plans

1.1 The applicant has provided amended plans relating to the bin storage structures. The amendments seek only to correct the materials key which was originally mislabelled. Officers consider that this does not materially affect the development proposal.

Full plans, associated documents and comments for this application can be found at: https://www.fenland.gov.uk/publicaccess/

Resolution:

Recommendation - Grant as per section 12 of the officer's report.

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F/YR20/0861/F

Applicant: Mr Mark Mann
Larkfleet Homes

Agent :

Phase 4 Land At Bassenhally Farm, Drybread Road, Whittlesey, Cambridgeshire

Erect 130 x dwellings (8 x 3-storey 4-bed, 18 x 3-storey 3-bed, 26 x 2-storey 4-bed, 59 x 2-storey 3-bed, 19 x 2-storey 2-bed) with associated garages, parking and landscaping

Officer recommendation: Grant

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

1 EXECUTIVE SUMMARY

1.1 This submission relates to the final phase of a residential development first granted outline planning permission in 2010 for approximately 460 dwellings along with an extra care facility.

1.2 The principle of development on the site has been firmly established and there are no technical issues or site constraints that would render the proposals unacceptable.

1.3 The comments of the Town Council have been noted however there is no indication from earlier files that there was a commitment, or indeed a requirement, to restrict through traffic on the main estate road which links Eastrea Road to Drybread Road. The Transport Assessment team and Local Highway Officer have raised no objection to the scheme and there are no matters to reconcile from a highway safety perspective.

1.4 The scheme as outlined will make appropriate provision for affordable housing and will make contributions towards Education and Libraries in line with policy.

1.5 There are no policy or material considerations which would indicate that the scheme as detailed should not receive a favourable recommendation.

2 SITE DESCRIPTION

2.1 The site forms part of a larger development which has previously benefitted from outline planning consent, although this is time expired. Earlier phases of the development as listed in the history are either complete (Phase 1 and 2), underway (Phase 2a) or scheduled to start (Phase 3). Phase 4 remains the final 'parcel' of the wider site. The site is open land with a landscaped western boundary, which demarcates the existing residential development at Feldale Place and Crescent Road which is two-storey in nature.

2.2 To the east of the site is the Whittlesey Athletic Football ground which comprises a pavilion building and sports pitches; this is at present accessed through the site from Drybread Road adjacent to No 112. Drybread Road features two-storey dwellings adjacent to the site (southern side) with single-storey development immediately opposite to the northern side of the road; albeit this reverts to two-storey development opposite the layby.

2.3 The site is located within a flood zone 1 area.

3 PROPOSAL

3.1 This application seeks to agree the details in respect of phase 4 of the development. It proposes a development of three-storey and two-storey properties as a continuation to the wider site. The dwellings are a mix of detached, semi-detached and terraced properties. A full materials schedule forms part of the application which proposes a continuation of the earlier phase approvals.

3.2 It should be noted that the scheme has evolved since it was submitted to address matters raised during the initial consultations, the most significant of these changes being the creation of a separate access to serve the sports facilities to the east, whereas previously these were proposed to be accessed via the main estate. In addition, the drawings now indicate a 3-metre cycleway to Drybread Road.

3.3 Access is to be derived from both the main estate road to the south, as a continuation of the highway serving Phase 3 and from Drybread Road to the north, the main road will spur to the east to facilitate access to the eastern part of the site. Further southward the main access will feature roads to the west and east which will in turn link back to Phase 2 and Phase 3

3.4 SUDs features will be located midway within the site.

3.5 There are a mix of dwellings within Phase 4 as captured in the description of development at the beginning of the report.

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

4 SITE PLANNING HISTORY

F/YR18/0331/F	Erection of 110 x dwellings comprising of: 5 x 2-storey 5-bed, 19 x 2-storey 4-bed, 73 x 2-storey 3-bed, 11 x 2-storey 2-bed and 2 x 2-bed flats with associated garages, parking and landscaping	Granted 02.10.2018
F/YR18/0018/VOC	Variation of condition 12 (imposition of a condition listing approved plans) relating to planning permission F/YR17/0711/F - reduction in building size and amendments to roof elevations balconies doors and windows and landscaping	Granted 04/04/2018

F/YR17/0711/F	Erection of a 3-storey Extra Care Housing Scheme comprising of 13 x 2-bed and 47 x 1-bed; communal facilities (lounge bistro laundry beauty room scooter and cycle stores etc); offices and external works	Granted 11/01/2017
F/YR16/0994/NO	Non-material amendment: Substitution of house types on Plots 316 and 317 from type 2224 to type 2323 relating to planning application F/YR16/0316/F	Approved 06/12/2016
F/YR16/0316/F	Erection of 47 x 2-storey dwellings (Phase 2a) comprising of 6 x 1-bed apartments 10 x 2-bed 26 x 3-bed 1 x 4-bed and 4 x 5-bed with garages	Granted 30/09/2016
F/YR15/0877/F	Erection of 93 residential dwellings with associated garages and infrastructure to form Phase 2 of Whittlesey Green.	Granted 18/08/2016
F/YR13/0473/RM	Erection of 120 x 2-storey dwellings comprising; 3 x 2-bed flats 5 x 2-bed 87 x 3-bed 22 x 4-bed 3 x 5-bed with associated garages and landscaping	Approved 20/09/2013
F/YR12/0723/F	Variation of Condition 21 of planning permission F/YR10/0904/O to allow relocation of roundabout	Granted 06/04/2013
F/YR10/0904/O	Residential/Mixed Development of 460 (approx) market and affordable dwellings 70-bed nursing home extra care accommodation local centre associated landscaping open space water attenuation features and highway works	Granted 05/03/2012

5 CONSULTATIONS

5.1 **Whittlesey Town Council**: It was noted that no response was received in respect of 27th May 2021 consultation, and on following this up with the Town Council it became apparent that the consultation actioned had not been received by the Town Council or Ward Councillors; albeit other consultations actioned at the same time using the same process had been received and responded to. The Town Clerk has subsequently advised that the Ward Councillors have confirmed that they have no objection to the re-consultation.

April 2021 consultation response noted that: '*Cllr Mayor proposed approval, this was seconded by Cllr Munns, there was no other councillors in favour, therefor the item was refused for the following reasons, Internal road layout within the site and lack of restrictions to allow vehicles to travel throughout the site and onto Drybread Road. The Clerk was asked to see if there was any historic evidence regarding this. Cllr Gerstner advised it was verbal agreement to have bollards at this point and not full site access. The bollards would be retractable to all for emergency vehicles. He also confirmed that an independent traffic survey had been carried and confirmed that the A605 would be at full capacity by 2025.'*

November 2020: The Town Council recommend rejection of phase 4 in its current form, but are mindful to approve a revised layout with the type and number of

properties (50) accessing the site from Drybread Road. The proposed layout is very problematic, Whittlesey Town Council would welcome Larkfleet communicate with the council or the officer at Fenland District council to discuss changes to the proposed layout and resolve the issues that have arisen.

5.2 ***Transport Assessment Team - Cambridgeshire County Council Highways Authority***

It should be noted that the Transport Assessment has been through several iterations regarding matters of detail and content culminating in the following formal consultation response (for simplicity of reporting earlier responses are not included however these are available via Public Access):

'No Objection Subject to Mitigation: The Highway Authority do not object the proposals subject to the following mitigation to be delivered by the developer:

- *New 3m wide cycleway on the southern edge of Drybread Road between Coronation Avenue and the new Whittlesey Athletic Football Ground access*
- *Travel Plan with bus taster and/or cycle discount vouchers*

Background - The documents reviewed are the Transport Assessment Addendum and Response Letter both dated 18th June 2021 and produced by ADC Infrastructure Ltd for the proposed development of 130 dwellings. This full planning application is for Phase 4 of the Bassenhally Farm development which was granted outline planning permission in 2010. Since planning permission was granted in 2010 the deadline for submitting reserved matters applications has expired. Therefore Phases 2, 2a, 3 and 4 have all been submitted as full planning applications, because of this the Highway Authority will ensure all the information required for this application is included within this submission.

Transport Assessment Review

Cycling Accessibility: *It is noted a 3m wide cycleway along Drybread Road will be delivered as part of the proposals. Such cycleway will route along the southern edge of Drybread Road between Coronation Avenue and the new Whittlesey Athletic Football Ground access and will facilitate pedestrian and cycle movement to nearby facilities in Whittlesey.*

Public Transport Network: *The closest bus stops to the site are situated 200m east of the development access junction onto the A605 (westbound services) and 500m west of the development on Victory Avenue (eastbound services). Both stops are served by the Stagecoach 33 service which operates between March and Peterborough every 30 minutes Monday to Saturday and comprise a bus flag, timetable, and shelter.*

Parking Provision: *It is noted the development will provide 294 car parking spaces comprising of 252 parking spaces and 42 garage spaces. It will ultimately be up to the Local Planning Authority to agree car and cycle parking provision.*

Trip Generation: *Vehicle trip generation for the development has been calculated using TRICS software. The Phase 4 development is anticipated to generate 81 two-way vehicle trips in the AM peak and 89 two-way vehicle trips in the PM peak. This is agreed. Multi-modal trip generation for the Phase 4 development is agreed*

Study Area and Trip Distribution: *The applicant has proposed the following study area for the site:*

• A605 Eastrea Road/Dandelion Drive roundabout (southern site access)
• A605 Eastrea Road/Cemetery Road/Blunt's Lane roundabout
• A605 Syers Road/B1040 Orchard Road roundabout
• A605 West End/Church Street T-junction

It is noted details of the Site Access/Drybread Road T-junction (northern site access) were agreed as part of the original outline permission which is still extant as it was implemented (Phase 1). It was not a reserved matter. It was agreed at the outline stage that the northern site access was suitable to accommodate the total Bassenhally Farm development traffic.

The development traffic flow diagrams are acceptable for use. It is noted the internal spine road will be designed to limit vehicle speeds to 20mph where possible to reduce the attractiveness of the route through the site as a 'rat-run'.

Assessment Year Traffic Flows: *The following assessment year scenarios used within this assessment are acceptable for use:*

- *2025 Future year scenario without development (2018 flows + TEMPRO Growth + committed development)*
- *2025 Future year scenario with development (2018 flows + TEMPRO Growth + committed development + development)*
- *2031 Design year (sensitivity test) scenario without development (base + TEMPRO Growth + committed development)*
- *2031 Design year (sensitivity test) scenario with development (base + TEMPRO Growth + committed development + development)*

The TEMPRO growth factors submitted are acceptable for use.

Committed Developments: *The applicant has included the following committed developments within the assessment:*

- *169 Dwellings on former Eastfield Nursery site - F/YR16/1017/O*
- *250 Dwellings on land at Bassenhally Farm (Phases 2, 2a, and 3) F/YR10/0904/O*
- *Food retail premises, café, and petrol filling station on land off Eastrea Road - F/YR15/0657/F*
- *220 Dwellings on land east of East Delph - F/YR15/0134/O*

Given Phase 1 of the Bassenhally site has already been constructed, it is agreed that Phase 1 traffic flows are included in the baseline traffic surveys. It is also agreed that planning application ref: F/YR15/0657/F has been included as committed development within this assessment.

The rationale provided in the Response Letter detailing the committed developments included within this assessment is agreed. The committed developments included within this assessment are acceptable for use.

Junction Capacity Assessments: *Use of ARCADY/PICADY software to model the development's impact on junction capacity is agreed. Both the geometries*

input into the model and traffic profile type input into the models are accepted on this occasion.

Whilst the A605 Eastrea Road/Dandelion Drive roundabout (southern site access) is anticipated to operate over capacity on the A605 (E) arm in the PM peak of the 2031 with development (Sensitivity Test) scenario with a maximum RFC value of 0.97, it is considered the development will not have a severe impact to capacity at this roundabout given it is anticipated to increase RFC values by 0.05 on the A605 (E) arm in the PM peak between the 2031 with and without development sensitivity test scenarios. It is noted that the southern access roundabout has been modelled assuming 100% of Phase 2, 2a and 3 development traffic will use this junction instead of the 86% of Phase 2, 2a, and 3 traffic anticipated to use the junction, thus providing a robust assessment.

Whilst the A605 Eastrea Road/Cemetery Road/Blunt's Lane roundabout is anticipated to operate over capacity on the A605 (E) arm in the AM peak and the A605 (W) arm in the PM peak of the 2031 with development (Sensitivity Test) scenario, it is considered the development will not have a severe impact to capacity at this roundabout given it is anticipated to increase RFC values by 0.05 on the A605 (E) arm in the AM peak and by 0.03 on the A605 (W) arm in the PM peak between the 2031 with and without development sensitivity test scenarios. Vehicle queues on the A605 (E) arm in the AM peak are anticipated to increase by 5 vehicles, whilst vehicle queues on the A605 (W) arm in the PM peak are anticipated to increase by 6 vehicles between the 2031 with and without development sensitivity test scenario

The development not considered to cause detriment to capacity at the A605 Syers Road/B1040 Orchard Road roundabout with RFC, queues and delays remaining similar to the 2031 baseline model outputs. The development is anticipated to increase RFC values by a maximum 0.04 RFC adding a worst-case 2 additional vehicles to queues at the A605 Syers Lane arm in the AM peak.

The A605 West End/Church Street T-junction is anticipated to operate within capacity under all future year scenarios.

Whilst capacity challenges will occur along the A605 corridor in the 2031 future year assessments, given the development is anticipated to increase RFC values on the roundabouts on this corridor by a maximum 0.05 RFC and queue lengths by a maximum 9 vehicles, it is evident that the development alone will not have a significant impact to capacity along this corridor. As such we do not consider these impacts to be severe enough to warrant an objection. This is identified as a strategic issue. The improvements to sustainable travel infrastructure requested for this development will look to encourage a modal shift to further reduce the development impact.

***Travel Plan:** The Travel Plan will be subject to a condition should approval be given. The Travel Plan should include suitable measures and incentives such as bus taster and/or cycle discount vouchers to promote sustainable travel.*

***Mitigation:** The following will form the mitigation package for this development and will be delivered by the developer:*

- *New 3m wide cycleway on the southern edge of Drybread Road between Coronation Avenue and the new Whittlesey Athletic Football Ground access*

- *Travel Plan with bus taster and/or cycle discount vouchers*

The above mitigation package is considered reasonable, proportional, and satisfactory to mitigate the impact of the development and complies with para 108 of the NPPF (2019).'

5.3 ***CCC Highways**:* Originally raised issue with regard to the scheme details in respect of layout particularly with regard to the provision of a footway along the southern side of Drybread Road along with a cycleway to serve the school. The matter of access to the MUGA was also raised. It was also requested that some geometric details were addressed and that swept path plans should be provided.

The LHA response of 4 June 2021 requested further details in the form of a geometric general arrangement which detailed the following:

- Carriageway widths (this applies to the access to MUGA)
- Kerb/junction radii (6m)
- Access geometry for accesses proposed along DBR
- Visibility splays for accesses proposed along DBR should be detailed (2.4m x 43m)

A separate GA plan should be provided for the full length of footway/cycleway along DBR.

- Cycleway should wrap round the junction and tapper to footway after tangent point. This is so suitable transition and signage can be provided for cyclist dismount.

In response to this the Developers Highway Engineer provided an updated drawing direct to the LHA which responds to the matters raised above and it is noted that the LHA are to provide their recommendations for appropriate conditions which will be reported to the committee.

5.4 **Environment & Health Services (FDC)**: *'The Environmental Health Team note and accept the submitted information and have 'No Objections' in principle as the proposed development is unlikely to have a detrimental effect on local air quality or the noise climate.*

The applicant should ensure measures to address noise and dust are implemented and maintained throughout the construction stage where given that sensitive receptors exist West and South of the application site. Depending on the risk of dust effects occurring for example, monitoring should be carried out by the developer to ensure applied mitigation measures remain effective in controlling dust emissions.

Given the scale and location of this next phase in development we recommend therefore a condition be imposed that requires the applicant to follow latest construction noise and dust guidance that demonstrates their commitment to following quality design and construction principles in potentially sensitive areas.

From information provided in an earlier phase of development at Bassenhally Farm, ground contamination is not likely to be an issue. The Phase II Exploratory Investigation report prepared by DeoDyne submitted under planning reference [F/YR16/0316/F] with regard to potential ground contamination has previously

been accepted by this service. The results from the intrusive investigation shows this latest application site has been deemed suitable for its intended end use.

In Chapter 7.15 of the above report a recommendation was made that in the event contaminated soil was encountered during site construction works, contaminated soils should be left in-situ and subjected to further assessment, to potentially include further chemical testing and risk assessment. Given the scale of the application site Environmental Health agrees with this recommendation and therefore asks for the 'Unsuspected Contamination' to be applied to any permission granted to protect the interest of both human health and the environment.

Following re-consultation on revised scheme note that their earlier recommendation remains appropriate.

5.5 **Lead Local Flood Authority:** Originally noted that they had '*no objection in principle to the proposed development [*as the submitted documents*] demonstrate that surface water from Phase 4 can be managed through the use of two attenuation ponds and a flow control device. This will restrict surface water runoff to 5 l/s during all events up to and including a 1 in 100-year storm event plus a 40% allowance for climate change, before it is discharged into the wider Whittlesey East site drainage system.*

The LLFA is supportive of the use of attenuation ponds as in addition to controlling the rate of surface water leaving the site they also provide water quality treatment which is of particular importance when discharging into a watercourse).

The site lies entirely within Flood Zone 1 and is at low risk to both surface water and groundwater flooding.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual'.

Requested conditions regarding submission of a detailed SWD scheme based on the principles in the agreed FRA and proposals for the long-term maintenance arrangements for the SWD system. Also recommends informatives regarding the need to gain Ordinary Watercourse Consent from the LLFA and Pollution Control,

Reconsultions on the scheme amendments prompted the following response from the LLFA noting that **'***The applicant [had] clarified that the amendments will not result in changes to the proposed impermeable area extent and will therefore not have any impact on the previously agreed* surface water drainage strategy. We therefore have no further comments to make beyond those set out in our previous response dated the 8th October 2020 (outlined above).'

5.6 **Anglian Water Services Ltd***:* Summary of consultation response as follows:

Assets Affected – Notes that there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water request informative in this regard

Wastewater Treatment - The foul drainage from this development is in the catchment of Whittlesey Water Recycling Centre which currently does not have

capacity to treat the flows the development site. Anglian Water are obligated to accept the 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 should the Planning Authority grant planning permission.

Used Water Network - The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. […] again requests informative

Surface Water Disposal – SW Management scheme does not relate to AW operated assets and LPA should take advice from LLFA

5.7 **Natural England**: '*Natural England has previously commented on this proposal and made comments to the authority in our letter dated 5 October 2020.*

The advice provided in our previous response applies equally to these amended plans.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again'

5.8 **PCC Wildlife Officer:** '*Please find below comments from the PCCs interim ecologist on the above application. I trust this information is of assistance however do not hesitate to contact me if you require any further help.*

In strict planning terms I don't think there's anything in this one to cause me to object. However, the ecological report is not consistent with CIEEM guidance on report writing and (for example) does not include a Phase I habitat map. Of particular concern though is the surveyor found tree sparrow nesting in the scrub. Without the Phase I map it's not clear where the scrub habitat is, and there is no target note to indicate the precise location of the nest. Tree sparrow is a priority/s.41 species and according to the Cambs BAP website there are only a few colonies in the county, and the records suggest that one colony has historically been in the area surrounding the site. In my view there has been a fairly cursory treatment of what could be quite a significant finding, and I'm not entirely comfortable with simply saying that erecting some sparrow boxes on site is sufficient mitigation. Because the precise nest location isn't known it's not clear that the site layout has attempted to (or is even able to) avoid losing the nest.

Ideally I would want more information about the tree sparrow nest, and perhaps informed by some thoughts from the local bird recorder as to the potential status of and impact on any local colony. I think this would provide a more robust evidence base for an approach to mitigation. My preference would be that this be done pre-determination so the potential impact is known before a planning decision is made.

I recognise that the tree sparrow is only protected while on the nest so legally the council can impose a condition that clearance works not take place during the

bird nesting season and the relevant wildlife legislation would be satisfied. If the council is minded to take this approach and not request more information from the applicant then I would recommend a number of conditions:

□ A Construction Environmental Management Plan (CEMP) should be required; this should include a suite of precautionary working measures for biodiversity (called 'biodiversity safeguards' in other conditions for the wider site).
□ Specifications for the 'wildlife enhancement' measures on the mocked-up version of drawing SK01 rev E should be conditioned to ensure the most appropriate nest box models etc. are installed. I don't see any issue with the proposed locations, however I think more detail is warranted.
□ The close board fencing, timber panel fencing and ideally the brick walls identified in the boundary treatment plan should all include hedgehog holes to allow hedgehogs to move among the gardens. It doesn't make much sense to install hedgehog domes/boxes and then not provide a permeable environment so they can forage. I'd suggest the detailed fence designs be conditioned to secure this.
□ No vegetation removal should take place during the bird nesting season. Normally I'm happy for this to be an informative however in this case with tree sparrow on site I think a condition is warranted.

Again, I'd rather the tree sparrow issue were explored in more detail pre-determination, so if there are other factors which might delay determination then I would suggest the applicant get their ecologist to look into this. I don't however see any legal reason why the application cannot be determined'.

5.9 **Senior Archaeologist (CCC)**: 'I have reviewed our files and confirm that this area requires an archaeological condition to be reimposed and altered to accommodate post-excavation analysis requirements.

The previous condition, for which the WSI for a scheme of investigation was discharged in 2013, should now be refreshed to accommodate this area in the northern block (F/YR20/0861/F). We have this identified as Phase 4 on the attached plan (using Larkfleet Homes' original phasing) that was submitted to you in 2018 in relation to the then application for Phase 3 development. Phase 3, to my knowledge, has not progressed. I would be grateful if you could confirm if this is still the case.

I am concerned that we have received no post-excavation assessment reports for Phases 1 and 2. The archaeological contractor was subject to significant structural changes a few years ago, which led to the parking of their post-excavation commitments. Further archaeological work undertaken at the site should, therefore, include provision to present the results of the Phase 1 and 2 work on the eastern side of the development area where the remains of Bronze Age settlement and funerary site were found.

To address this need, a modified version of the 2018 condition should be applied for this 2020 application [wording provided]

Following reconsultation note that: 'We do not object to the revised proposals but remind you that we have outlined an area for excavation to be completed in advance of any construction activity in this final development zone in the north-west corner of the site. Please see the attached document for the location of the Phase 4 excavation area.'

5.10 **Refuse Collection Team (FDC)**

(25.03.2021) In broad principal we have no objection to this development however the following points regarding access would need addressing:

- A swept path plan would be required to demonstrate that a 11.5m refuse vehicle could access the site turn and leave the site in a forward direction.

- Grouped bin collections points BCP 8, BCP 10, BCP 13, BCP 14, BCP 4 and BCP 5 should be brought closer to the public highway

- New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.

- Refuse and recycling bins will be required to be provided as an integral part of the development.

5.11 **Environment & Health Services (FDC)**: 'Note and accept the submitted information and have 'No Objections' in principle as the proposed development is unlikely to have a detrimental effect on local air quality or the noise climate.

The applicant should ensure measures to address noise and dust are implemented and maintained throughout the construction stage where given that sensitive receptors exist West and South of the application site. Depending on the risk of dust effects occurring for example, monitoring should be carried out by the developer to ensure applied mitigation measures remain effective in controlling dust emissions.

Given the scale and location of this next phase in development we recommend therefore a condition be imposed that requires the applicant to follow latest construction noise and dust guidance that demonstrates their commitment to following quality design and construction principles in potentially sensitive areas.

From information provided in an earlier phase of development at Bassenhally Farm, ground contamination is not likely to be an issue. The Phase II Exploratory Investigation report prepared by DeoDyne submitted under planning reference [F/YR16/0316/F] with regard to potential ground contamination has previously been accepted by this service. The results from the intrusive investigation shows this latest application site has been deemed suitable for its intended end use.

In Chapter 7.15 of the above report a recommendation was made that in the event contaminated soil was encountered during site construction works, contaminated soils should be left in-situ and subjected to further assessment, to potentially include further chemical testing and risk assessment. Given the scale of the application site Environmental Health agrees with this recommendation and therefore asks for the 'Unsuspected Contamination' to be applied to any permission granted to protect the interest of both human health and the environment. This referral has been considered.

The issues which have prompted the re-consultation dated 27 May 2021, appear to be issues concerning an amendment to the location. Having studied these, they do not affect the recommendations in previous responses. Consequently, there are still no objections to this proposal subject to the previous responses.

5.12 **Housing Strategy (FDC):** *'I accept the 32 affordable dwellings proposed, and the 50% rented tenure and 50% shared ownership tenure split, in accordance with previous S106 agreements on this site and recent discussions with Mark Mann.*

I understand the proposed housing mix for the affordable dwellings is as below:

16 x 2 bed houses for affordable rent
3 x 2 bed houses for shared ownership
13 x 3 bed houses for shared ownership

I have pulled some figures together from our Housing Waiting List below, to give you a reflection of our current need for rented tenure housing in Fenland. This breakdown of demand by bedroom need shows 43% of applicants require 1 bed housing, 33% require 2 bed, 19% require 3 bed and 5% require 4+ bed housing.

Current Housing Waiting List Need as at 29/03/2021:

Bed Need	*No.*
1 bed	*596*
2 bed	*457*
3 bed	*257*
4 bed	*52*
5 bed	*7*
6 bed	*2*
Total	*1371*

We would like to see some 3-bedroom dwellings come forward as affordable rented tenure on this scheme. As a reflection of the percentages outlined above, this would equate to 11 x 2 bed dwellings and 5 x 3 bed dwellings. I accept the housing mix proposed for the shared ownership dwellings, but would be happy to have further discussions if you wished to switch any of these dwellings around for the 3 bedroom affordable rented dwellings mentioned.'

In respect of the amended scheme proposals comment as follows:

'*As I understand it, the amended proposal for the affordable homes on this site are as below:*

Affordable rent
15 x 2-bed two-storey
1 x 3-bed two-storey

Shared Ownership
4 x 2-bed two-storey
12 x 3-bed two-storey

I am happy to support the amended mix above, as my original comments made on 29th March have been considered and reflected in the new proposal'.

5.13 **Cambridgeshire County Council (Growth & Economy):** Updated consultation response in respect of latest scheme layout.

Early Years Provision: 12.35 x £19,869 = £245,382.15

Trigger = 50% prior to commencement and remaining balance on 50% occupancy of phase.
Primary Provision: Contribution = 34.45 x £19,869 = £684,487.05
Triggers = 50% prior to commencement and remaining balance on 50% occupancy of phase.
Secondary Provision: Contribution = 23.25 x £24,013 = £558,302.25
Trigger = 50% prior to commencement and remaining balance on 50% occupancy of phase.
(In accordance with earlier phases of development alternative triggers may be considered, subject to need/viability. As earlier phase triggers are not yet finalised, standard triggers are set out above).
Library: Contribution = 346 x £58.00 per head of population increase = £20,068.
Trigger = 100% prior to 50% occupation of development
Monitoring fee £150

5.14 **Designing Out Crime Officers**: '*The proposed layout appears to provide for high levels of natural surveillance with pedestrian and vehicle routes in the main, aligned together, open spaces well overlooked, and that pedestrian safety has been considered. Permeability is limited to essential areas/routes only, away from access to rear of properties and this will also (hopefully) provide high levels of territoriality amongst residents which should deter searching behaviour and/or distraction burglary, which targets vulnerable or elderly occupants. Homes demonstrate some defensible space to their front. Use of rear alley access is restricted and where it is used the routes appear direct - I would only ask for self-closures to be fitted to any rear gates.*

Vehicle parking is in-curtilage to the front/sides of properties, allowing owners the ability to view their vehicles from inside their home from active windows.

In regards to external street lighting we would always recommend column lighting across the development. This office would not recommend bollard lighting other than for wayfinding on paths or open space, because it can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided and this office could not support its use when column lighting could be supplied. The Institute of Lighting Professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources - if security lighting is to be supplied to each property we no longer support presence sensing lighting as it produces nuisance switching and become a problem to residents.

'Dusk to Dawn' lighting would be recommended. I look forward to seeing a lighting plan when available.

I am happy to support the proposed design and layout for this development. Should the developer be considering a Secured by Design application I welcome the opportunity to work with them to ensure they receive a Gold accreditation standard.

Following re-consultation confirm that they have no further comments at this stage but reiterate that they would wish to be consulted with regard external lighting proposals

With regard to the latest site layout note that *'I can confirm that this office has reviewed the revised scheme details - we are fully supportive in terms of community safety and reducing vulnerability to crime. The proposals in regard to*

cycleways and improving footpath links will encourage their use which also increases natural surveillance across the area. No further comments at this time'

5.15 **Cambridgeshire Fire & Rescue Service**: 'With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition. […]'

5.16 **Natural England**: 'Natural England has previously commented on this proposal and made comments to the authority in our letter ref - 328646, dated 05 October 2020. I have included a copy for ease of access.

The advice provided in our previous response applies equally to this amendment.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

5.17 **Local Residents/Interested Parties:** 3 letters of objection have been received, all from residents in Drybread Road, which may be summarised as follows:

Traffic or Highways

- Already a busy road. Would increase the amount of traffic joining Drybread Road.
- The only sensible alternative is for a mini roundabout at the lay by by the Crusaders football field.,
- Concerned about the school and traffic increase going into Peterborough, nobody sticks to 20 miles per hour speed limit in my opinion. Sometimes it's a race track to the corner.
- The roadway will come out directly opposite my property. I have misgivings on the road coming out there, as it would cause a rat run through certain times of the day. Not only saying that it does come out on a road that is only meant to be 20mph. Anyone living on the road knows that this is far from truth they come along a lot faster than that.
- The access road for the football ground is going through the estate.
- If you took the road out near the football ground on the existing layby. Then making a mini roundabout there. This would not only give direct access to the football ground but would also be a way of slowing the traffic on the bend.
- I can foresee an accident happening on this stretch of road.
- Drybread is the main road for Alderman Jacobs School.

Seven letters of representation have been received - one on behalf of the Whittlesey Athletic Football Club; one from a Town Councillor, the further 4 letters all originate from Whittlesey residents (2 x Larkspur Way, 1 x Snowley Park, 1 x Drybread Road and 1 x West End)

- Urge the Planning Authority to insist on some level of Affordable Housing and S106 as there are no exceptional costs to build out the phase of this site.

- Please ensure that all roads and shared drives on site are adopted by the Highway Authority and that all houses, even 1 beds, have off road parking plus a few visitor spaces on site.
- '*It would be good to have dual access out of the estate but if the plans do go ahead to have access from Eastrea Road and Drybread Road could the developer and council consider putting in traffic calming measures down Sorrell Avenue and Dandelion Drive to prevent traffic speeding down the already narrow roads?'*
- '*Ideally we would not want the estate to become a cut through for traffic from the A605 as the roads are already narrow and we have cars parked on the road either side as well. Don't really want the estate to be any more of a rat run'*.
- '*I can see from the site plans that there are some green spaces on Phase 3 and Phase 4 can the developer please ensure that these remain wildlife habitats and not clear through established undergrowth where possible. Ensuring that they replace any trees that must be removed for safety'.*
- *'My concern with all the building work going on in Whittlesey is the infrastructure, schools, doctors you struggle to see a doctor as it is, so heaven knows what is going to happen'.*
- *'There needs to be a way of stopping through traffic on to the A605. Living on Phase 2 of this development, the access roads are always partially blocked by cars parking on the road. Increase traffic from Drybread Road using the estate as a cut-through would cause mayhem'*.
- Concern regarding the access facilities and reduction of green space in the area.
- 'it will be possible to access the full width section of Drybread Road (as opposed to the single track section East of this location) from the A605 roundabout' which will 'inevitably increase motorised traffic on Drybread Road at a time when pupils will be travelling to and from the AJS Primary school and SHSCC senior schools. Air-borne pollution from stationary and slow-moving vehicles (this section of Drybread Road is a 20mph zone) which is a potential danger to a cycle route that does not appear on the plans, but is specified in the S106 contribution'.
- Suggest layout is amended to 'allow access/egress close to plot 72, a roundabout could be constructed to serve the estate and the football playing facility'.
- A roundabout would reduce vehicles speeds and provide better access to the football club
- No green spaces identified as part of Phase 4
- Queries whether electric vehicle charging points could be provided

- On behalf of **Whittlesey Athletic Football Club** (based at Feldale Playing Fields, Drybread Road). '*Despite not being included as part of the neighbour notifications it has come to our attention that this application has an impact on the community hub/playing fields which is mentioned within the highways response.*

  We are fundamentally not able to fund the moving of our gates accessing our site and would kindly request that this be covered by either the developer or community funding. We note that it appears one potential access is straight on to our main pitch - which we simply cannot alter. We believe this is a great opportunity to enhance our community asset by making the entrance in keeping with the new development, which we would be happy to discuss.

From what we can see on the application, it also looks like the entrance would require the removal of some of our existing trees and also be in direct conflict with the current location of our clubhouse - a vital aspect of the clubs survival.

We would welcome the opportunity to discuss these matters and any other potential solutions with yourselves and/or the developer to take the opportunity to improve a community asset directly next to the development and one that we hope will provide somewhere the new residents of the development will use and be proud of'.

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) (July 2021)

Para 2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
Para 10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.
Para 12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.
Para 34. Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).
Para 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise).
Para 55. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition
Para 56. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects
Chapter 5. Delivering a sufficient supply of homes
Chapter 8. Promoting healthy and safe communities
Chapter 9. Promoting sustainable transport
Para 111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
Chapter 12. Achieving well-designed places
Chapter 14. Meeting the challenge of climate change, flooding and coastal change

Para 169. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
Chapter 15. Conserving and enhancing the natural environment
Chapter 16. Conserving and enhancing the historic environment

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2019

Context: C1 Understand and relate well to the site, its local and wider context; C2 Value heritage, local history and culture
Identity: I1 Respond to existing local character and identity; I2 Well-designed, high quality and attractive; I3 Create character and identity
Built Form: B1 Compact form of development; B2 Appropriate building types and forms
Movement: M2 A clear structure and hierarchy of connected streets; M3 Well-considered parking, servicing and utilities infrastructure for all users
Nature: N1 Provide high quality, green open spaces with a variety of landscapes and activities, including play; N3 Support rich and varied biodiversity
Public Spaces: P2 Provide well-designed spaces that are safe
Uses: U2 A mix of home tenures, types and sizes; U3 Socially inclusive
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
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

Whittlesey Neighbourhood Plan (Draft Plan out to consultation)

Policy 1 Spatial Strategy
Policy 2 Local Housing Need
Policy 7 Design Quality
Policy 12 Delivering Sustainable Transport

8 KEY ISSUES

- **Principle of Development**
- **Character and visual amenity**
- **Design and residential amenity**
- **Transport and highways**
- **Flood risk**
- **Archaeology**
- **Biodiversity**

- **S106 Obligations**
- **Contamination and construction management**

9 ASSESSMENT

Principle of Development

9.1 The principle of development was established through the initial grant of outline planning permission, and the subsequent planning permissions issued in respect of Phases 1-3. Whilst it is noted that the original outline was for approximately 460 dwellings and that the current proposal, along with the earlier agreed phases totals 500 dwellings, the layout is such that this arbitrary limit on numbers is not a constraint to development subject to any such increase having no implications in terms of highway safety or indeed other pertinent policy considerations.

9.2 It is further noted that the general form of development aligns with the principles first set out in the original Masterplan which accompanied the original outline proposals.

9.3 Since this site was last considered the Whittlesey Neighbourhood Plan has been drafted, with the draft plan currently out to consultation. Whilst the emerging plan can be afforded limited weight at this time the development proposed as Phase 4 and the earlier Phases appear to accord with the policies expressed in the emerging plan.

Character, visual amenity and design

9.4 Linear development will be maintained along the Drybread Road frontage, and although this will stand forward of No 112 (immediately to the west) there is appropriate separation between properties.

9.5 The wider development continues the general themes of the earlier phases and whilst three-storey development is a feature of the proposals these properties are to contain accommodation in their roof spaces and as such they will assimilate within the development without detriment.

9.6 No issues are identified in terms of character or visual amenity and the scheme therefore achieves compliance with Policy LP16 of the FLP and the design characteristic themes outlined in the National Design Guide in terms of context and identity.

Residential amenity

9.7 As indicated above the scheme largely follows the originally established design principles for the wider site with each dwelling making provision for parking and private amenity space.

9.8 Provision is also made for the servicing of the properties with bin storage and collection points having been shown. It is noted that the earlier recommendations of the FDC Refuse team have not been fully accommodated in the latest site layout in terms of the relationship of several of the collection points with the highway. Swept path details in terms of Refuse Vehicles have been supplied however and found satisfactory.

9.9 Revisions to the bin collection points have again been sought from the applicant and it is anticipated that this matter will be resolved in advance of the Committee Meeting; if this is not the case the detail may be secured by way of condition to ensure that this is addressed prior to the occupation of any dwelling within Phase 4.

Transport and highways

9.10 The main focus of the objection from the Town Council relates to the access and egress onto both Drybread Road and Eastrea Road, given that they had an expectation that the estate road would be segregated by bollards or similar so as not to allow this. Officers have referred to the original illustrative masterplan for the development and clarified that this did not include such a barrier, nor was it conditioned on the original outline planning permission or required by virtue of the original Section 106 Agreement. Indeed, the Framework Travel Plan clearly stated that 'a vehicle link will be provided between Eastrea Road and Drybread Road'.

9.11 Notwithstanding the above the transport 'detail' of the scheme has been through several iterations and the applicants have actively engaged with the Transport Assessment team who are now satisfied that the proposal is acceptable in transport and highway safety terms. Against such a backdrop and noting that there is no strategic requirement or justification for the main access road to be modified to preclude travel from north to south across the estate there would be no grounds to withhold consent in this regard.

9.12 With regard to detailed matters of design it is noted that amended details have been shared with the Local Highway Officer who has in turn forwarded these on to the LPA. It has been indicated that the revised detail addresses matters raised in the latest consultation response and detailed conditions are awaited.

9.13 As per Para. 111 of the NPPF (2021) development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is clear that there are no highway constraints which would warrant the scheme not receiving a favourable consideration and compliance with Policy LP15 has been demonstrated through the various iterations of the Transport Assessment and technical details.

9.14 It is noted that the access to the Football Club falls outside the application site boundary and will be the subject of a separate planning submission; accordingly an appropriate condition would need to be imposed on any grant of planning permission to ensure that this is secured at an appropriate stage within the delivery programme for Phase 4; to ensure access to this facility is uninterrupted.

Flood risk

9.15 The site is within a flood zone 1 area, however as a major scheme proposal it is necessary to secure the approval of the Lead Local Flood Authority with regard to drainage proposals. The LLFA have confirmed that the proposed surface water drainage strategy is acceptable and subject to safeguarding conditions relating to the scheme being delivered in accordance with the principles outlined in the submitted Flood Risk Assessment and that details of the long-term maintenance strategy for the surface water drainage systems are secured. Subject to these

conditions the scheme will comply with Policy LP14 of the Fenland Local Plan 2014.

Archaeology

9.16 The wider site has been the subject of archaeological investigation however there is a requirement to refresh the Written Scheme of Investigation to cover the northern area of the site. It was also identified in the consultation response from the CCC Archaeology Team that the results of the Phase 1 & 2 investigations remain to be presented. A bespoke condition has been recommended to deal with both matters and the wording is reproduced in the relevant section of this report below.

9.17 The imposition of the condition as recommended with ensure compliance with FLP Policy LP18 and the requirements of the NPPF with regard to heritage assets.

Biodiversity

9.18 The PCC Wildlife Officer raises no objection to the scheme albeit certain shortfalls are identified in the submission with regard to the formal of the report when applying *CIEEM* guidance. Notwithstanding this it was noted in their consultation response that the matters of concern could be dealt with post decision by condition; with a range of targeted conditions recommended relating to the submission of a Construction Environmental Management Plan (CEMP) , specifications for the 'wildlife enhancement' measures , the inclusion of hedgehog holes within the boundary treatments and that no vegetation is removed during the bird nesting season.

S106 Obligations

9.19 As a phased scheme matters of open space have been addressed elsewhere within the site, however it is noted that the scheme is compliant in terms of affordable housing provision and has been amended through negotiation to accommodate recommendations made by the Housing Strategy team.

9.20 In addition, there is a commitment to meet the policy obligations in terms of education and lifelong learning and details of the contributions attracted by the development are quoted at Section 5.14 of this report. Subject to these obligations being secured by S106 the scheme may be deemed fully compliant with Policy LP13 of the FLP (2014).

Contamination and construction management

9.21 It is noted that the wider site has been the subject of an Exploratory Investigation with regard to potential ground contamination which has previously been accepted by the FDC Environmental Protection team as showing the current application site has been deemed suitable for its intended end use; however given the scale of the site it is recommended that the unsuspected contamination condition be imposed as a safeguarding measure.

9.22 It is also recommended that the applicant should ensure measures to address noise and dust are implemented and maintained throughout construction given that sensitive receptors exist West and South of the application site and a condition is recommended in this regard, it is noted that such matters were not

conditioned on earlier phases and as such it is not considered appropriate to impose such a condition. This aligns with both the condition 'tests' outlined in Para. 56 of the NPPF and Paragraph: 005 Reference ID: 21a-005-20190723 of Planning Policy Guidance which outlines the that conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning

Other Matters

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

The applicant has been consulted on the proposed conditions and confirmation is awaited to their agreement to the same; subject to this agreement being forthcoming (this to be reported to the Planning Committee) the consent would be granted in accordance with the of section 100ZA (5) have been met.

The proposed conditions are as follows:

(2) Vehicular access to Sports facilities
(6) Archaeology
(15) Construction Environmental Management Plan
(16) Levels
(19) Construction Ecological Management Plan

10 CONCLUSIONS

10.1 This submission relates to the final phase of a residential development first granted outline planning permission in 2010 for approximately 460 dwellings along with an extra care facility. Whilst this final phase will see an increase regarding the number of dwellings to be delivered cumulatively there are no technical issues which would render this increase unacceptable.

10.2 Robust assessment of the transport impacts has been undertaken by the CCC Transport Assessment Team and revisions have been secured to the scheme to deliver a dedicated access to the Whittlesey Athletic Football Club sports facility along with a cycleway which aligns with the recommendations of the Local Highways Officer.

10.3 The scheme as outlined will make appropriate provision for affordable housing and will make contributions towards Education and Libraries in line with policy.

10.4 There are no policy or material considerations which would indicate that the scheme as detailed should not receive a favourable recommendation.

11 RECOMMENDATION: Grant subject to:

1. That the Committee delegates authority to finalise the planning conditions to the Head of Planning, and

2. Following completion of the S106 obligation to secure the necessary contributions and affordable housing as detailed in this report, application F/YR20/0861/F be granted subject to conditions.

OR

3. Refuse the application in the event that the S.106 agreement referred to above has not been completed within 4 months and that the applicant is unwilling to agree to an extended period of determination to accommodate this, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

Conditions

1	The development permitted shall be begun before the expiration of 3 years from the date of this permission. Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2	No development shall commence until a timetable for the delivery of the vehicular access to the sports facilities to north-east of the application site, as illustrated on drawing number MA1140/SK02 Rev D, has been submitted to and agreed in writing by the Local Planning Authority. With this access being delivered in full accordance with the timings agreed. Reason – To define the scope of the consent and to maintain access to the adjacent sports facility.
3	Prior to first occupation of the development, a 3m wide shared footway/ cycleway on the southern side of Drybread Road between Coronation Avenue and the new Whittlesey Athletic Football Ground access shall be provided. Details to have previously been submitted to and approved in writing by the Local Planning Authority and works to be carried out in accordance with the approved details Reason - In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.
4	No above ground works shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling. The scheme shall be based upon the principles within the agreed Flood Risk Assessment Addendum Report for Phase 4 Area prepared by Millward Partnership Limited (ref: MA11140/JMcK/FRA/L01A) dated September 2020 and shall also include: a) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers; b) Full details of the proposed attenuation and flow control measures; c) Temporary storage facilities if the development is to be phased; d) A timetable for implementation if the development is to be phased; e) Details of overland flood flow routes in the event of system exceedance, with demonstration

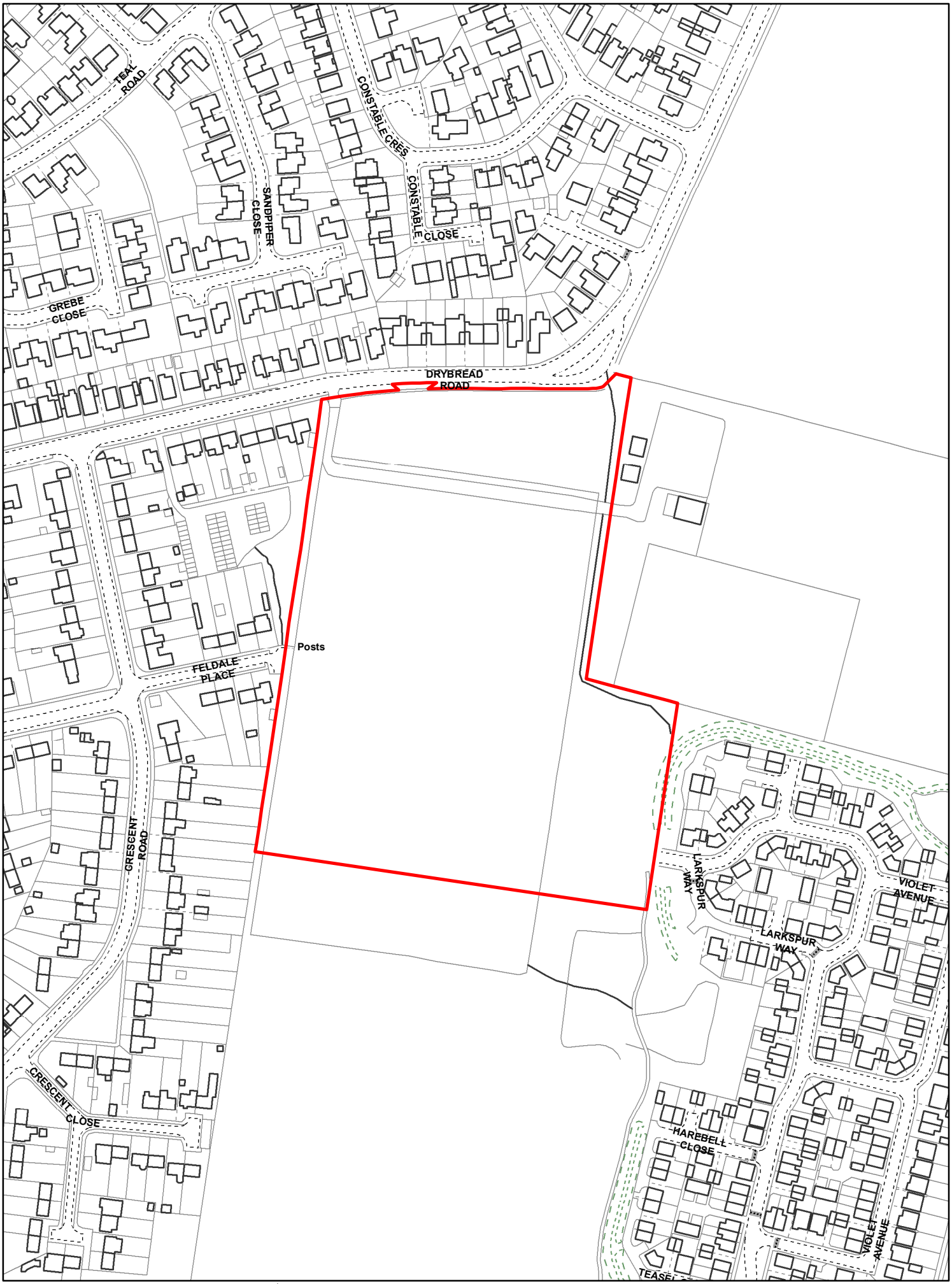
	that such flows can be appropriately managed on site without increasing flood risk to occupants; f) Measures taken to prevent pollution of the receiving surface water The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG Reason - To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development
5	Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter. Reason -To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.
6	No development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI which shall include: a) the statement of significance and research objectives; b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works c) The programme for post-excavation assessment of all of the landscape archaeology programme for Bassenhally Farm and subsequent analysis, reporting, publication & dissemination, and deposition of the resulting archive. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI. Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme. A brief for the archaeological work can be obtained from the Historic Environment Team at Cambridgeshire County Council. Reason - To ensure that the significance of historic environment assets is conserved in line with NPPF section 16.
7	Prior to the first occupation of any part of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling. Reason - In the interests of the safety of the occupiers and to ensure there

	are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.
8	Within 6-months of the commencement of development hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of occupation of any dwellings and retained thereafter in perpetuity. Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.
9	If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy. 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.
10	Prior to the first occupation of any dwelling which forms part of this development details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway 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 unto Section 38 of the Highways Act 198 or a Private Management and Maintenance Company has been established). 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 (2014)
11	Prior to the commencement of highway works detailed plans of the roads, footways and cycle ways shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans. Reason - To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy LP15 of the Fenland Local Plan (2014)
12	Prior to the first occupation of any dwelling the roads and footways shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road. Reason - To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy LP15 of the Fenland Local Plan (2014)

13	Prior to the first occupation of individual dwellings their associated on-site parking /turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use. Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan (2014).
14	Prior to first occupation of any part of the development hereby approved, the developer shall be responsible for the provision and implementation of a Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of bus taster tickets and/or cycle discount vouchers. The Travel Plan is to be monitored annually, with all measures reviewed to ensure targets are met Reason – To enhance accessibility and increase the use of non-car modes of travel through the influencing of travel choices in line with Policy LP15 of the Fenland Local Plan (2014) thereby securing modal shift.
15	No development shall take place until a construction environment management plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for: - Parking of vehicle of site operatives and visitors - Routes for construction traffic - Hours of operation - Method of prevention of mud being carried onto highway - Pedestrian and cyclist protection - Any proposed temporary traffic restrictions and proposals for associated safety signage Reason - In the interests of safe operation of the highway in accordance with policy LP15 of the Fenland Local Plan (adopted May 2014).
16	Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details. Reason - To ensure that the precise height of the development can be considered in relation to adjoining dwellings in accordance with policy LP16(d and e) of the Fenland Local Plan (adopted May 2014).
17	Prior to the first planting season following commencement of works on site full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include: a) Means of enclosure, which shall include provision of adequate gaps at ground level to support hedgehog movement. b) Car parking layout c) Vehicle and pedestrian access and circulation areas d) Hard surfacing, other hard landscape features and materials

	e) Existing trees, hedges or other soft features to be retained f) Planting plans, including specifications of species, sizes, planting centres number and percentage mix and incorporating a range of native tree and shrub species g) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife h) Details of siting and timing of all construction activities to avoid harm to all nature conservation features i) Location of service runs j) Management and maintenance details Reason - The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted and to ensure compliance with Policy LP18 of the FLP (2014)
18	All vegetation clearance at the site shall only take place outside the bird breeding season of 1st March to 31st August inclusive. Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of Local Plan Policy LP18 of the FLP
19	A Construction Ecological Management Plan (CEMP) should be submitted prior to commencement of any development on the site this should include a suite of precautionary working measures for biodiversity (called 'biodiversity safeguards) informed by the Extended Phase 1 Survey of Land at Bassenhally Farm, Whittlesey produced by Hillier Ecology dated March 2020. Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act and Local Plan Policy LP18 of the FLP
20	The biodiversity protection and enhancement measures to be submitted in respect of Condition 15 (g) shall include: *(i) Precise specifications for the 'ecological enhancement' measures on drawing L ---/ECOENHANCE/01* *(ii) Full boundary treatment details indicating the positions of all hedgehog holes* These details, together with a timetable for implementation, shall be submitted to and agreed by the LPA prior to the occupation of development and shall be fully implemented in accordance with the agreed details in accordance with the agreed timetable. Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act and to provide biodiversity mitigation in line with the aims of Local Plan Policy LP18 of the FLP.
21	Should no development take place within two years from the date of permission being granted, an updated ecological survey be required to take place. Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act and to ensure that due consideration is given to the biodiversity on the site in line with the aims of Local Plan Policy LP18 of the

	FLP
22	The development hereby permitted shall be carried out in accordance with the following approved plans and documents Reason - For the avoidance of doubt and in the interest of proper planning.



Created on: 22/09/2020 © Crown Copyright and database rights 2020 Ordnance Survey 100023778	**F/YR20/0861/F** Scale = 1:2,500	N Fenland District Council

LEGEND	
	1.8m BRICK WALL
	1.8m CLOSE BOARDED FENCE
	1.8m TIMBER PANELLED FENCE
	1.2m BRICK WALL
	1.2m METAL ESTATE FENCE
	1.8m HIGH TIMBER PERSONNEL GATE
SO	SHARED OWNERSHIP AFFORDABLE HOUSES
R	RENTED AFFORDABLE HOUSES

N W E S

Plot	Type
1	2432
2	3402
3	3402
4	2434
5	2324
6	2324
7	2432
8	2432
9	2432
10	2432
11	2433
12	2433
13	2440
14	2440
15	2440
16	2433
17	2329
18	2329
19	2329
20	2329
21	2324
22	2228
23	2228
24	2228
25	2228
26	2318
27	2318
28	2324
29	2433
30	3311
31	3311
32	3311
33	2324
34	2434
35	3402
36	3402
37	3311
38	3311
39	2324
40	3311
41	3311
42	2433
43	2324
44	2329
45	2329

Plot	Type
46	2329
47	2228
48	2228
49	2228
50	2228
51	2228
52	2228
53	2228
54	2318
55	2318
56	2440
57	2329
58	2329
59	2329
60	2440
61	3311
62	3311
63	3311
64	2324
65	2228
66	2228
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68	2310
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74	2329
75	2440
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80	2432
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85	2324
86	2434
87	2329
88	2329
89	2324
90	3311

Plot	Type
91	3311
92	2324
93	2324
94	2329
95	2329
96	2329
97	3402
98	3402
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118	2228
119	2228
120	2324
121	2318
122	2310
123	2433
124	2329
125	2329
126	2329
127	3402
128	3402
129	3311
130	3311

Market

Housetype	ft²	Storeys	Beds	Quantity	Total ft²
2310	894	2	3	6	5364
2318	971	2	3	8	7768
2324	981	2	3	17	16677
2329	934	2	3	15	14010
2440	1436	2	4	9	12924
2432	1229	2	4	7	8603
2433	1260	2	4	6	7560
2434	1299	2	4	4	5196
3311	994	2.5	3	18	17892
3402	1275	2.5	4	8	10200
				98	**106194**

Affordable Rent

Housetype	ft²	Storeys	Beds	Quantity	Total ft²
2228	732	2	2	15	10980
2329	934	2	3	1	934
				16	**11914**

Shared Ownership

Housetype	ft²	Storeys	Beds	Quantity	Total ft²
2228	732	2	2	4	2928
2310	894	2	3	3	2682
2318	971	2	3	2	1942
2324	981	2	3	3	2943
2329	934	2	3	4	3736
				16	**14231**

	130	**132339**

REVISION	DATE	DESCRIPTION	DRAWN
H	20.05.21	Turning area amended outiside plots115-117.	DAW
G	17.05.21	Access to Pump Station in Phase 3 added, 1.5m utility margin added to shared surface roads, private drives widened for delivery vehicle tracking, plot 46 now rented and plot 53 now shared ownership.	DAW
F	29.04.21	Access off of Drybread Rd amended, pedestrian gate access added back for school access and 3m cycleway amended.	DAW
E	20.04.21	Access off of Drybread Rd amended with 8m radii. Cycleway extended to East. 3x crossings removed along spine road.	DAW
D	07.04.21	Planning and highway amends. Plot 79-85 amended to remove access to field and provide alternate access off of Drybread Rd.	DAW
C	02.03.21	Bin storage points and rear gates added.	DAW
B	26.02.21	Revised layout to reduce house type numbers and address highways comments.	DAW
A	08.09.20	Red line amended.	DAW

LARKFLEET HOMES
LARKFLEET HOUSE
SOUTHFIELDS BUSINESS PARK
BOURNE
LINCOLNSHIRE
PE10 0FF

TEL: 01778 391550

PROJECT

WHITTLESEY PHASE 4

DRAWING TITLE

PROPOSED SITE LAYOUT

SCALE	DATE	DRAWN	APPROVED
1:500 @ A1	07.07.2020	AB	-

DRAWING NO. L---/SITE/01

REVISION H

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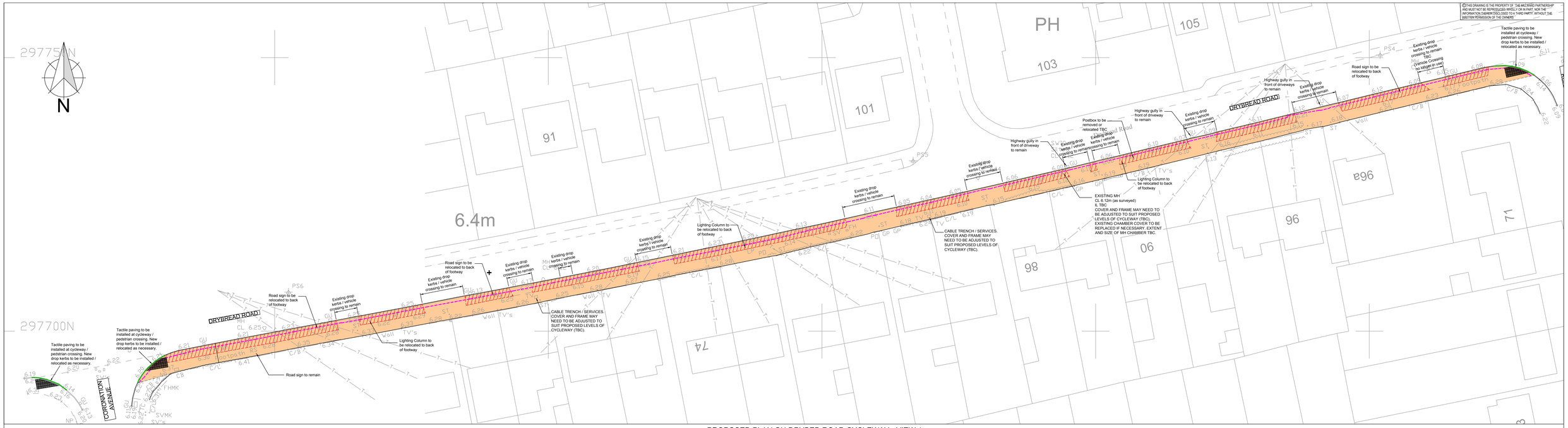
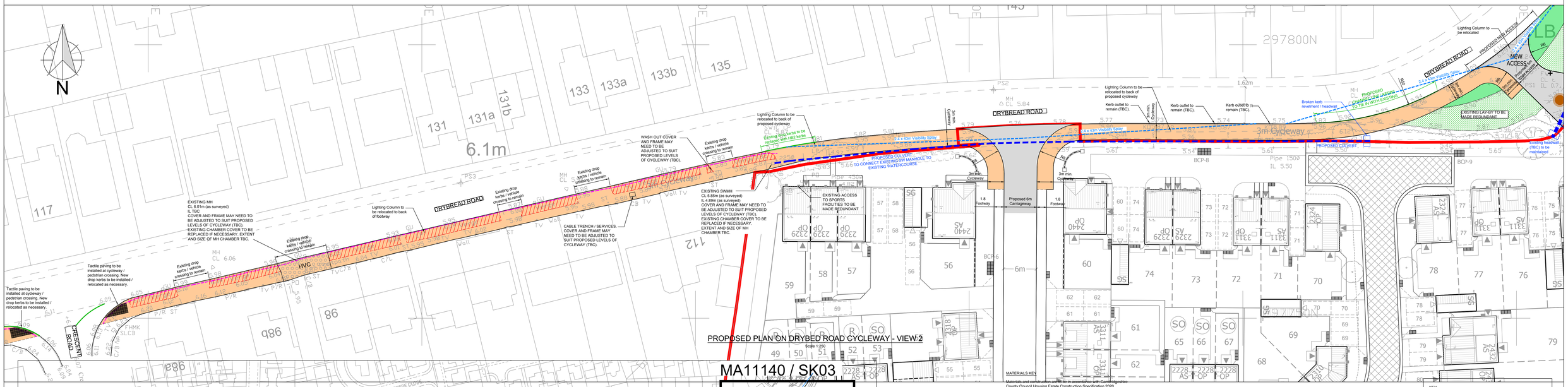


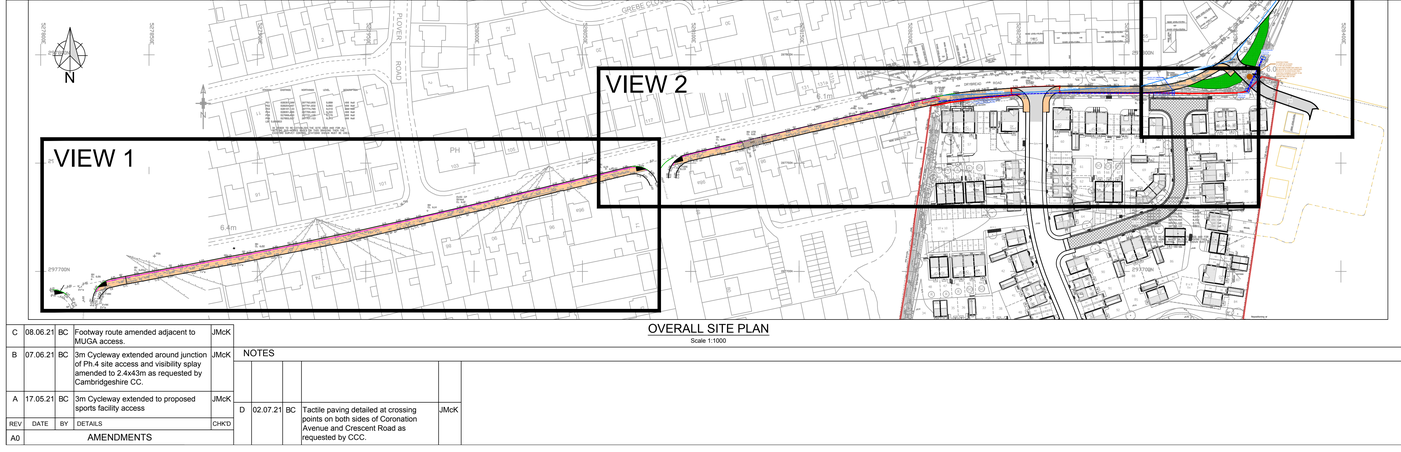
PROPOSED PLAN ON DRYBED ROAD CYCLEWAY - VIEW 1

Scale 1:250



PROPOSED PLAN ON DRYBED ROAD CYCLEWAY - VIEW 2

Scale 1:250



OVERALL SITE PLAN

Scale 1:1000

MATERIALS KEY

Materials and construction are to be in accordance with Cambridgeshire County Council Housing Estate Construction Specification 2020.

ADOPTABLE CONSTRUCTION:
SMA Carriageway Construction

Surface course: 40mm - SMA 6 surf 40/60 in accordance with BSEN13108-5 (min. PSV 50).

Binder course: 65mm - AC20 dense bin 40/60 rec in accordance with BSEN13108-1 and PD6691.

Base course: 125mm - AC20 dense bin 40/60 rec in accordance with BSEN13108-1 and PD6691. Laid in 2 layers.

Sub Base: Granular sub base material Type 1 to Clause 803 of the Highway Agency Specification. Cambridgeshire Housing Estate Road sub-base (HER) may be used as an alternative (Clause 9.0). Refer to table below for thickness of sub-base taking into account CBR values. Unless in situ testing has been agreed by the Engineer, the CBR for the site will be assumed to be <2% the depth of the Type 1 or Cambs. HER (Clause 9.0). The sub-base may be reduced in line with the below table if suitable test results are confirmed. If Plasticity Index Values are not available from the soil survey and test data for the proposed site, a CBR of less than 2 (<2) must be assumed for the design. A separating membrane will be required where the design CBR is less than 5% (clause 7.03). A geotextile/grid is to be provided to fold up the sides of the excavation. Sub-base materials shall be spread evenly on the formation in layers of a depth of not more than 150mm compacted thickness and compacted in accordance with Table 3B CCC Housing Estate Construction Specification April 2018. The full thickness of the sub-base shall be continued for a distance of 300mm beyond the limits of the kerb beam.

All pavement material within 450mm of finished external levels shall be non frost susceptible sub-base / capping, depth dependent upon CBR of sub-base.

Geotextile membrane.

The total carriageway thickness must be at least 490mm (inclusive of sub-base).

SMA CARRIAGEWAY Sub-Base thickness: Appendix 2 (Cambridgeshire County Council Housing Estate Road Construction Specification)

CBR%	Sub-base (mm) with geosynthetic
CBR < 2%	520mm (min)
CBR 2%	450mm
CBR 3%	375mm
CBR 4%	315mm
CBR 5%	280mm
CBR >5%	260mm

Footway / Cycleway Construction and light vehicular crossing to driveways

Surface course: 25mm - AC6 dense surf 40/60 in accordance with BSEN13108-1 and PD6691. (6mm SMA 6 proprietary mix 40/60 binder mixtures formulated to be suitable for driveways and footways laid 25mm thick may be used).

Binder course; 60mm - AC14 close surf 40/60 in accordance with BSEN13108-1 and PD6691.

All cycleways either shared use or specifically designated for cycle use shall be coloured red. The aggregate shall be crushed hranite and have a colour conforming to HUE7.5R/3/4 and HUE7.5R/3/8 as defined by the Munsell Chart. The binder shall be coloured using iron oxide.

Sub Base: 225mm - The material used shall be SHW Clause 803, Type 1, HER Sub-base or SHW Clause 804, or compliant recycled material.

The Sub-Base shall be laid on a 'needle punched' non-woven geofabric membrane.

The formation shall be treated with approved herbicide before construction commences.

Heavy vehicular crossing (HVC) to shared driveways

HVC

Surface course: 25mm - AC6 dense surf 40/60 in accordance with BSEN13108-1 and PD6691. (6mm SMA 6 proprietary mix 40/60 binder mixtures formulated to be suitable for driveways and footways laid 25mm thick may be used).

Binder course; 90mm - AC14 close surf 40/60 in accordance with BSEN13108-1 and PD6691.

All cycleways either shared use or specifically designated for cycle use shall be coloured red. The aggregate shall be crushed hranite and have a colour conforming to HUE7.5R/3/4 and HUE7.5R/3/8 as defined by the Munsell Chart. The binder shall be coloured using iron oxide.

Sub Base: 365mm - The material used shall be SHW Clause 803, Type 1, HER Sub-base or SHW Clause 804, or compliant recycled material.

The Sub-Base shall be laid on a 'needle punched' non-woven geofabric membrane.

The formation shall be treated with approved herbicide before construction commences.

KEY

Extents/Boundaries of Grass Verge to be removed

3m offset line from back of footway (to demonstrate proximity to existing channel line / edge of carriageway)

Phase 4 Development Boundary (OS) (Title Boundary TBC by Client)

NOTES:

Materials and construction are to be in accordance with Cambridgeshire County Council Housing Estate Construction Specification 2020.

Clause 18.05 - Cycleway Surface Course:
All cycleways either shared use or specifically designated for cycle use shall be coloured red. The aggregate shall be crushed hranite and have a colour conforming to HUE7.5R/3/4 and HUE7.5R/3/8 as defined by the Munsell Chart. The binder shall be coloured using iron oxide.

Clause 18.09 - Crossfall:
The final footway/cycleway surface shall have a crossfall of 1 in 40 towards the carriageway

Clause 19.03 - Cycle Crossings:
Where a cycleway adjacent to the carriageway is interuppted by pedestrian crossings or vehicular crossings, the change in level shall be achieved over at least two kerbs using standard concrete kerbs and laid to suit in place of the standard one taper kerb.

Refer to Cambridgeshire County Council Housing Estate Construction Specification 2020 Appendix 10 for Footway and Cycleway Construction Details

REV	DATE	BY	DETAILS	CHK'D
A0	AMENDMENTS			
C	08.06.21	BC	Footway route amended adjacent to MUGA access.	JMcK
B	07.06.21	BC	3m Cycleway extended around junction of Ph.4 site access and visibility splay amended to 2.4x43m as requested by Cambridgeshire CC.	JMcK
A	17.05.21	BC	3m Cycleway extended to proposed sports facility access	JMcK
D	02.07.21	BC	Tactile paving detailed at crossing points on both sides of Coronation Avenue and Crescent Road as requested by CCC.	JMcK

NOTES

TITLE	PROJECT	CLIENT
Proposed Cycleway Along Drybread Road From Ph.4 Site Access	Whittlesey Phase 4	LARKFLEET HOMES

DATE	CHECKED	APPROVED BY	SCALE	DRAWN	ENGINEER	DRAWING No	DRAWING STATUS
April 2021	JMcK	JMcK	1:250 / A0	BC	JMcK	MA11140 / SK02 Rev D	FOR DISCUSSION

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PLANNING COMMITTEE DATE: 18th August 2021 AGENDA ITEM 9

APPLICATION NO: F/YR20/0861/F

SITE LOCATION: Phase 4 Land at Bassenhally Farm, Drybread Road, Whittlesey

UPDATES:

FDC Environmental Health – Note that the additional information does not affect the recommendations in previous responses. Consequently, there are still no objections to this proposal subject to the previous responses.

CCC Archaeology – Confirm earlier advice remains appropriate

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Applicant has confirmed agreement to the pre-commencement conditions listed and has provided an updated site layout drawing which corresponds with the access/footway drawing provided in response to the CCC Transport Team and Highway Officer consultation responses.

Recommendation: Remains as per pages 165 – 171 of the Agenda, i.e.

'Grant subject to:

1. That the Committee delegates authority to finalise the planning conditions to the Head of Planning, and

2. Following completion of the S106 obligation to secure the necessary contributions and affordable housing as detailed in this report, application F/YR20/0861/F be granted subject to conditions listed in section 13 below.

OR

3. Refuse the application in the event that the S.106 agreement referred to above has not been completed within 4 months and that the applicant is unwilling to agree to an extended period of determination to accommodate this, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

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F/YR20/1123/F

Applicant: Mr Paul Farenden **Agent: Mr Shane Reeve**
Arcitek Building Design Ltd

Woadmans Arms, 343 High Road, Newton-In-The-Isle, Wisbech PE13 5HS

Erect 4 x dwellings (2-storey 3-bed) and the formation of 3 x new accesses involving the demolition of existing public house

Officer recommendation: Grant

Reason for Committee: Previously deferred by the Planning Committee for further consideration of highways impact and development density.

1. EXECUTIVE SUMMARY

1.1. **The application has previously been considered by the Planning Committee, which deferred the determination of the application to allow for the provision of further information regarding the highway safety implications of the proposal and the further consideration of the development density.**

1.2. **Additional comments have been sought from the Local Highways Authority in respect of their stance in relation to the application and these are detailed below.**

1.3. **Consideration is made in relation to the response received. The details provided do not amend the stance of 'no objection' provided by the Local Highways Authority previously reported, and it is therefore still recommended that permission be granted.**

1.4. **The original report is attached as Appendix 1.**

2. BACKGROUND

2.1. The application was originally reported to the Planning Committee meeting on 28 July when Members resolved to defer the application to allow further comments to be obtained from officers at the Highway Authority regarding the impact on road safety and also to allow further consideration of the issue of density. The original report to Committee and the update is attached as Appendix 1.

3. FURTHER CONSULTATIONS

Cambridgeshire County Council Highways Authority

3.1. *The speed survey evidence shows vehicles speeds below 30mph in both directions along the application site frontage. Vehicles/drivers are therefore travelling at suitable speed where they can slow down safely and react appropriately to vehicles emerging from, or manoeuvre vehicle accesses. The proposed vehicle accesses have been relocated at my request to ensure vehicle*

to vehicle visibility is maximised in both directions, this also ensures sight stopping distance (SSD) on the approach to these accesses is maximised, thus providing suitable reaction time and stopping distance for vehicles travelling along High Road.

3.2. *High Road in the location of the application site is low speed, as evidenced by the speed survey and therefore it is perfectly reasonable to apply the Manual for Streets visibility formula and design philosophy. The proposed accesses now have visibility splays/SSD's commensurate with the speed survey evidence. The street environment is no different to the numerous of other 30mph design speed classified roads across the District where accesses have been approved without turning.*

3.3. *If planning committee requires further reassurance; there is a row of chalet bungalows (No 351, 353, 355) round the corner from the application site that have no on-site turning provision, with sub-standard visibility/SSD. There is no accident data to suggest the absence of on-site turning provision has resulted in a highway safety problem with this example.*

3.4. A further response was then received in relation to technical matters regarding the highway, visibility splays and the photographs previously provided by the Parish Council. This response clarified that the visibility splay is located within the highway, that vehicles reversing off the proposed driveways are adequately protected by the sight stopping distances proposed, and that the parking of a van on the adjacent land would not present a problem to highway safety.

4. ASSESSMENT

Highway Safety

4.1. The comments of the Local Highways Authority make it clear that there is no justification for the refusal of the application on the grounds of highway safety. The plans are able to demonstrate an appropriate visibility splay based on a speed survey of the area in question, with that visibility splay provided within the adopted highway. The speed survey data demonstrates that it is not necessary for the proposed dwelling to provide on-site turning facilities, and that sight stopping distances are appropriate to ensure an appropriate level of highway safety.

Development Density

4.2. Given the confirmation from the Highways Authority that there is no requirement for the provision of on-site turning space associated with the plots it is not considered that there is any justification for reducing the number of dwellings proposed. As set out in the previous report to Committee it is considered that each plot has adequate private amenity space, that acceptable relationships with neighbouring dwellings can be achieved and that in terms of density the scheme would not be discernibly out of keeping with the surrounding residential development.

4.3. On that basis, there is no justification for the refusal of the development on the basis of overdevelopment of the site.

5. CONCLUSIONS

5.1. On the basis of the additional responses supplied, it is concluded that there is no justification for altering the previous recommendation to grant planning permission.

5.2. The previous recommendation therefore remains.

6. RECOMMENDATION

Grant permission subject to conditions as per the original report

F/YR20/1123/F

Applicant: Mr Paul Farenden **Agent: Mr Shane Reeve**
Arcitek Building Design Ltd

Woadmans Arms, 343 High Road, Newton-In-The-Isle, Wisbech PE13 5HS

Erect 4 x dwellings (2-storey 3-bed) and the formation of 3 x new accesses involving the demolition of existing public house

Officer recommendation: Grant

Reason for Committee: Number of representations contrary to Officer recommendation

1. EXECUTIVE SUMMARY

1.1. **The application proposes the construction of four dwellings on the application site, which is currently the site of the disused Woadman's Arms public house.**

1.2. **The public house has been closed since 2017, and the application is accompanied by a statement indicating how it was marketed for sale following that closure. The statement is satisfactory in terms of confirming the public house use is no longer viable.**

1.3. **The site is considered as an infill plot within a Small Village , and development of this nature is considered acceptable in principle under the terms of the settlement hierarchy of the development plan, representing the reasonable and effective re-use of a brownfield site.**

1.4. **The specific impacts of the scheme are considered to be acceptable, following amendments made to the proposals to ensure a satisfactory for of vehicular access from the dwellings to the highway.**

1.5. **It is therefore recommended to grant planning permission for the development.**

2. SITE DESCRIPTION

2.1. The application site is located in the western part of the village of Newton in the Isle, a settlement identified as a Small Village within the settlement hierarchy of policy LP3 of the Fenland Local Plan (2014).

2.2. The site currently hosts the Woadman's Arms, a disused public house and its ancillary facilities (garden, car park). The public house is stated within the application particulars as having ceased trading in November 2017.

2.3. The buildings on site comprise the main public house, a dark orange brick building of two storeys with external chimney stacks to both side elevations, and a natural slate hipped roof. The original building has been extended both to its rear (west) and to its side (north) elevations in a variety of styles, with some of these additions introducing render to the property as an external finish.

2.4. The car park was accessed to the north of the building, although this is now fenced off, and the garden area previously located immediately to the rear of the building has been cleared of vegetation. Signage has been removed from the building and the front ground floor windows have been blocked up.

2.5. The application site lies within a residential area of the settlement, with a range of properties located to its east and north along High Road, and a more planned form of residential development to its south and west accessed via Fen Road and Westfield Road.

2.6. The application site lies within flood zone 1, the zone of lowest flood risk.

3. PROPOSAL

3.1. The proposal is for the replacement of the existing disused public house building with 4 new 2-storey dwellings fronting onto High Road and with private gardens to the rear. These would all be 3-bedroom properties, with the 2 plots constructed on the southern half of the land being a semi-detached pair designed to reflect the appearance of the existing public house building from the street scene, with two detached dwellings located on the northern half of the site.

3.2. Each property would be provided with its own access off High Road, although Plots 3 and 4 would have a shared access point, and an access to the rear of the site would be provided to comply with a covenant on the land, replicating the current arrangement, albeit no access can practically be achieved at present. Parking is to be provided on the basis of 2 spaces per property to ensure compliance with Appendix A of the Fenland Local Plan (2014).

3.3. Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QJLFFPHE06P00

4. SITE PLANNING HISTORY

4.1. There is no relevant site planning history.

5. CONSULTATIONS

5.1. **Newton-in-the-Isle Parish Council**
"Parking unsatisfactory with no turning points, leading straight onto main highway between two blind corners with a 40mph speed limit in place. Houses should be set further back on site to enable safer access.

Four houses deemed over development of the site.

Replica of public house as semi-detached not in keeping with the two detached houses on plans, these were more in keeping with surrounding area, no

advantage for the public house to be replicated. Design for houses on site should be similar.

Original pre-application suggested two bungalows to be built.

Query regarding covenant on access through from Westfield Road to back of one property.

No necessity for an extra access to one property from Westfield Road, when all properties have a front access from the High Road.

No consultation when the public house was first put on the market, enabling local residents the opportunity to investigate the purchase of the property. The public house had been in the family for many years, the landlady retired due to ill health and not through the public house being unviable as stated."

5.2. **Cambridgeshire County Council Highways Authority**
Following amendments to footways, access crossovers and visibility splays made in light of additional highway investigation undertaken during the course of the application:

No objection subject to conditions regarding provision of accesses, parking and visibility splays, and the removal of permitted development rights for the erection of gates across the accesses.

5.3. **North Level Internal Drainage Board**
No comments

5.4. **Environment & Health Services (FDC)**
No objection.

Recommend unsuspected contamination condition.

5.5. **Councillor S Clark**
"I am concerned that the site is not big enough for 4 houses. The parking arrangement will require vehicles to reverse in our out on to a busy road on to two blind bends I feel that the Woadmans Arms is a plane building and not worth copying.
The application does not mention the mobile home that is on sight now.
I am concerned about the access in to Westfield Rd as this could be used by construction traffic if this is passed.
Visibility from the drive ways at each end of the sight is inadequate.plots 1 and 2 have no front garden front doors opening on to main Rd"

5.6. **Councillor M J Humphrey**
"I note a comment that the pub closed due to lack of trade when in fact the premises was tenanted by the same family for many years, at least 60, with the previous tenants parents and only closed when Wendy was not well enough to continue.

I remain unconvinced the property was marketed well, the report says no local advertising, surely local village pubs normally go to local people. I also take issue with the price, this should have been available to local interested parties for an affordable price to maintain it as a village pub."

5.7. **FDC Economic Growth & Assets**

The marketing campaign and the summary of interest received is proportionate. 3 months marketing would perhaps be a bit light but they had it on a number of channels for 6 months and you can see the response they got. Given that there was over 2 year previous marketing exercises for pub use too when the tenants were trying to sell their lease on and had no takers would suggest poor demand for pub use (although that might depend on the lease terms at the time).

5.8. **Local Residents/Interested Parties**

12 objections have been received in relation to the proposal from properties on Fen Road, Rectory Road, Westfield Road, High Road (all Newton-In-The-Isle) and Tydd St Giles.

The responses highlight the following issues:

- Don't want to see Westfield Road opened up to access from the east. This will affect the safety of children playing on Westfield Road.
- Pub closed due to the incapacity of the tenant and no opportunity was given to seek a new tenant or purchaser.
- Misguided to refer to the appearance of the pub in the proposed semi-detached dwellings, it was neither attractive nor historically important.
- Greater impact on 24 Fen Road than existing building
- Highway safety
- Overdevelopment
- Currently a mobile home on the site, which is used for goods vehicle parking
- Nothing structurally wrong with the pub, which has historic value
- No front gardens
- Property design is poor
- Overlooking of neighbouring dwellings
- Access to rear was for agricultural access to fields, which have since been developed
- Semi-detached dwellings are both taller and deeper than existing building

6. STATUTORY DUTY

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

7. POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration in planning decisions.
Para 7: Purpose of the planning system is to contribute to the achievement of sustainable development
Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.
Para 117: Promote effective use of land
Para 118: Opportunities and benefits of the reuse of land
Para 119: Be proactive about bringing forward redevelopment sites
Para 121: Take a positive approach to alternative land uses
Para 127: Well-designed development

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

National Planning Practice Guidance (NPPG)
Determining a Planning Application

National Design Guide 2019
Context
Identity
Built Form
Uses
Homes and Buildings
Resources
Lifespan

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
LP6 – Employment, Tourism, Community Facilities and Retail
LP12 – Rural Areas Development Policy
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District

8. KEY ISSUES

- **Principle of Development**
- **Highway Safety**
- **Residential Amenity**
- **Appearance**
- **Other Matters**

9. BACKGROUND

9.1. A pre-application enquiry was submitted in September of 2020 regarding the premises, however this enquiry related to the conversion of the existing building on the site and is therefore not considered material to the consideration of the current application.

10. ASSESSMENT

Principle of Development

10.1. There are two aspects of the proposal to consider in respect of the principle of the development of the site. The first of these is the acceptability or otherwise of residential development within the settlement of Newton-in-the-Isle in accordance with policy LP3 of the Fenland Local Plan (2014), and the second is the need to justify the loss of the existing public house, which would be considered to be a community facility with regard to policy LP6 of the Fenland Local Plan (2014).

Residential Development

10.2. Policy LP3 of the Fenland Local Plan identifies Newton-in-the-Isle as a Small Village, where development is to be considered on its own merits, but will usually be limited in scale to residential infilling or a small business opportunity.

10.3. In this instance, it is clear that due to the residential properties surrounding the site, the development of the application site would be considered as an infill scheme, The site is brownfield in nature and the number of dwellings proposed is considered to represent the effective re-use of the site. Consequently, the proposal is considered, in principle, to accord with Policy LP3.

Loss of an existing community facility

10.4. Policy LP6 of the Fenland Local Plan sets out the strategy in relation to employment, tourism, community facilities and retail. The policy requires that any proposal resulting in the loss of a community facility demonstrates that the use is no longer viable or provides an alternative facility at least equivalent to that being lost.

10.5. In this instance, the application is accompanied by evidence of a marketing exercise undertaken once the property ceased trading as a public house for a period in excess of six months, and the contact received in relation to the premises during that exercise. The document also notes an earlier period of marketing in excess of two years for lease where no offers were received.

10.6. Comments received in relation to the scheme state that the premises should have been marketed to the local community, and at a price below that which was indicated. The marketing statement accompanying the application confirms that the building was fitted with a 'for sale' board, and notes that local press adverts were not used for reasons of cost effectiveness. It is concluded that had a local party been interested in the purchase of the premises then an offer could have been made during the period the building was for sale. The marketing statement indicates that none of the offers made met the asking price, and as such it is not considered that this point is material to the consideration of the application.

10.7. Given the information provided, and the comments of the Economic Growth and Assets Team, it is concluded that the marketing of the proposal for continued commercial use was sufficient to establish that the use in question was not viable, and as such the application meets with the requirements of policy LP6 of the Fenland Local Plan (2014).

Highway Safety

10.8. Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport.

10.9. Appendix A of the Fenland Local Plan sets out the parking standards associated with development proposals, noting that for properties of up to three bedrooms, two parking spaces are required, and for properties of four bedrooms or more, provision of three spaces is required.

10.10. Plots 1 and 2 would have separate vehicular accesses and driveway parking for up to two vehicles, satisfying the requirements of Appendix A, as would Plots 3 and 4, albeit these properties would have a shared access

10.11. The Highway Safety matter relates to the proposed vehicular accesses onto High Road. Objections have been raised by responses received from both the Highways Authority and members of the public in relation to the proposal regarding the access to High Road provided for each of the dwellings and the potential impact that would have on highway safety from vehicles manoeuvring into/out of their parking provision.

10.12. In order to fully understand the implications of the proposal on the highway network, the applicant was requested at the behest of the Highways Authority to provide additional information to demonstrate that the proposed access arrangement would be acceptable, including a speed survey of the traffic along the section of High Road serving the development. This evidence was provided, and the site layout amended to ensure that appropriate sight stopping distances were able to be provided to serve the development (the two properties on the northern half of the site now have a shared access point to enable this).

10.13. The highways authority has subsequently confirmed that they no longer have an objection to the proposal from a highway safety perspective.

10.14. There is therefore no justification for the refusal of the scheme on this basis, and the proposal is considered overall to satisfy the requirements of policy LP15 of the Fenland Local Plan (2014).

Residential Amenity

10.15. Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal, with the guideline for non-flat development being one third of the plot area.

Residential amenity of prospective occupiers

10.16. The development is required to provide high levels of residential amenity to its prospective occupants under policy LP16. In that respect, each dwelling is provided with ample rear garden space (rear gardens are shown as being between 12 and 14.5m deep) according with the requirements of Policy LP16 in respect of rear garden sizes, and the combination of separation distances from any neighbouring windows, the nature of those windows and the orientation of the dwellings in relation to those neighbouring properties means that the proposals would not result in unacceptable levels of privacy or residential amenity.

10.17. Each of the dwellings has ample space to store bins for waste collections, and access to an adopted highway immediately to their fronts from where collections can take place.

Residential amenity of neighbours

10.18. Policy LP16 also requires that applications do not result in unacceptable impacts on neighbouring levels of amenity from a range of sources.

10.19. The existing premises on the site is a public house, albeit currently closed for business. This business when in operation would have the potential to result in significant disturbance to the occupiers of neighbouring dwellings, particularly in

light of the potential for noise generation late at night and in close proximity to those dwellings. The removal of this potential source of disturbance would have a positive impact on the amenity levels of all the surrounding properties.

10.20. In this regard, the nature of the proposal as residential dwellings would not give rise to concerns over residential amenity of the neighbours, particularly when compared to the potential for disturbance caused to neighbouring dwellings by the existing use in such close proximity.

10.21. Concern has been raised over a loss of privacy to the neighbouring properties, however in this regard the rear windows of plots 1 & 2 are approximately 12m from the shared boundary to the west, which is considered to be satisfactory.

10.22. To the south of the application site lies 24 Fen Road, a residential dwelling that is currently overlooked from the first floor of the public house at a distance of approximately 6m. The proposal would see this relationship changed, with a bedroom window proposed on the southern elevation of plot 1. This window more directly overlooks the sub-station premises, however would still have an impact in terms of the privacy of the dwelling to the south. It would be possible however to protect the amenity of the neighbouring dwelling through design alterations to this proposed window, and therefore a condition is included to require amended details to be agreed prior to construction of the first floor of this plot.

10.23. The impact of the scheme on the neighbouring properties in relation to overshadowing and dominance of those dwellings is also relevant to the acceptability of the application. In this regard, the majority of impacts are of limited weight due to the orientation of the proposed dwellings in relation to the surrounding dwellings, and the existing buildings on the land that are to be replaced.

10.24. The proposed dwellings would be located closer to the boundary of the property to the south, bringing the built development in closer proximity to the neighbouring garden. It would still be separated by the width of the proposed driveway from the boundary however (3.2m) and would not result in a significantly different relationship to the existing scenario. The proposed buildings are also located on the north boundary of the neighbouring property and therefore would not impact in terms of overshadowing.

10.25. Revised consultation is currently being undertaken in respect of the property immediately to the south and the impact of the proposal on that dwelling due to changes made to the siting of the dwellings on plots 1 & 2 to facilitate acceptable driveway widths. Any further comments received in this respect will be reported to Members at the meeting.

10.26. The dwellings to the west are separated from the proposed buildings by a much larger distance as noted above, and so the proposals would not have an overbearing or dominant effect on those properties.

10.27. To the north, the neighbouring dwelling is separated from the development by its own ancillary outbuildings and as such will not be materially affected by the presence of the proposed dwelling on plot 4.

10.28. Overall therefore, the amenity levels of the scheme are considered to be acceptable, and do not justify refusal of the application.

Appearance

10.29. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.

10.30. As previously stated, the proposal is designed so as to mimic certain aspects of the existing public house, in particular through its hipped roof, external chimneys and its brick construction. The application form states that bricks to match the existing public house will be used. The two detached dwellings will be part brick and part render (first floor), which is a material in use in both more modern and traditional properties within the vicinity of the application site, including in places on the dwelling immediately to the north (the remainder of this property is white painted brick/stone).

10.31. The ridge height of the semi-detached dwellings is raised above that of the existing public house, however it remains proportionate to other properties in the area within its context, and the proposed dwellings are well-spaced within the street scene to avoid the development having an overbearing impact. The detached properties have a higher ridge (approximately 1m), however due to their hipped design the additional height is not a dominant feature in the street scene. The properties are set back slightly from the existing highway so as to ensure they do not have an unacceptable relationship with the street in comparison to the existing dwelling further along High Road to the north.

Other Matters

10.32. Several other matters were raised in the consideration of the application, including the structural integrity of the existing building and the current use of the site following the pub's closure. These however are not matters material to the consideration of the application submitted at this time.

10.33. Also considered is the access point shown on the plans to Westfield Road at the rear of the development site, indicated on the drawings as being required by a covenant in respect of the land.

10.34. It is noted in this regard that the application layout shows the retention of the existing boundary treatment (1.8m closeboard fence) surrounding the application site, and that the land immediately to the west to which the access relates is occupied at present by a mature tree and a picnic bench and is not with the ownership of the applicant . On that basis, the indicated access would not be able to provide practical vehicular access onto Westfield Road and is simply to satisfy the requirement of a covenant on the land. This is similar to the previous/current situation in respect of the access, which was present within the car park of the public house during its operation.

11. CONCLUSIONS

11.1. The application proposes a residential infill scheme on land identified as being within flood zone 1. The Highways Authority have confirmed there are no outstanding safety issues in respect of the proposal, and the specific impacts of the buildings proposed have been assessed and do not justify the refusal of the application on the grounds of visual or residential amenity impact.

11.2. There are no other material considerations that justify the refusal of the scheme contrary to the relevant policies of the development plan

12. RECOMMENDATION

Grant

The proposed conditions are as follows;

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission. Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Notwithstanding the hereby approved plans, prior to any construction taking place above ground floor level of plot 1, amended details of the proposed first-floor south facing bedroom window of that plot shall be submitted to and approved in writing by the Local Planning Authority. The window shall be designed so as to protect the privacy of the residents of the adjoining dwelling to the south (24 Fen Road). The development shall not be carried out other than in strict accordance with the agreed details. Reason: To ensure that the dwellings approved do not have an unacceptable impact on the privacy and amenity of the adjoining properties, in accordance with the requirements of policy LP16 of the Fenland Local Plan (2014).
3. Prior to first occupation of the development hereby permitted, the High Road footway and vehicular accesses will be laid out and constructed in accordance with submitted plan 170435/GA01. Reason: In the interests of satisfactory access.
4. Prior to the first occupation of the development hereby permitted the proposed on-site parking shall be laid out in accordance with the approved plan and thereafter retained for that specific use. Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
5. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved accesses. Reason: In the interests of highway safety.
6. Prior to first occupation of the development hereby approved, visibility splays shall be provided as shown on the approved plan (VS02 Sheet 1 & 2) 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.
7. No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter. Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.
8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy. 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.
9. Details of the location, height, design and materials of all screen walls and fences shall be submitted to and approved in writing by the Local Planning Authority before commencement of the relevant parts of the work. The approved scheme shall be implemented concurrently with the erection of the dwelling(s) fully in accordance with the agreed details prior to occupation and thereafter retained in perpetuity. Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development are afforded an acceptable measure of privacy in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.
10. No development other than the demolition of the existing building shall commence on the site until details of existing ground levels (in relation to an existing datum point), proposed finished floor levels, floor slab levels and cross sections of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s). Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings to protect and safeguard the amenities of the adjoining occupiers in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.
11. The development hereby permitted shall be carried out in accordance with the following approved plans and documents

PLANNING COMMITTEE DATE: 28th July 2021

APPLICATION NO: F/YR20/1123/F

SITE LOCATION: Woadmans Arms, 343 High Road, Newton-In-The-Isle, Wisbech

UPDATE:

National Planning Policy

On the 20th July the Government published a revised National Planning Policy Framework (NPPF). There are no changes to the NPPF which have a material effect on the consideration of this application, however the paragraph numbers referred to in the Committee report have been amended as follows:

Para 79: Housing should be located where it will enhance or maintain the vitality of rural communities.
Para 119: Promote effective use of land
Para 120: Opportunities and benefits of the reuse of land
Para 121: Be proactive about bringing forward redevelopment sites
Para 123: Take a positive approach to alternative land uses
Para 130: Well-designed development
Para 134: Development that is not well-designed should be refused, especially where it fails to reflect local design policies.

Further responses received

8 further responses have been received in relation to the revised plans (including a response from the dwelling immediately to the south of the application site noted in paragraph 10.25 of the main report), noting the following objections.

- New dwellings have been moved closer to the boundary of the dwelling to the south, and they will be wider and taller than the existing building. This will create a dominant effect.
- The existing building is of no merit and constructing a replica represents poor design.
- Still have concerns over the accesses proposed. No provision for visitor parking.
- Why approve access onto Westfield Road – impact on those dwellings would be unacceptable.
- The proposal is unacceptable for the size of this road and is not needed.
- Proposals will impact on neighbouring privacy.

A written response has been received from Ward Cllr Clark stating the following:
As ward councillor I attended a meeting with the residents of Westfield Rd, this is the cul-de-sac behind the Woadmans Arms. Westfield Rd is a safe environment for the children to play and is almost a mile from the only public open space in the village. The proposed development includes vehicular assess to the boundary of the site adjoining Westfield Rd. Residents are concerned that this will allow construction traffic to access the site.
If Permission is granted, please include a condition preventing any access from Westfield road.

A further written response has been received from Ward Cllr Humphreys in relation to the proposal stating the following:
It is still my view that that the property was purchased as a development opportunity and

retention as a public house was never seriously considered, hence my earlier comments which I will not repeat.

I am disappointed by the officer recommendation because once lost the chances that the village will get another pub are extremely slim. The loss of yet another facility, like the school, will not serve this village well and should be resisted, a view shared by other objectors.

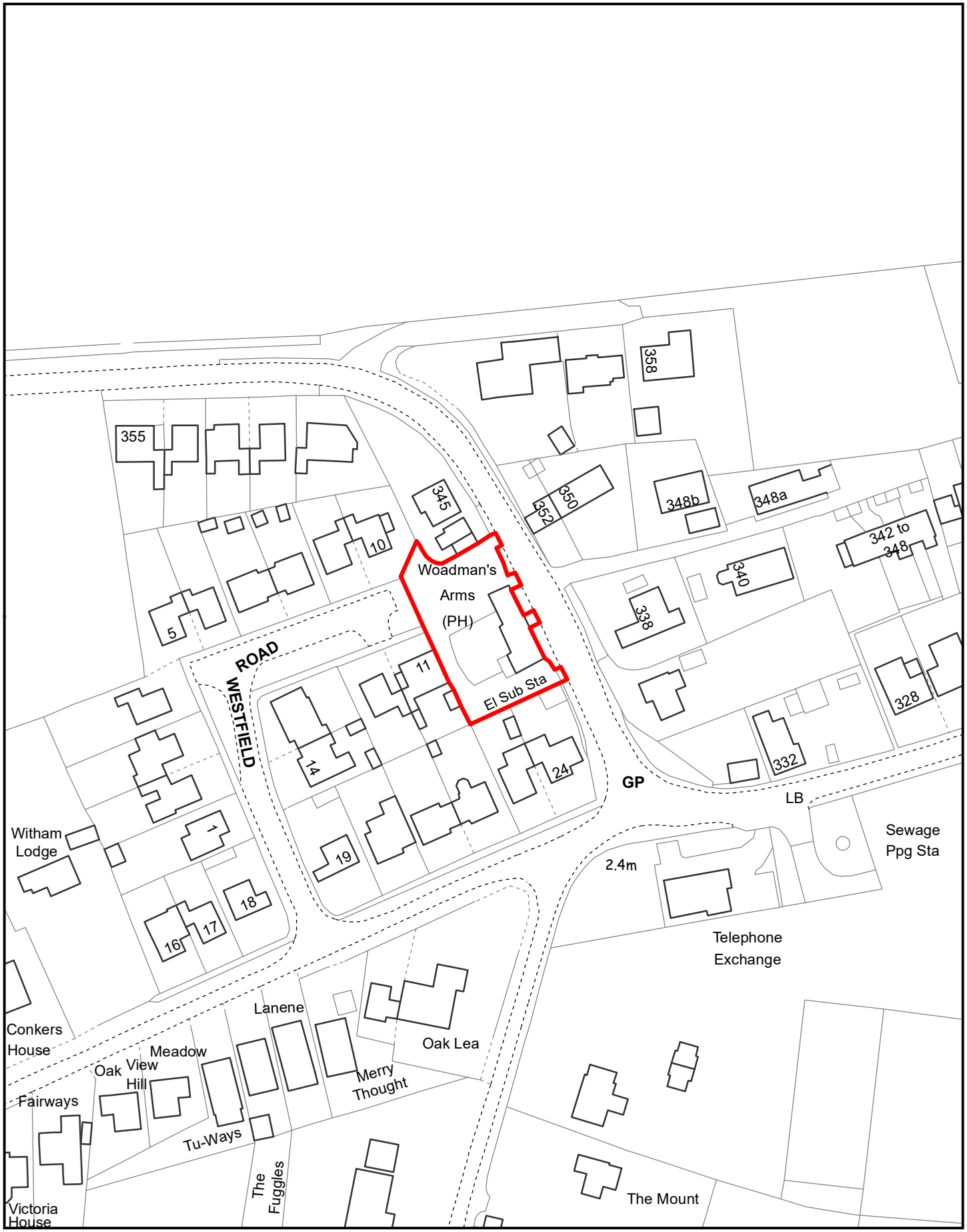
I have other concerns regarding the application to redevelop, the design, the density, the highway, this is not a good alternative if one has to be considered.

As Ward Councillor I support the concerns raised by local residents especially regarding access to Westfield Road, surely any access afforded by the covenant was given up when the agricultural land to which access was required was granted planning permission as Westfield Road.

Convenant Access to rear
The site plan shows a rear *"Gravel driveway access to rear as per covenant"*. This has generated a substantial level of concern in respect of the proposals. The plans also however state *"Existing perimeter boundary to remain all around the site"*. The access relates to a covenant on the land previously required to give access to the agricultural land on which Westfield Road was built. It was therefore present throughout the lifetime of the operation of the public house, and it can be seen from historic street photography that the pub car park was located in a similar position to the proposal, also facilitating access onto Westfield Road had the covenant been actioned. The previous post and rail fence in place between the pub car park and Westfield Road has been replaced by a closeboard fence of considerably more substantial construction, discouraging its use. It is also noted that the intervening land is now within the ownership of the Highways Authority and further consents would therefore be required to formalise any such access or undertake works to the tree located on the land.

The remaining matters identified as part of the revised consultation and received from the Ward Councillors all relate to points previously identified and considered within the main report, and the conclusions in that regard remain as per the main report.

Recommendation: The recommendation remains to grant planning permission as per the main report



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F/YR20/1123/F

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Fenland CAMBRIDGESHIRE

Fenland District Council

Rev	Date	Description	By
E	19.07.21	Plots 1, 2 and 3 moved	SR
D	15.04.21	Plot4 rearranged	SR
C	17.11.20	Accesses outlined	SR
B	15.11.20	Accesses outlined	SR
A	24.09.20	First Issue	SR

DESIGNED BY

ARCITEK BUILDING DESIGN
01553 886 121
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Drawing Title
Location and Site Plans

Project Title
New Development to replace derelict public house

Address
343 High Road
Newton In The Ile

Scale	Drawn By	Date
1:200/1250 @ A1	SR	24.09.20

Drawing no. 17205-006

Revision E

PLANNING COMMITTEE DATE: 18/8/2021

APPLICATION NO: F/YR20/1123/F

SITE LOCATION: Woadmans Arms, 343 High Road, Newton-In-The-Isle, Wisbech PE13 5HS

UPDATE

The application reference number in relation to Item 10 on page 2 of the Agenda front sheet and report pack should read F/YR20/1123/F.

Local Residents/Interested Parties
Three further representations have been received following the previous consideration of the application by the Planning Committee on the 28th July 2021. Two of these representations have been received from previous respondents on the application, with the third on behalf of a resident of Westfield Road.

The following matters have been identified from those responses

- Visibility to the north is only 18m, and 19m to the south.
- Concern that the right of access could be revived.
- Loss of privacy to the dwellings on the east of High Road.
- Impact of parking for workers in relation to the proposals.
- Lack of parking for visitors once development complete.

Assessment
The response alleging visibility distances of 18 and 19 metres in relation to the development provided no evidence supporting those measurements. The plans and visibility splays provided by the applicant have been fully assessed by the Highways Authority who have raised no concern that the indicated splays cannot be achieved. As noted in the main report, the visibility splays shown are located within the adopted highway and are sized accordingly to the results of the speed survey carried out on the site.

With regard to the access shown on the plans in relation to a covenant, the situation has not changed and paragraph 10.34 of the original report remains relevant in this regard.

The amenity relationship between the proposed dwellings and the properties on the east of High Road is typical of dwellings positioned on the opposite side of a road to each other, and is not sufficient to justify refusal of the application on the basis of a loss of privacy.

Finally, in respect of the parking provision at the site, the standards set out in Appendix A of the Fenland Local Plan are met by the proposed development. There is therefore no justification for refusal of the application on the basis of inadequate parking provision.

Recommendation:
The recommendation remains to grant permission as per the main report

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F/YR21/0455/F

Applicant: Mr C Waters **Agent: Mr Chris Walford**
Peter Humphrey Associates Ltd

1 Eastwood End, Wimblington, March, Cambridgeshire

Erect 3 x dwellings (2 x 3-storey 5 bed and 1 x single-storey 2-bed) involving the demolition of existing dwelling

Officer Recommendation: Refuse

Reason for Committee: Referred by Head of Planning on advice of Committee Chairman

1. EXECUTIVE SUMMARY

1.1. The proposal is located at the existing edge of Eastwood End. The scheme involves the construction of three new dwellings on land currently occupied by a single bungalow.

1.2. Eastwood End is considered to be an 'Elsewhere' location as set out in the Fenland Local Plan (2014) where development is to be restricted to that which meets with a limited range of uses appropriate to a countryside location.

1.3. The development proposed would fail to respect the existing character of the residential development present in the Eastwood End area, and would result in a cramped, oppressive form of the development that has a detrimental impact on the character of the area where it is located.

1.4. The scheme makes appropriate provision for amenity of future residents, and does not result in a detrimental impact on highway safety.

1.5. The benefits of the development to the overall provision of housing and economy within the District are not sufficient to justify granting permission for the proposal contrary to the relevant policies of the development plan however, and so the recommendation is for Refusal.

2. SITE DESCRIPTION

2.1. The application site is located within the settlement of Eastwood End, located to the east of Wimblington, and separated from that settlement by the A141 Isle of Ely Way.

2.2. The site is located to the west of Eastwood End, at its southern extent as the road turns westward towards Wimblington from its north-south alignment through Eastwood End itself.

2.3. The rear and side boundaries of the site are currently closeboard fencing, with heras style temporary fencing along the front boundary of the site with Eastwood End.

2.4. The site is currently occupied by an extensive single-storey dwelling of red brick construction under a plain tiled roof. The dwelling has a loose-surfaced parking/turning area and driveway to its front and north side where a garage previously stood.

2.5. Some preparatory work appears to have taken place on the site, with the former front boundary wall and hedgerow being removed, along with all the trees from the front and side gardens

2.6. The application site is located within flood zone 1.

3. PROPOSAL

3.1. The proposal is for the demolition of the existing bungalow on the site and its replacement with three new dwellings, arranged in a linear form. Two of these properties would be 3-storey dwellings (albeit with accommodation in the roof) and attached garages, while the third dwelling would be single storey with a detached garage. Each of the properties would be served by an individual access.

4. SITE PLANNING HISTORY

F/YR03/0861/F	Erection of single-storey side, front and rear extensions to existing dwelling	Granted	28.08.2003
F/YR17/1165/O	Erection of a dwelling (Outline with matters committed in respect of access)	Refused	05.02.2018
F/YR17/0629/O	Erection of a dwelling (Outline with matters committed in respect of access)	Refused	29.09.2017
F/YR06/0422/O	Erection of a detached chalet bungalow	Refused	26.05.2006
06/00041/REF	Erection of a detached chalet bungalow	Dismissed	22.11.2006

5. CONSULTATIONS

5.1. **Wimblington Parish Council**
"Entrance to first bungalow is on a blind bend. Road visibility issues. Single access not clear. Hedges and trees already cut down, question as to ownership of trees cut down. Highways/traffic issues."

5.2. **Cambridgeshire County Council Highways Authority**
"I am not too concerned about vehicles reversing out onto Eastwood End, however I agree the parking and turning does not work for all three plots, particularly Plots 1 & 3. I am sure the applicant could amend them so they work better and ensure vehicles can enter and exit in a forward gear. Note this is not a busy high speed classified road, so entry/exit in a forward gear is not essential, so long as the visibility splays are achieved.

There is sufficient off-road parking provision for each plot to allow us to ignore the garage internal dimensions and not consider the garage as suitable parking spaces.

Visibility splay across Plot 3 is not really an issue because of the low speed corner i.e. 2.4mx43m is the recommended splay for 30mph 85th percentile speeds. Vehicle speeds around the corner question are not likely to exceed 20mph."

5.3. **FDC Environmental Health**
No objections. Request condition regarding unsuspected contamination

5.4. **Cambridgeshire Fire and Rescue**
"With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition."

5.5. **Local Residents/Interested Parties**
None received

6. STATUTORY DUTY

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

7. POLICY FRAMEWORK

7.1. **National Planning Policy Framework (NPPF)**
Para 2: NPPF is a material consideration in planning decisions.
Para 7: Purpose of the planning system is to contribute to the achievement of sustainable development
Para 12: Conflict with an up-to-date plan should not usually be granted
Para 79: Housing should be located where it will enhance or maintain the vitality of rural communities.
Para 130: Well-designed development
Para 134: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.
Para 174: Contribution to and enhancement of the natural and local environment.
Para 180: Harm to habitats and biodiversity.

7.2. **National Planning Practice Guidance (NPPG)**
Determining a Planning Application

7.3. **National Design Guide 2019**
Context
Identity
Built Form
Homes and Buildings
Resources
Lifespan

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
LP12 – Rural Areas Development Policy
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP19 – The Natural Environment

8. KEY ISSUES

- **Principle of Development**
- **Character Impact**
- **Highway Safety**
- **Residential Amenity**

9. BACKGROUND

9.1. Eastwood End has been the subject of several appeals in recent years, all of which have considered the matter of the status of the settlement with regard to the settlement hierarchy set out in policy LP3 of the Fenland Local Plan (2014).

9.2. Four appeal decisions are of particular note stretching back to 2014 and the adoption of the current development plan. Each considered the matter of the status of Eastwood End with regard to the settlement hierarchy. Two of the decisions (both dismissed) considered that Eastwood End is an 'Elsewhere' location as identified within policy LP3, where development requires special justification, and that Eastwood End was an unsustainable location. A third appeal (also dismissed) similarly concluded that Eastwood End was an 'Elsewhere' location requiring special justification for development, but noted that some journeys may be undertaken by means other than the private car to the nearby settlement of Wimblington. The final appeal (allowed) concluded that as Eastwood End was not defined as a separate settlement in its own right under policy LP3, its status was a matter of judgement. The Inspector concluded that Eastwood End was in fact an outlying part of the larger settlement of Wimblington and not a distinct entity, noting that a scheme for three dwellings (directly opposite this application) recently granted by the Council reinforced this finding.

9.3. In light of this appeal history, where Planning Inspectors have failed to identify and follow a consistent approach in relation to classification of the settlement, these appeals are considered to provide no firm basis for making an assessment of the application. However, the Council has been consistent in its approach to Eastwood End considering this an Elsewhere Location where development should be resisted. This is apparent when looking at the development of the three dwellings to the opposite side of the road to the current application site where the delivery of a footway link was considered to outweigh any policy conflict.

9.4. The specific site history indicates several attempts have been made to gain permission for the construction of a single dwelling on the land to the north of the bungalow on the site, all of which have been refused. A single appeal decision relates to such a proposal, however it dates back to 2006 and therefore predates the current development plan.

10. ASSESSMENT

Principle of Development

10.1. Policy LP3 considers that Eastwood End is an Elsewhere location in terms of LP3, where development will be restricted to that which is demonstrably essential to the effective operation of local agriculture or a range of other rural uses. The proposal does not accord with the criteria identified in that policy for development in Elsewhere locations. Wimblington is a growth village where LP3 states that 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 the Market Towns.

10.2. Appeal decisions elsewhere within the district in relation to development of new dwellings within an Elsewhere location set out the approach to considering development in such locations, with the key steps of that approach being as follows:

- Policy LP3 restricts development in such areas to support specific uses (such as agricultural, horticultural etc).
- Policy LP12 Part A is not relevant as it deals specifically with village settlement classes and not 'Elsewhere' locations.
- Policy LP3 is consistent with paragraph 78 of the National Planning Policy Framework (2019) as the settlement hierarchy identifies opportunities for growth in smaller settlements.
- Paragraph 79 of the National Planning Policy Framework (2019) does not fall for consideration in relation to sites that are not considered to be 'isolated'.
- Modest social and economic benefits are not of sufficient weight to override policy LP3.

10.3. In conclusion with regard to the principle of the development, the location of the application site is not supported by the policies of the Fenland Local Plan except in specific circumstances relating to defined uses appropriate to countryside locations. No evidence has been provided to indicate that the scheme meets the requirements of those exceptions, and there are no material considerations that outweigh the restrictive policy.

Character Impact

10.4. The application site forms part of the frontage of Eastwood End at its southern end, where development is more generously spaced and sporadic than that towards the north end of the hamlet.

10.5. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.

10.6. Historic imagery of the site (2010) shows a bungalow of no particular architectural merit that nonetheless sat well within its surroundings, contributing to but not dominating the appearance of the street scene in this location. It had a low garden wall immediately to the front of the site, with maintained hedgerows to either side. The property also benefitted from a mature, landscaped setting, both in front of the dwelling and to both of its sections of amenity land, to either side.

10.7. All of this landscaping that made a significant contribution to the setting of the dwelling was removed prior to the submission of the current planning application, and the boundary wall and detached garages serving the property have also been removed. The application site now appears stark and barren within the street scene, devoid of any features of merit. It is concluded that the removal of the trees and wall from the site have had a significant impact on its appearance and contribution to the character of the area. No replacement landscaping is shown to the frontage of the development and it is considered that this, combined with the scale of development would cause the proposed replacement dwellings to have a much more dominant and intrusive relationship within the street scene than that enjoyed by the existing property.

10.8. The proposal is for the development of three dwellings on the site in a stepped arrangement that broadly follows the curve of the road from which they are accessed. The dwellings would typically be in the range of 8.5-12 metres from the road, with individual parking and turning areas marked out between the dwellings and the road.

10.9. The plans identify the parking for the proposed dwellings in particularly prominent locations in respect of the street scene, whilst the garages do not meet with the internal space standards required of garage parking under Appendix A of the Fenland Local Plan (2014), meaning that an increased number of cars would be likely to be parked on the areas immediately in front of the dwellings. This would also impact on the appearance of the properties within the street scene. In each of the plots, the proposed access point appears to have been chosen without reference to the location of the proposed parking areas, with extensive areas of hard surfacing identified in front of the dwellings to theoretically allow vehicles to access the parking serving the plots.

10.10. The scheme would contrast poorly with the plots granted consent on the opposite (east) side of Eastwood End, where the dwellings approved were located within extensive grounds and set back a considerable distance from the road. The design of the dwellings resembles a property that would be expected to sit within much more extensive grounds, with elements of a Georgian style including a high proportion of glazing to the front elevation , which is largely symmetrical around a grand central entrance. This is unbalanced however by the proposed garages to the dwellings to their southern flanks, and the more subdued unprepossessing style of the bungalow on plot 3. This detrimental impact is further exacerbated by the limited space between the dwellings within the street scene, which combines with the limited set back from the road to create a development that would have an oppressive impact detrimental to the character of the area.

10.11. The proposal would therefore fail to accord with the requirements of policy LP16 of the Fenland Local Plan (2014).

Highway Safety

10.12. Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. Appendix A of the Fenland Local Plan sets out the parking standards associated with development proposals, noting that for properties of up to three bedrooms, two parking spaces are required, and for properties of four bedrooms or more, provision of three spaces is required.

10.13. The scheme proposes to upgrade the existing vehicular access into the site and to provide a further two accesses to the centre and south of the site. Each property would therefore have its own private access with on-plot parking provision. As noted above, the proposed garages do not meet the internal space standards required to qualify as a parking space in respect of Appendix A of the Fenland Local Plan. However the Highway Authority have confirmed they consider there is sufficient parking space on the driveways associated with the properties to serve the development. Parking of vehicles associated with the dwellings would therefore become a matter of visual impact on the character of the area.

10.14. The works to remove the boundary treatments of the site have allowed for the development to propose visibility splays to either side of each of the new accesses sufficient to satisfy the Local Highways Authority however due to the location of the development on a bend in the road, this would require a condition to prevent any feature over 0.6m high within a large section of the front garden of plot 3. The parking and turning area associated with this plot is located within this visibility splay and it is not considered feasible therefore to prevent it from being obscured by condition. Notwithstanding that, the visibility splay shown has been confirmed by the Highways Authority as relating to the speed limit for the area, however due to the nature of the road at that point it is likely that actual speeds are much lower and therefore the visibility splay required would be less than that shown.

10.15. The Highways Authority have raised no objection to the proposal on the basis of the proposed new accesses to serve the development or the development's wider impact on Highway Safety.

Residential Amenity

10.16. Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal, with the guideline for non-flat development being one third of the plot area.

10.17. In this instance, the proposed private amenity space serving plot 3 fails to meet this standard, with approximately 20% of the plot given over to private amenity space. Given the absolute size of the private amenity space however, it provides an ample area to serve the dwelling and would not justify refusal on the grounds of poor amenity provision.

10.18. With regard to other residential amenity impacts, these generally arise due to relationships that result in overlooking of adjacent land resulting in a loss of privacy, or the proximity of dwellings to boundaries resulting in an overbearing impact on the garden areas of neighbouring dwellings. In this instance, the separation of the proposed dwellings from the side boundaries of the plots within the site combined with the overall size of the proposed gardens ensures an acceptable relationship within the development. Only one existing dwelling adjoins the site, which is located to the north, and similarly this property benefits from an ample rear garden that would not be unacceptable impacted on by the proposed dwelling on plot 1.

10.19. The scheme is therefore acceptable in terms of its impact on residential amenity.

11. CONCLUSIONS

11.1. The proposal is located in an area identified as an 'Elsewhere' location within the development plan. Policy LP3 restricts development in such areas to that which meets one of a strict set of countryside appropriate uses, none of which apply to the application proposals. The redevelopment of the site for additional dwellings is therefore contrary to this policy.

11.2. The specific development proposed has already resulted in character harm to the area from the preparation of the site prior to the submission of the planning application, and the proposals set out in the plans would result in further harm to the character of this area.

11.3. The proposal does not result in an adverse impact on highway safety along Eastwood End.

11.4. There is no residential amenity harm arising from the scheme, and the amenity levels within the proposed development are acceptable.

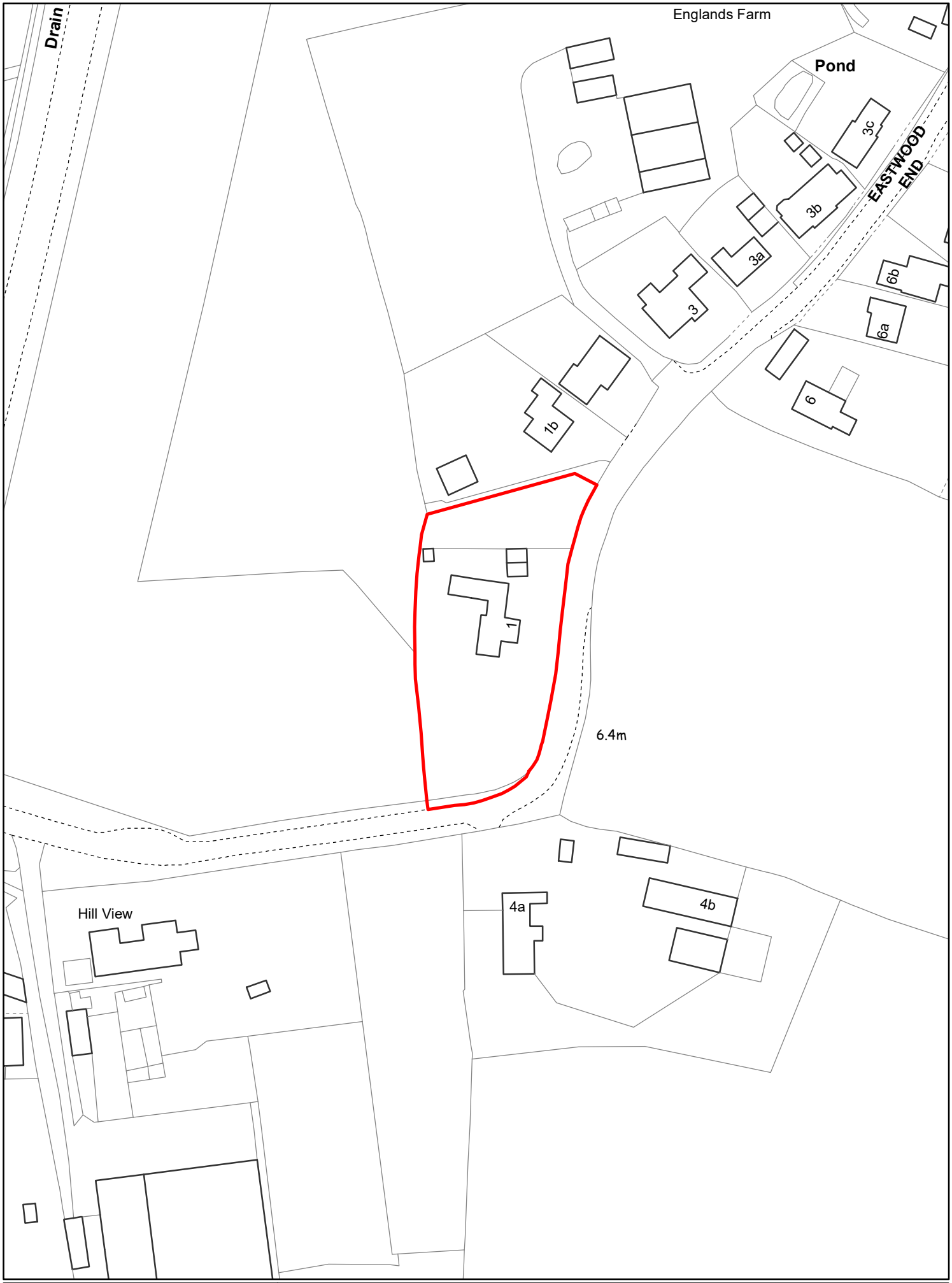
11.5. The dwelling would make a modest contribution to the provision of housing within the district and has the potential to support local employment through the construction phase. These positive benefits however are not sufficient to outweigh the harm identified to the area from the proposed development

12. RECOMMENDATION

Refuse

Reasons

1	Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy for the district, identifying the scale of development that will be appropriate for each level of the hierarchy. The proposal is for the construction of 3 dwellings in Eastwood End, which is categorised as an Elsewhere location within LP3, where development is to be restricted to that falling within a specific set of categories. Policy LP12 part D supplements policy LP3 in identifying the supporting information required of proposals for new dwellings in Elsewhere locations. No evidence has been provided to indicate that the proposed development falls within any of these categories for consideration and therefore the proposal is contrary to policy LP3 and LP12 part D.
2	Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The development of the site for three residential dwellings would result in a significant urbanisation of this section of Eastwood End, with the development proposals put forward for consideration having a stark, overbearing and detrimental impact on the existing character of the area. The scheme would therefore be contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).



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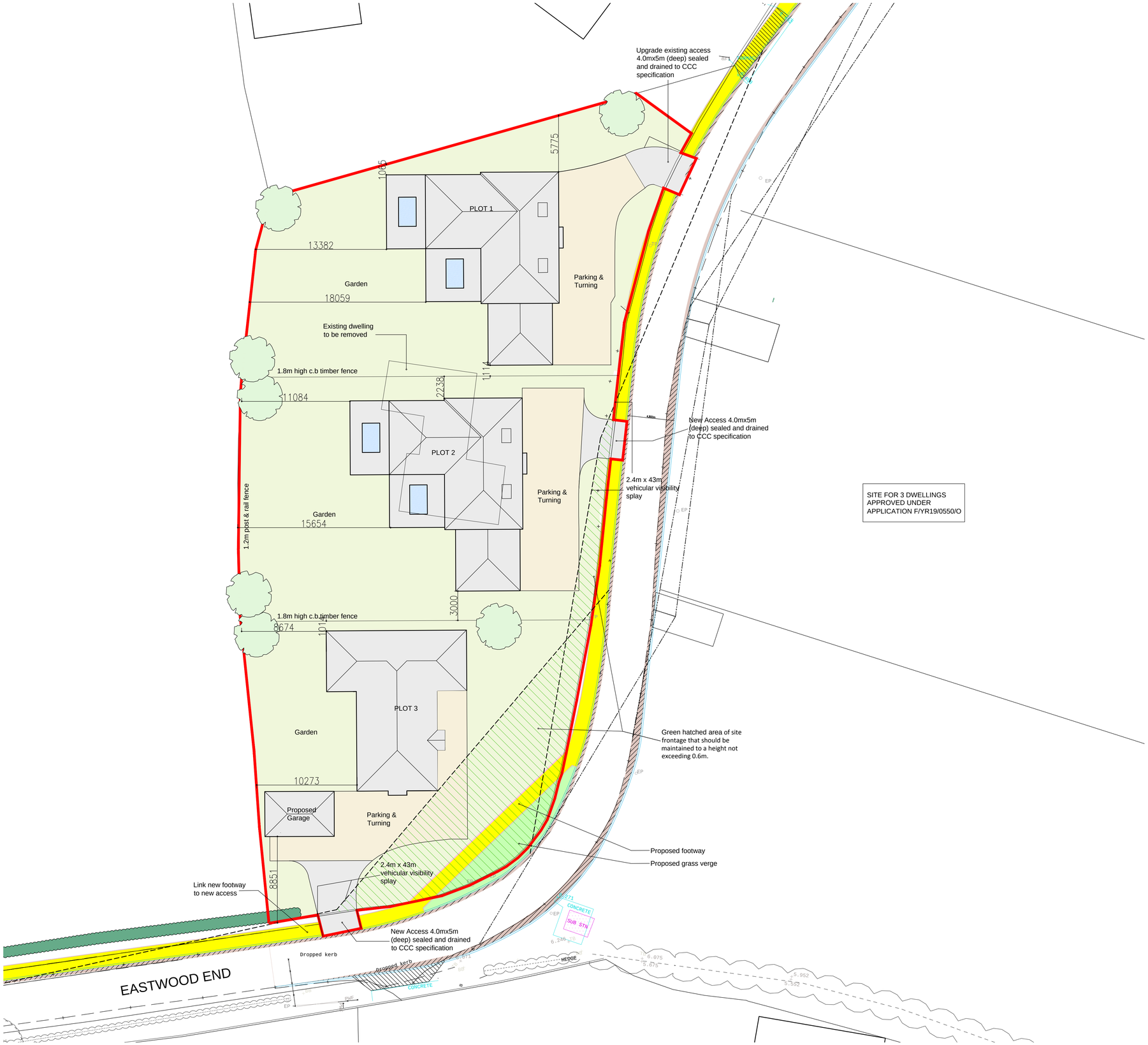

PROPOSED SITE PLAN 1:200

LOCATION PLAN 1:1250

SITE FOR 3 DWELLINGS
APPROVED UNDER
APPLICATION F/YR19/0550/O

N

Peter Humphrey Associates Ltd.
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.1b
EASTWOOD END
WIMBLINGTON
CAMBS
PE15 0QQ

DRAWING
PLANNING DRAWING 1

CLIENT
Mr C Waters

DATE JAN 21 SCALE As Shown JOB No. 6256/01E

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Fenland District Council
Building Design Awards
Building Excellence in Fenland
Category Winner 08,09,10
Overall Winner 2010

PLOT 1 FRONT ELEVATION

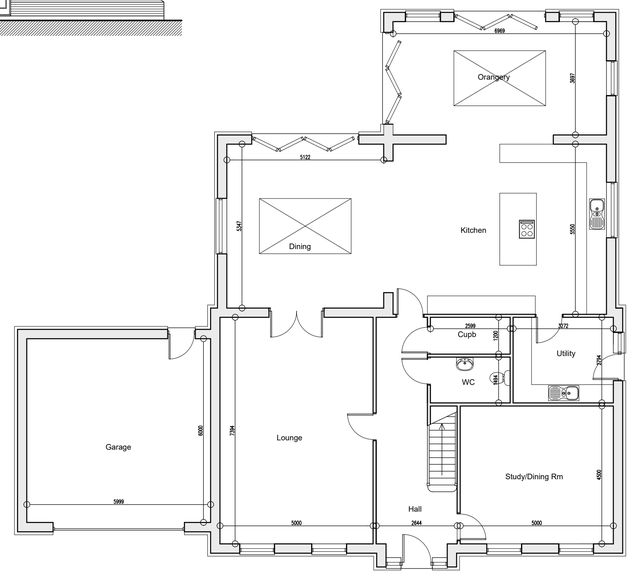
SIDE ELEVATION

REAR ELEVATION

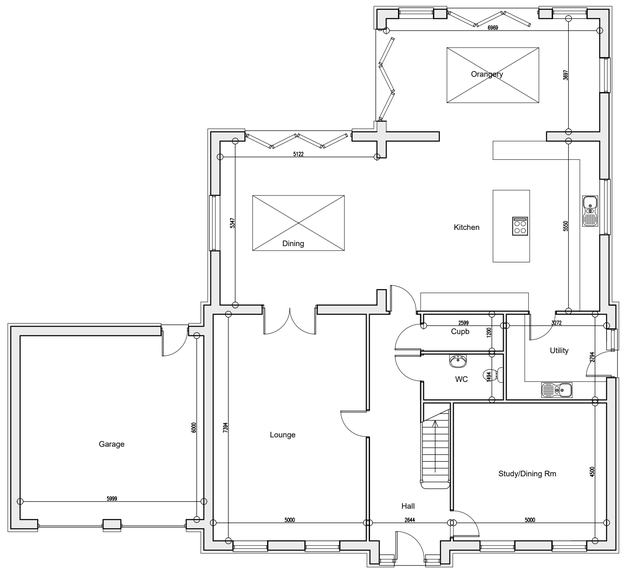
SIDE ELEVATION

PLOT 2 FRONT ELEVATION

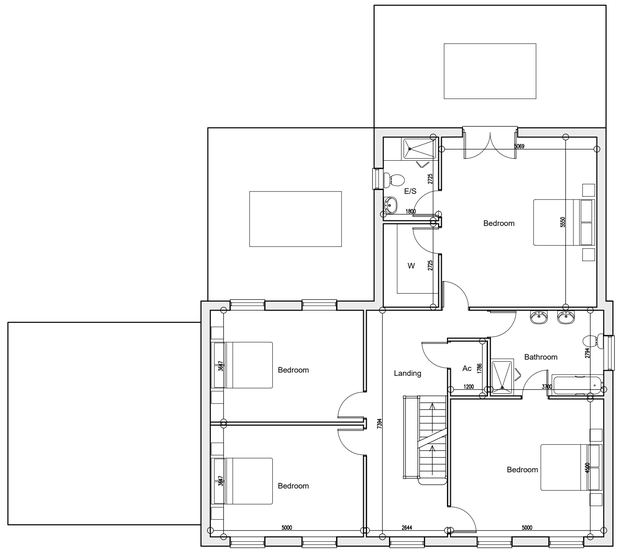
ELEVATIONS 1:100



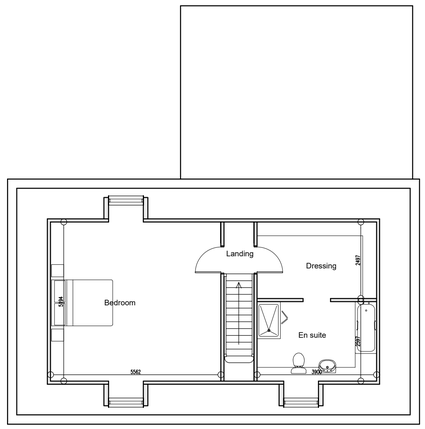
PLOT 2 GROUND FLOOR PLAN



PLOT 1 GROUND FLOOR PLAN



FIRST FLOOR PLAN



ATTIC FLOOR PLAN

PLANS 1:100

PLOT 3 PLOT 2 PLOT 1

PROPOSED STREET SCENE 1:200

N

Peter Humphrey Associates Ltd.
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.1b
EASTWOOD END
WIMBLINGTON
CAMBS
PE15 0QQ

DRAWING
PLOTS 1 & 2 PLANS & ELEVATIONS

CLIENT
Mr C Waters

DATE JAN 21 SCALE As Shown JOB No. 6256/02C

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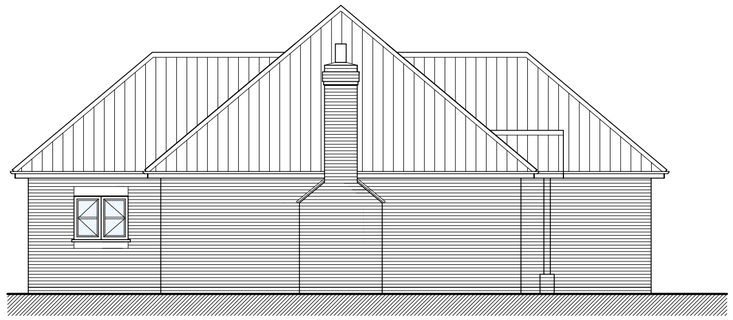
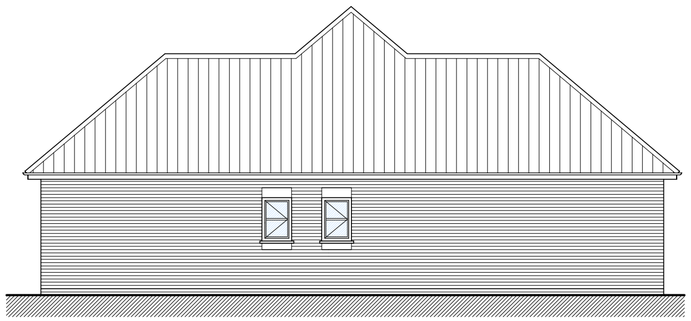
Fenland District Council
Building Design Awards
Building Excellence In Fenland
Category Winner 08,09,10
Overall Winner 2010

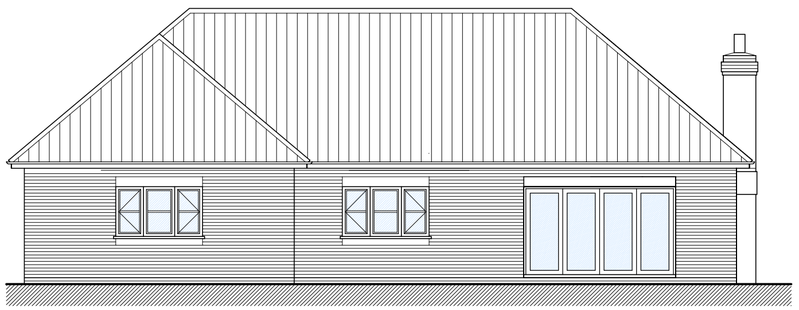
FRONT ELEVATION



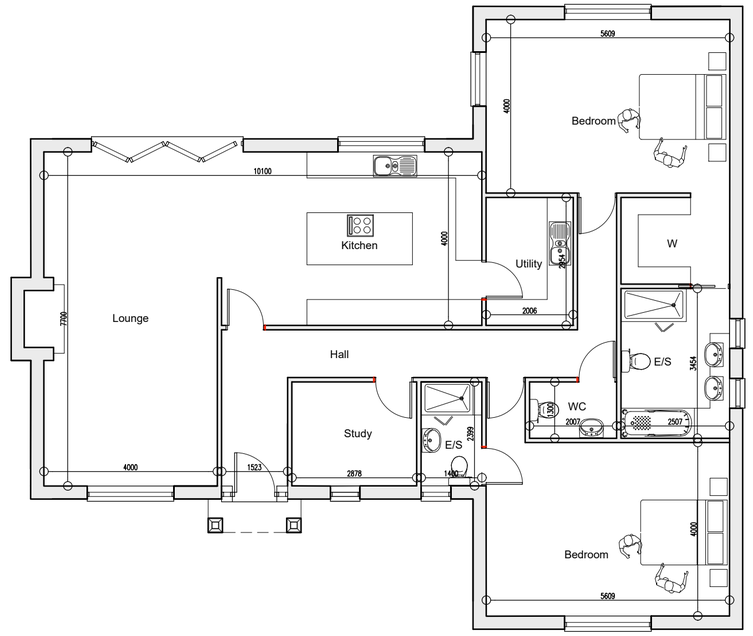
SIDE ELEVATION



SIDE ELEVATION

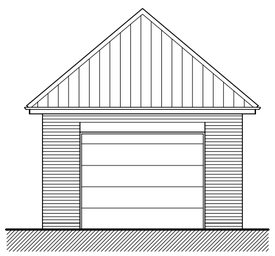


REAR ELEVATION



PLAN 1:100

ELEVATIONS 1:100



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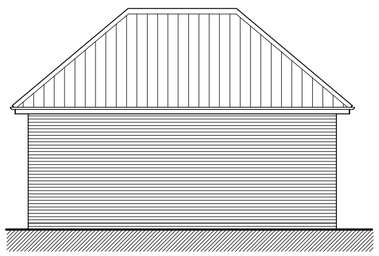
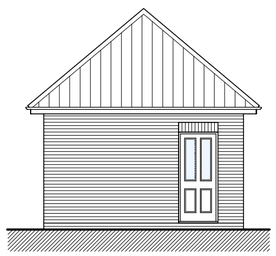
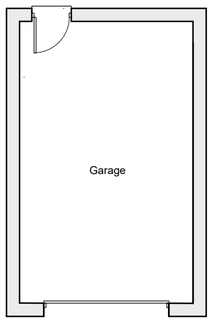


SIDE ELEVATIONS



REAR ELEVATION

GARAGE ELEVATIONS 1:100



GARAGE PLAN 1:100

Peter Humphrey Associates Ltd.
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.1b
EASTWOOD END
WIMBLINGTON
CAMBS
PE15 0QQ

DRAWING
PLOT 3 PLANS & ELEVATIONS

CLIENT
Mr C Waters

DATE JAN 21 SCALE As Shown JOB No. 6256/03C

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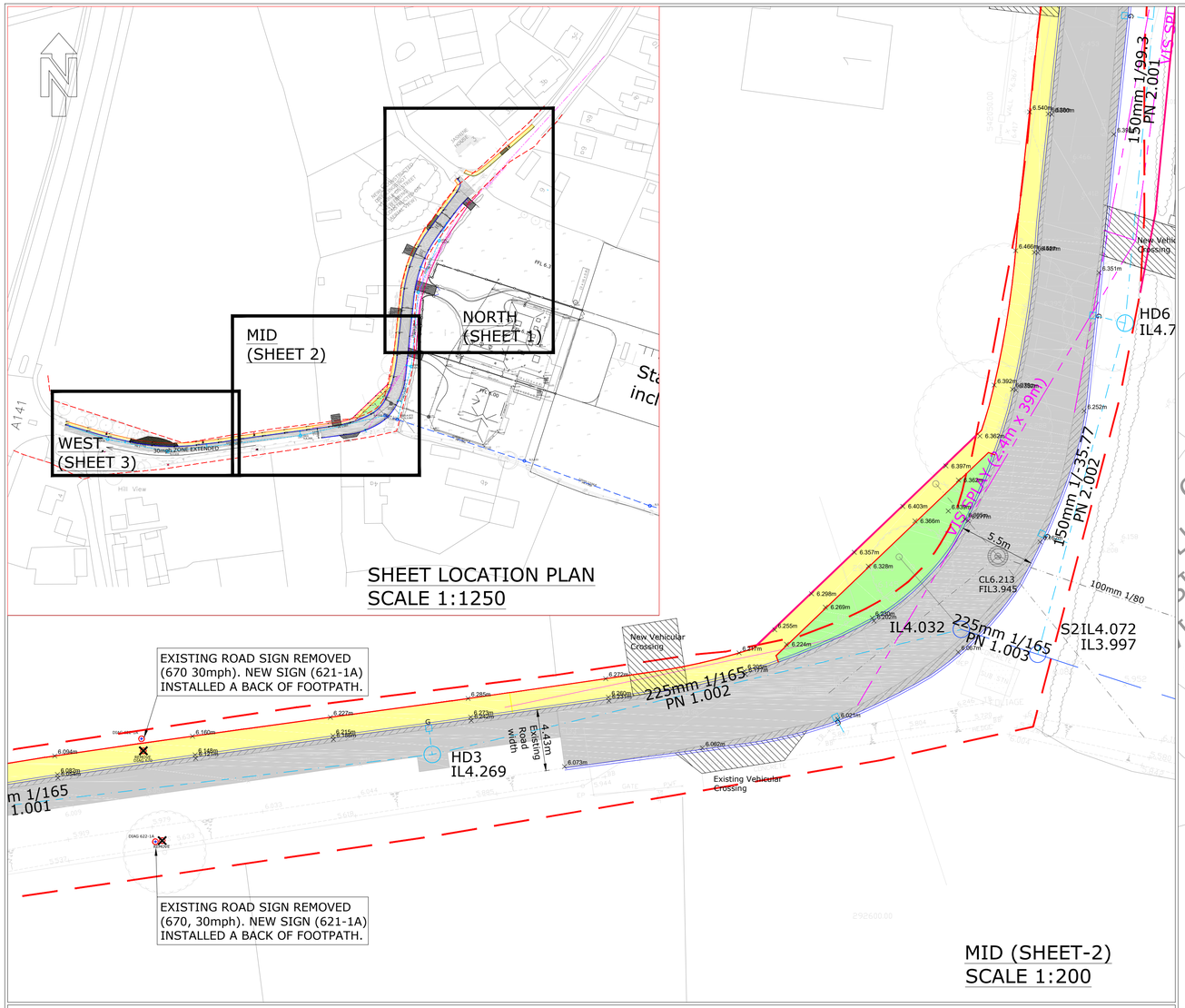
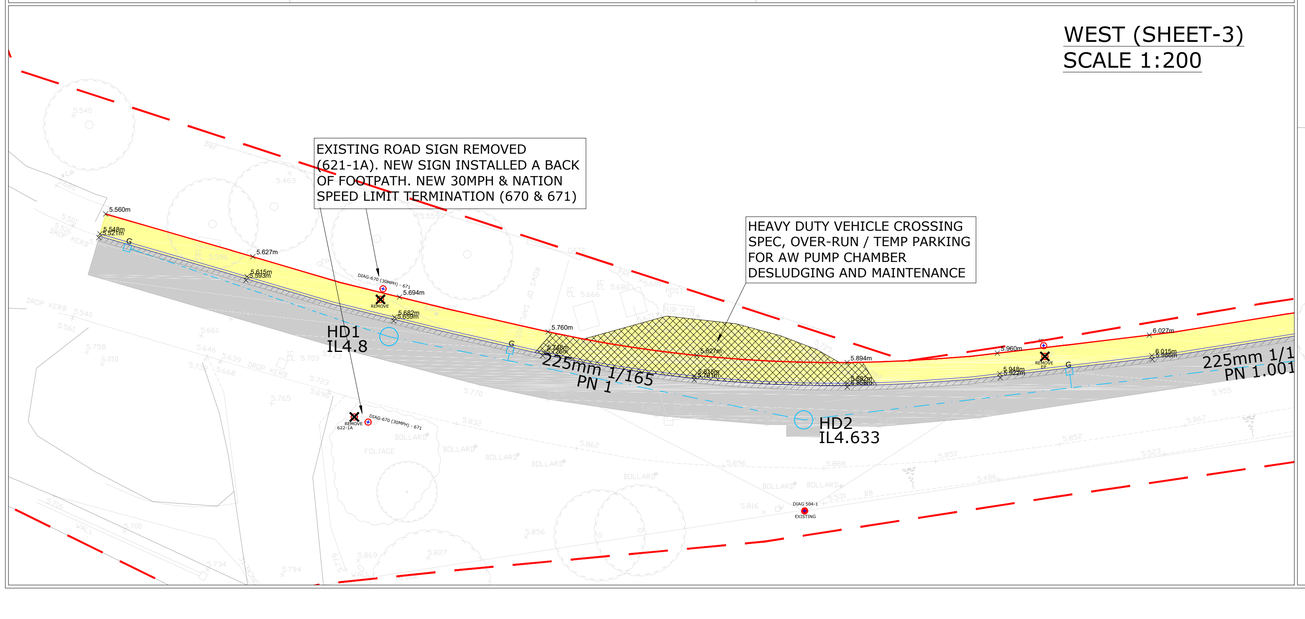
30 OLD MARKET WISBECH CAMBS PE13 1NB

Fenland District Council
Building Design Awards
Building Excellence in Fenland
Category Winner 06,09,10
Overall Winner 2010

SHEET LOCATION PLAN
SCALE 1:1250

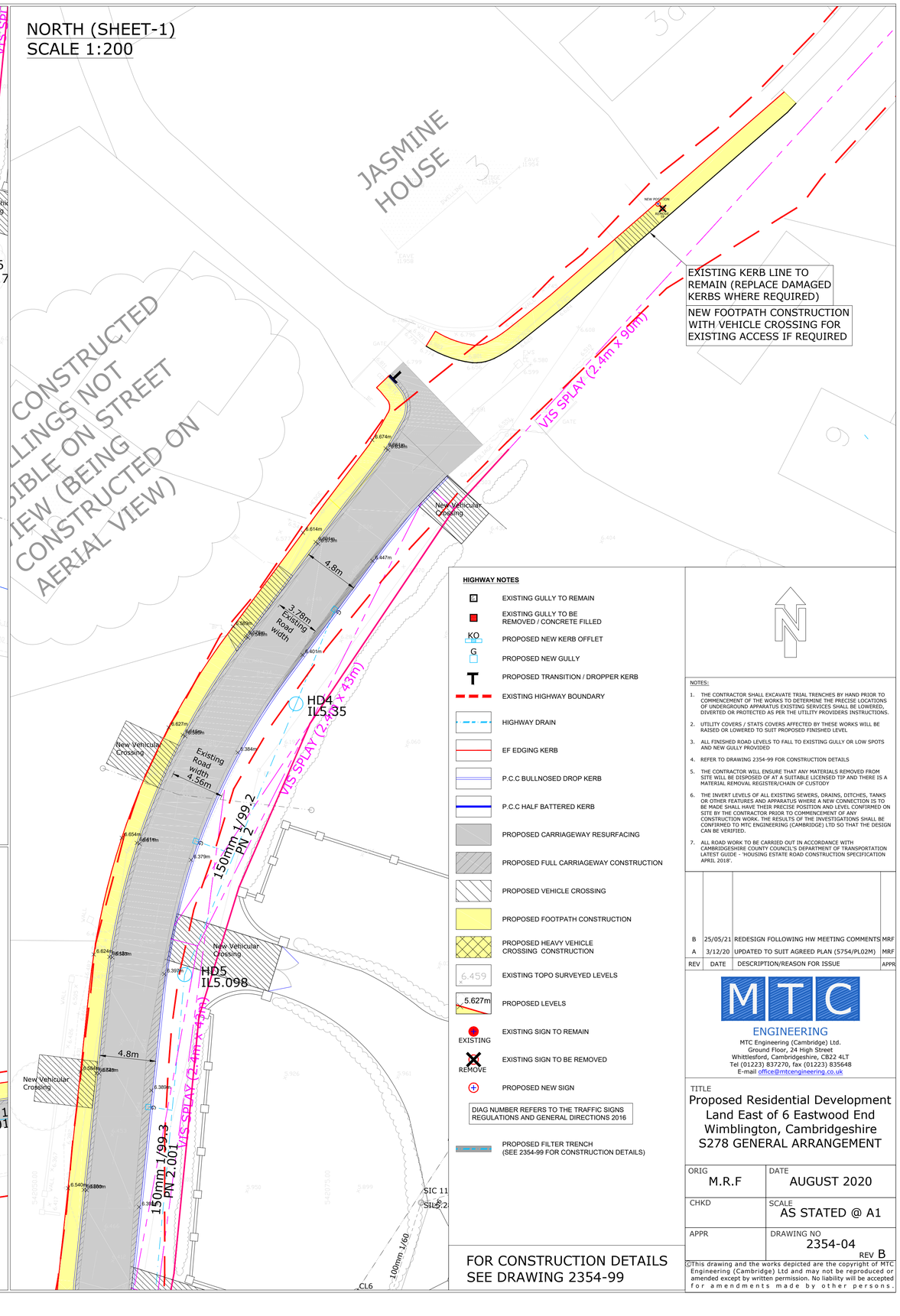


MID (SHEET-2)
SCALE 1:200



WEST (SHEET-3)
SCALE 1:200

NORTH (SHEET-1)
SCALE 1:200



HIGHWAY NOTES

- EXISTING GULLY TO REMAIN
- EXISTING GULLY TO BE REMOVED / CONCRETE FILLED
- KO — PROPOSED NEW KERB OFFLET
- G — PROPOSED NEW GULLY
- T — PROPOSED TRANSITION / DROPPER KERB
- EXISTING HIGHWAY BOUNDARY
- HIGHWAY DRAIN
- EF EDGING KERB
- P.C.C BULLNOSED DROP KERB
- P.C.C HALF BATTERED KERB
- PROPOSED CARRIAGEWAY RESURFACING
- PROPOSED FULL CARRIAGEWAY CONSTRUCTION
- PROPOSED VEHICLE CROSSING
- PROPOSED FOOTPATH CONSTRUCTION
- PROPOSED HEAVY VEHICLE CROSSING CONSTRUCTION
- 6.459 — EXISTING TOPO SURVEYED LEVELS
- 5.627m — PROPOSED LEVELS
- EXISTING — EXISTING SIGN TO REMAIN
- REMOVE — EXISTING SIGN TO BE REMOVED
- PROPOSED NEW SIGN

DIAG NUMBER REFERS TO THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 2016

- PROPOSED FILTER TRENCH (SEE 2354-99 FOR CONSTRUCTION DETAILS)

FOR CONSTRUCTION DETAILS SEE DRAWING 2354-99

NOTES:

1. THE CONTRACTOR SHALL EXCAVATE TRIAL TRENCHES BY HAND PRIOR TO COMMENCEMENT OF THE WORKS TO DETERMINE THE PRECISE LOCATIONS OF UNDERGROUND APPARATUS EXISTING SERVICES SHALL BE LOWERED, DIVERTED OR PROTECTED AS PER THE UTILITY PROVIDERS INSTRUCTIONS.
2. UTILITY COVERS / STATS COVERS AFFECTED BY THESE WORKS WILL BE RAISED OR LOWERED TO SUIT PROPOSED FINISHED LEVEL
3. ALL FINISHED ROAD LEVELS TO FALL TO EXISTING GULLY OR LOW SPOTS AND NEW GULLY PROVIDED
4. REFER TO DRAWING 2354-99 FOR CONSTRUCTION DETAILS
5. THE CONTRACTOR WILL ENSURE THAT ANY MATERIALS REMOVED FROM SITE WILL BE DISPOSED OF AT A SUITABLE LICENSED TIP AND THERE IS A MATERIAL REMOVAL REGISTER/CHAIN OF CUSTODY
6. THE INVERT LEVELS OF ALL EXISTING SEWERS, DRAINS, DITCHES, TANKS OR OTHER FEATURES AND APPARATUS WHERE A NEW CONNECTION IS TO BE MADE SHALL HAVE THEIR PRECISE POSITION AND LEVEL CONFIRMED ON SITE BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION WORK. THE RESULTS OF THE INVESTIGATIONS SHALL BE CONFIRMED TO MTC ENGINEERING (CAMBRIDGE) LTD SO THAT THE DESIGN CAN BE VERIFIED.
7. ALL ROAD WORK TO BE CARRIED OUT IN ACCORDANCE WITH CAMBRIDGESHIRE COUNTY COUNCIL'S DEPARTMENT OF TRANSPORTATION LATEST GUIDE - 'HOUSING ESTATE ROAD CONSTRUCTION SPECIFICATION APRIL 2018'.

REV	DATE	DESCRIPTION/REASON FOR ISSUE	APPR
B	25/05/21	REDESIGN FOLLOWING HW MEETING COMMENTS	MRF
A	3/12/20	UPDATED TO SUIT AGREED PLAN (5754/PL02M)	MRF

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E-mail office@mtcengineering.co.uk

TITLE
Proposed Residential Development Land East of 6 Eastwood End Wimblington, Cambridgeshire S278 GENERAL ARRANGEMENT

ORIG M.R.F	DATE AUGUST 2020
CHKD	SCALE AS STATED @ A1
APPR	DRAWING NO 2354-04 REV B

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NEW 1.5m FOOTPATH TO TIE INTO EXISTING FOOTPATH

EXISTING ELECTRICITY POLE TO BE RELOCATED TO BACK OF FOOTPATH

NEW FOOTWAY CONSTRUCTED ALONG EXISTING HB125 KERB

FOLIAGE WITHIN VISIBILITY SPLAY TO BE TRIMMED BACK TO EDGE OF HIGHWAY BOUNDARY TO PROVIDE 2.4m X 43m VISIBILITY SPLAY

2.4m X 43m VISIBILITY SPLAY

2.4m X 43m VISIBILITY SPLAY

HB125 UPSTAND KERB ALONG NEW FOOTWAY

BN25 KERB AT VEHICLE CROSSINGS

NEW HEDGE TO BE PLANTED TO REAR OF FOOTWAY ALONG SITE FRONTAGE

FFL 6.3

FFL 6.15

2.4m X 43m VISIBILITY SPLAY

TREES TO BE REMOVED TO MAKE WAY FOR FOOTWAY CONSTRUCTION AND TO ALLOW 43m VISION SPLAY TO BE ACHIEVED

2.4m X 43m VISIBILITY SPLAY

FFL 6.00

EXISTING ELECTRICITY POLE TO BE RELOCATED SUITABLE DISTANCE FROM CARRIAGWAY EDGE (MIN 600mm CLEARANCE)

EXISTING BOLLARD TO BE RELOCATED TO BACK OF FOOTPATH.

CHANGE IN SPEED ROAD SIGN 30/60MPH TO BE RELOCATED HERE SUBJECT TO A TRO APPROVAL. DISTANCE TO BE MINIMUM 450mm AWAY FROM KERB.

EXISTING ROAD SIGN (DIAGS 622.1A) TO BE RELOCATED. NEW BACK TO BACK SPEED LIMIT SIGNS INSTALLED AT THE BACK OF FOOTPATH.

NEW 1.5m FOOTWAY LAID OUT AND CONSTRUCTED TO CCC SPECIFICATION TO TIE IN WITH EXISTING

EXISTING CHANGE IN SPEED ROAD SIGN 30/60MPH TO BE RELOCATED. NEW ROAD SIGN DIAG 622.1A INSTALLED AT THE BACK OF THE FOOTPATH

TIE IN TO EXISTING FOOTWAY

EXISTING INSPECTION CHAMBER COVER LEVEL TO BE RAISED LEVEL WITH PROPOSED FOOTPATH.

HB125 KERB ALONG NEW FOOTWAY

HB125 KERB ALONG NEW FOOTWAY

CHECK CLEARANCE FROM CARRIAGWAY. ELECTRICITY POLE MAY REQUIRE RELOCATION (600mm MIN CLEARANCE)

EXISTING ELECTRICITY POLE TO BE RELOCATED AWAY FROM ROAD EDGE MIN 600mm CLEARANCE

BN25 KERB ALONG NEW ROAD EDGE TO PROVIDE WIDENING AROUND BEND

Hill View

KEY

- EF EDGING KERB
- P.C.C BULLNOSED DROP KERB
- P.C.C HALF BATTERED KERB
- PROPOSED FULL CARRIAGEWAY CONSTRUCTION
- PROPOSED VEHICLE CROSSING
- PROPOSED FOOTPATH CONSTRUCTION
- PROPOSED FULL CARRIAGEWAY (VC) CONSTRUCTION
- EXISTING TOPO SURVEYED LEVELS
- PROPOSED LEVELS
- EXISTING SIGN TO REMAIN
- EXISTING SIGN TO BE REMOVED
- PROPOSED NEW SIGN

DIAG NUMBER REFERS TO THE TRAFFIC SIGNS REGULATIONS AND GENERAL DIRECTIONS 2016

North Arrow

NOTES

1. The contractor shall check all tie-ins for line and level with existing before commencing any works. The Engineer shall be notified immediately, in writing, should any errors be found.
2. Any discrepancies, of whatever nature, must be reported to the Engineer prior to the commencement or continuance of any further works.
3. All private drainage works to be in accordance with the requirements of Building Regulations 2010, Part H, "Drainage and waste disposal", (01st October 2015).
4. All pipes to be bedded and backfilled in accordance with Part H, Diagram 10. Shallow pipes shall be protected in accordance with Part H, Diagram 11.
5. Unless otherwise stated, all private drainage to be 100mm diameter. Gradients have been shown where there are pipe capacity issues and these should be regarded as minimums. Unless there are constraints dictating otherwise, gradients shall generally be 1 in 60. 100mm diameter pipes shall not be laid flatter than 1 in 80, 150mm diameter pipes shall not be laid flatter than 1 in 150.
6. All pipes, chambers and fittings to be installed strictly in accordance with the manufacturers instructions.
7. Pipes which run adjacent to buildings shall be installed in strict accordance with Part H, Clauses 2.23 to 2.25 and Diagram 8.
8. All private manholes, inspection chambers and drainage channels to comply with BS EN124. Cover strengths to be:
   Class D400 in heavy trafficked areas (access roads, service yards etc.)
   Class C250 in lightly trafficked areas (car parks, driveways etc)
   Class B125 in Non trafficked areas
   Class A15 in landscaping areas
9. All drains in the vicinity of existing or proposed trees to be constructed in accordance with the requirements of NHBC Practice Note 3.
10. Private drainage frames must be tied to manhole risers by use of manufacturers ties (e.g. Polypipe ref. FRK500 fixing kit and FRK501 black ties.) The ground works contractor will be held fully responsible for any accidents due to incorrect fitting or failure to use the correct manufacturers fixing equipment.
11. All existing land drains encountered on site during construction to be re-connected.
12. Should any departure from the slab level be considered, agreement shall be sought from the Engineer immediately and prior to commencement or continuance of any works, and should take full account of all restrictions to the slab level.
13. Garage slabs relate to the finished level of the concrete at the front entrance of the garage.
14. Where a drive slopes towards a garage there is to be a 75mm ramp up to the garage slab.
15. Maximum gradients of gardens to be 1 in 6 (unless stated otherwise), except for designed banking works.
16. All dimensions in metres unless otherwise stated.
17. As underlying ground conditions may be variable across the site the Contractor shall undertake onsite porosity tests at the location and depth of each soakaway. Tests should be undertaken in accordance with BRE365 and results forwarded to the Engineers to allow verification of designs.
18. All existing services, sewers and drains indicated on this drawing and any other related drawings are shown only indicatively, and shall have their positions and level confirmed on site by the Contractor.
19. The invert levels of all existing sewers, drains, ditches, tanks or other features and apparatus where a new connection is to be made shall have their precise position and level confirmed on site by the Contractor prior to commencement of any construction work. The results of the investigations shall be confirmed to MTC Engineering (Cambridge) Ltd so that the design can be verified.

STORM WATER

20. All run-off from domestic roofs shall drain via a series of surface drainage systems with each outfall to the ditch south east of the development. Each plot shall have restricted discharge to greenfield runoff rate (0.9 l/s) via an orifice flow control and storage tanks to attenuate runnoff. Drainage systems are to remain private and have been designed to accommodate all storms up to and including the 100yr + 40% event.
21. All private driveways and shared accesses shall drain via permeable paving. The paving shall be designed based on CBR results and to accommodate the required loading.

FOUL WATER DRAINAGE

22. Domestic foul sewerage from all properties shall drain via a private gravity foul water drainage system which shall discharge to the existing public foul sewer at manhole chamber AWMH 0601. Connection will be subject to a S106 Connection Agreement with the Water Authority.

HIGHWAY DRAINAGE TO BE AGREED AT SECTION 278 STAGE

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

REV	DATE	DESCRIPTION/REASON FOR ISSUE	APPR
F	11/06/21	LAYOUT UPDATED TO HW COMMENTS	MRF
E	16/10/19	UPDATED AS PER CCC HW COMMENTS	AO
D	09/10/19	UPDATED AS PER CCC HW COMMENTS	AO
C	01/10/19	UPDATED AS PER CCC HW COMMENTS	AO
B	02/09/19	ADDED FOOTPATH EXTENSION	AO
A	28/08/19	ADDED CROSS-SECTIONS OF KEY AREAS	AO

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Whittlesford, Cambridgeshire, CB22 4LT
Tel (01223) 837270, fax (01223) 835648
E-mail office@mtcengineering.co.uk

TITLE
Proposed Residential Development
Land East of 6 Eastwood End
Wimblington, Cambridgeshire
Off Site Highway Arrangement

ORIG J.T.C	DATE May 2019
CHKD	SCALE 1/500 @ A1
APPR	DRAWING NO 2354-02 REV F

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North Arrow

Key and Notes

- EXISTING GULLY TO REMAIN. (CLEAR DEBRIS)
- EXISTING GULLY TO BE REMOVED. CONNECTION GROUTED AND SEALED.
- G — PROPOSED NEW GULLY
- KO — PROPOSED NEW KERB OFFLET
- PROPOSED HIGHWAY MARKER POST
- HIGHWAY DRAINAGE LATERAL CONNECTIONS
- MAXIMUM EXTENT OF PROPOSED SECTION 278 WORKS AREA
- AREA TO BE DEDICATED TO HIGHWAYS
- BACK OF FOOTPATH
- PROPOSED KERBING
- NEW HIGHWAY BOUNDARY
- T — PROPOSED TRANSITION / DROPPER KERB
- EXISTING HIGHWAY BOUNDARY
- EXISTING HEADWALL STRUCTURE TO BE REMOVED
- PROPOSED HEADWALL STRUCTURE
- PROPOSED DITCH CULVERT
- PROPOSED HIGHWAY CATCHPIT CHAMBER
- PROPOSED FILTER TRENCH (SEE 2354-99 FOR CONSTRUCTION DETAILS)

NOTES:

1. THE CONTRACTOR SHALL EXCAVATE TRIAL TRENCHES BY HAND PRIOR TO COMMENCEMENT OF THE WORKS TO DETERMINE THE PRECISE LOCATIONS OF UNDERGROUND APPARATUS EXISTING SERVICES SHALL BE LOWERED, DIVERTED OR PROTECTED AS PER THE UTILITY PROVIDERS INSTRUCTIONS.
2. UTILITY COVERS / STATS COVERS AFFECTED BY THESE WORKS WILL BE RAISED OR LOWERED TO SUIT PROPOSED FINISHED LEVEL
3. ALL FINISHED ROAD LEVELS TO FALL TO EXISTING GULLY OR LOW SPOTS AND NEW GULLY PROVIDED
4. REFER TO DRAWING 2354-99 FOR CONSTRUCTION DETAILS
5. THE CONTRACTOR WILL ENSURE THAT ANY MATERIALS REMOVED FROM SITE WILL BE DISPOSED OF AT A SUITABLE LICENSED TIP AND THERE IS A MATERIAL REMOVAL REGISTER/CHAIN OF CUSTODY
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FOR CONSTRUCTION DETAILS SEE DRAWING 2354-99.

REV	DATE	DESCRIPTION/REASON FOR ISSUE	APPR
B	25/05/21	UPDATED FOLLOWING HW MEETING	MRF
A	3/12/20	UPDATED TO SUIT AGREED PLAN (5754/PL02M)	MRF

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Ground Floor, 24 High Street
Whittlesford, Cambridgeshire, CB22 4LT
Tel (01223) 837270, fax (01223) 835648
E-mail office@mtcengineering.co.uk

TITLE
Proposed Residential Development Land East of 6 Eastwood End Wimblington, Cambridgeshire S278 LAYOUT PLAN

ORIG M.R.F	DATE AUGUST 2020
CHKD	SCALE 1:500 @ A1
APPR	DRAWING NO 2354-05 REV B

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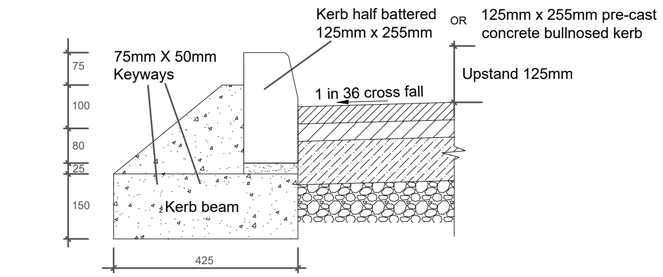
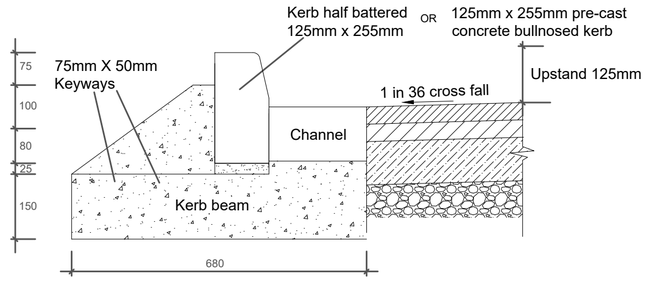
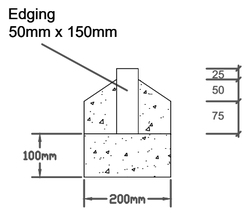


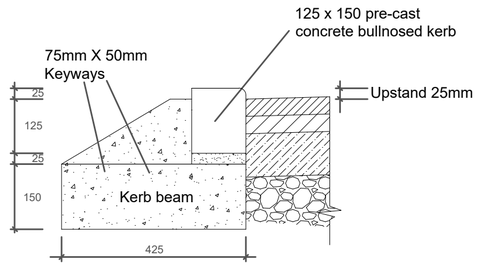
KERB DETAIL (HB2)



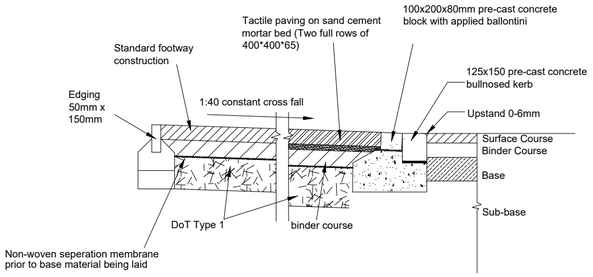
CHANNEL DETAIL

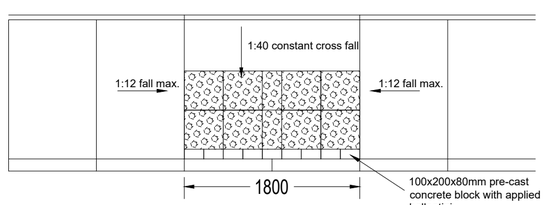


EDGING DETAIL (EF)



DROPPED KERB DETAIL (BN)





TACTILE PAVING STANDARD DETAIL

Notes:

1. Pedestrian routes crossing carriageways and on footways at junctions, two dropped kerb with tapers shall be provided on each side of the carriageway or junction.

2. Cycle Crossings drop kerbs shall be set flush with the carriageway channel level.

3. The back edge of the footway is to follow the kerb line to maintain a constant crossfall of 1:30. The longitudinal fall to the crossing across the length of the transition kerbs shall not exceed 1:12

PEDESTRIAN FOOTWAY / 0.5M MAINTENANCE STRIP

1) Surface course shall comprise of 25mm compacted thickness of AC 6 dense surf in accordance with BS EN 13108-1 and PD6691.

2) Binder course to be 60mm compacted thickness of AC 14 close surf Dense Asphalt Concrete to BS EN 13108-1 and PD6691 with 40-60 or 100-150 pen binder.

The footway binder course for heavy vehicle crossings shall be 90mm compacted thickness of Dense asphalt concrete AC 20 dense bin to BS EN 13108-1 and PD6691 with 50 pen binder.

3) Sub-base to be Specification for Highway Works, Clause 803 Type 1 or Housing Estate Road Sub-base or Specification for Highway Works, Clause 804 Type 2 (excluding natural sands and gravels) or compliant recycled 225mm thick or 365mm thick for heavy vehicular crossing.

4) The formation shall be treated with an approved weed killer before construction commences.

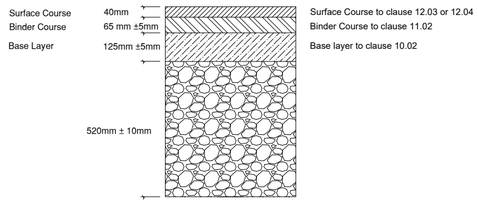
5) Bituminous layers should be machine laid in accordance with BS 594987:2010

Verges:

1) All margins to be hardened and constructed as per footway specification

Type of Footway	Depth of Sub-base
Light-vehicle crossing of footway with occasional vehicle overrun/turning	225mm
Heavy Vehicle crossing of footway	365mm

Estate Road: Carriageway Construction



Notes

1. Unless *in situ* testing has been agreed by the Engineer the CBR for the site will be assumed to be < 2% the depth of the Type 1 or Cambs. HER (Clause 9.0) Sub-base may be reduced in line with the following if suitable test results are provided.

Measured CBR values	Required depth of Type 1 or HER sub-base
CBR > 5%	260mm± 10mm (minimum thickness)
CBR 5%	280mm± 10mm
CBR 4%	315mm± 10mm
CBR 3%	375mm± 10mm
CBR 2%	450mm± 10mm
CBR less than 2%	520mm± 10mm

2. If Plasticity Index values are not available from the soil survey and test data for the proposed site, a CBR of less than 2 (<2) must be assumed for the design. A separating membrane will be required where the design CBR is less than 5% (Clause 7.03).

3. The total carriageway thickness must be at least 490mm (inclusive of sub-base).

4. The combined thickness of the bound layers as shown above shall be regarded as the minimum overall thickness for the bound materials.

Estate Roads (SMA)

Surface Course - STONE MASTIC ASPHALT
40mm compacted thickness of 6mm nominal size thin surface course compliant with BS EN 13108 Part 5 and PD 6691 guidance on the use of BS EN 13108 with 40-60 pen and a PSV of 50. Transported handled and laid in accordance with the requirements of BS 594987:2015.

Binder Course - Dense Asphalt Concrete
65mm compacted thickness of AC 20 dense bin to BS 13108-1 and PD6691
It shall be laid and thoroughly compacted all in accordance with BS 594987:2015. Binder to be 40-60 pen, In situ air voids between 2% & 7%

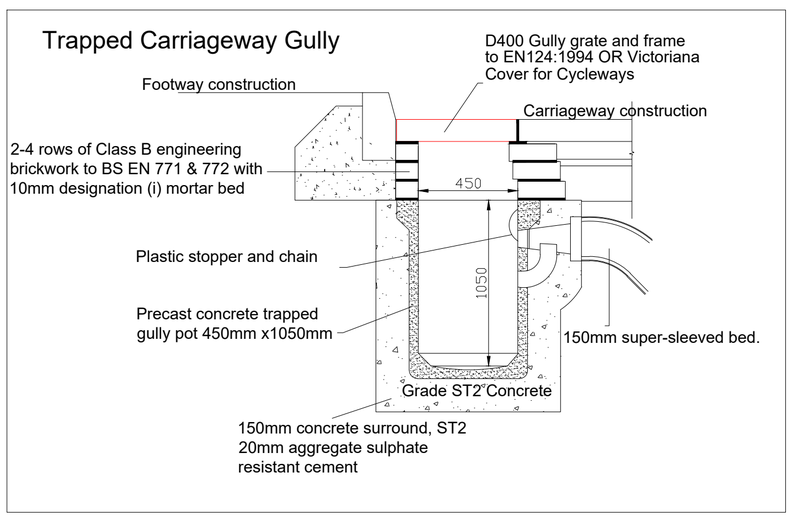
Base Course - Dense Asphalt Concrete
125mm compacted thickness of AC 20 dense bin to BS EN 13108-1 and PD6691. It shall be placed in two layers and thoroughly compacted, all in accordance with BS 594987:2010. Binder to be 40-60 pen. In situ air voids between 2% & 7%.

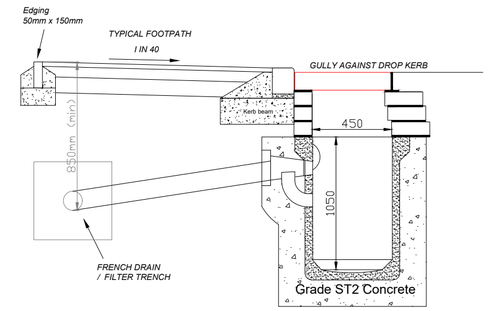
Sub-Base
520mm compacted thickness of DoT Type 1 Granular material highways specification Clause 803. It shall be spread evenly on the formation in layers of a depth not more than 150mm compacted thickness.

The formation shall be treated with an approved weed killer before construction commences.

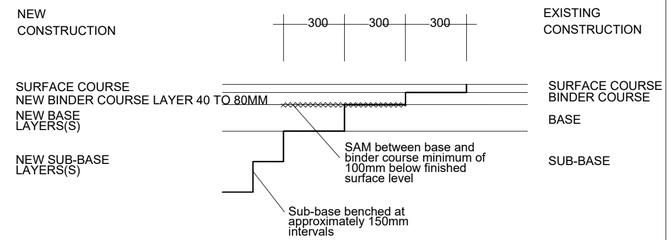
Bituminous layers should be machine laid in accordance with BS 594987:2010

Sub-grade
Soft spots to be removed and suitable material rolled in, in 150mm thick layers.
Sub-grade to be compacted with a roller of approved type and weight to profiles and shape then covered with a layer of non woven geotextile membrane such as Terram 1000 or similar approved





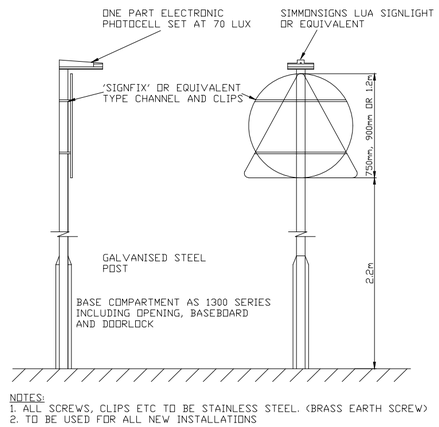
STEPPED CONSTRUCTION DETAIL



Key

SAM (Stress Absorbing Membrane) to be either :
Glasgrid Mesh or Colas performed SAM or TOK
Paving tape or similar approved.

Boundary between New and Existing Construction



NOTES:
1. ALL SCREWS, CLIPS ETC TO BE STAINLESS STEEL. (BRASS EARTH SCREW)
2. TO BE USED FOR ALL NEW INSTALLATIONS

NOTES

1) Unless in situ testing has been agreed by the Engineer the CBR for the site will be assumed to be <2%. The depth of the Type 1 may be reduced in line with the following if suitable test results are provided.

2) Gully Grates and Frames

Gully gratings and frames shall be Kite-marked to BS EN 124:1994. Either Cast Steel or Ductile Iron may be used. The frame shall be bedded on a gauged Class 1 (3:1) sand/cement mortar and at least two but no more than four courses of Engineering Brickwork Class 'B' to BS EN 771-1:2003.

Units complying to BE EN 124 Class D400 shall be used. These shall be hinged and must be of the "captive" type and shall be installed on the side facing oncoming traffic.

Gully Pots

Type and Size:
Gully pots shall be of precast concrete using Sulphate Resisting Cement (SRC) or an equivalent sulphate resistant blend as defined within BS8500 in accordance with BS 5911-6-2004 + A1:2010.

Gully pots shall have internal dimensions 450mm diameter by 1050mm deep.

Bedding and Surround:
Concrete gully pots shall be installed in accordance with BBA approval requirements, set on and surrounded by 150mm of ST2 concrete sulphate resistant cement to SHW Clause 2602.

Gully connections are to be 150mm pipe work surrounded in 150mm of Class ST2 concrete if within 1.2m of Road Surface. Flexcell is Required Through The Concrete at all the pipe joints Invert of discharge pipe to be at least 200mm below formation level.

3) Kerb Detail

Kerb Beams and Backing:
Kerb beams shall be constructed of ST1 concrete to SHW Clause 2602 not less than 150mm thick and 425mm wide. The kerbs shall be backed with ST1 concrete to a thickness of no less than 300mm, to within 50mm of the top of the kerb. Kerb foundations to ve shuttered on both sides.

Kerbs - General Requirements:
Kerb half battered 125mm x 255mm showing 125mm upstand bedded on 25mm mortar backed with 150mm of ST1 concrete to within 50mm of the top of kerb. Kerb foundations to be shuttered on both sides. Kerb beam to be 425 x 150mm min. thickness of ST1 Concrete.

Dropped kerb detail shall be 150 x 125 to BS EN 1340:2003 Type BN, all bedded and backed as above to within 25mm of the top of kerb.

No cut kerb shall be less than 300mm in length.

4) Edging Detail

150 x 50 PC edgings to BS EN 1340:2003 Type EF shall be provided. Bedded on 200 x 100 mm thick ST1 concrete and backed (both sides) with concrete to within a minimum of 40mm from the top of the edging.

5) All road work to be carried out in accordance with Cambridgeshire County Council's department of Transportation latest guide - 'Housing Estate Road Construction Specification April 2018'.

REV	DATE	DESCRIPTION/REASON FOR ISSUE	APPR
A	3/12/20	FILTER TRENCH DETAIL ADDED	MRF

MTC ENGINEERING
MTC Engineering (Cambridge) Ltd.
Ground Floor, 24 High Street
Whittlesford, Cambridgeshire, CB22 4LT
Tel (01223) 837270, fax (01223) 835648
E-mail office@mtcengineering.co.uk

TITLE

EASTWOOD END, WIMBLINGTON (S278) STANDARD HIGHWAY CONSTRUCTION DETAILS

ORIG	DATE
M.R.F	AUGUST 2020
CHKD	SCALE N.T.S
APPR	DRAWING NO 2354-99 REV A

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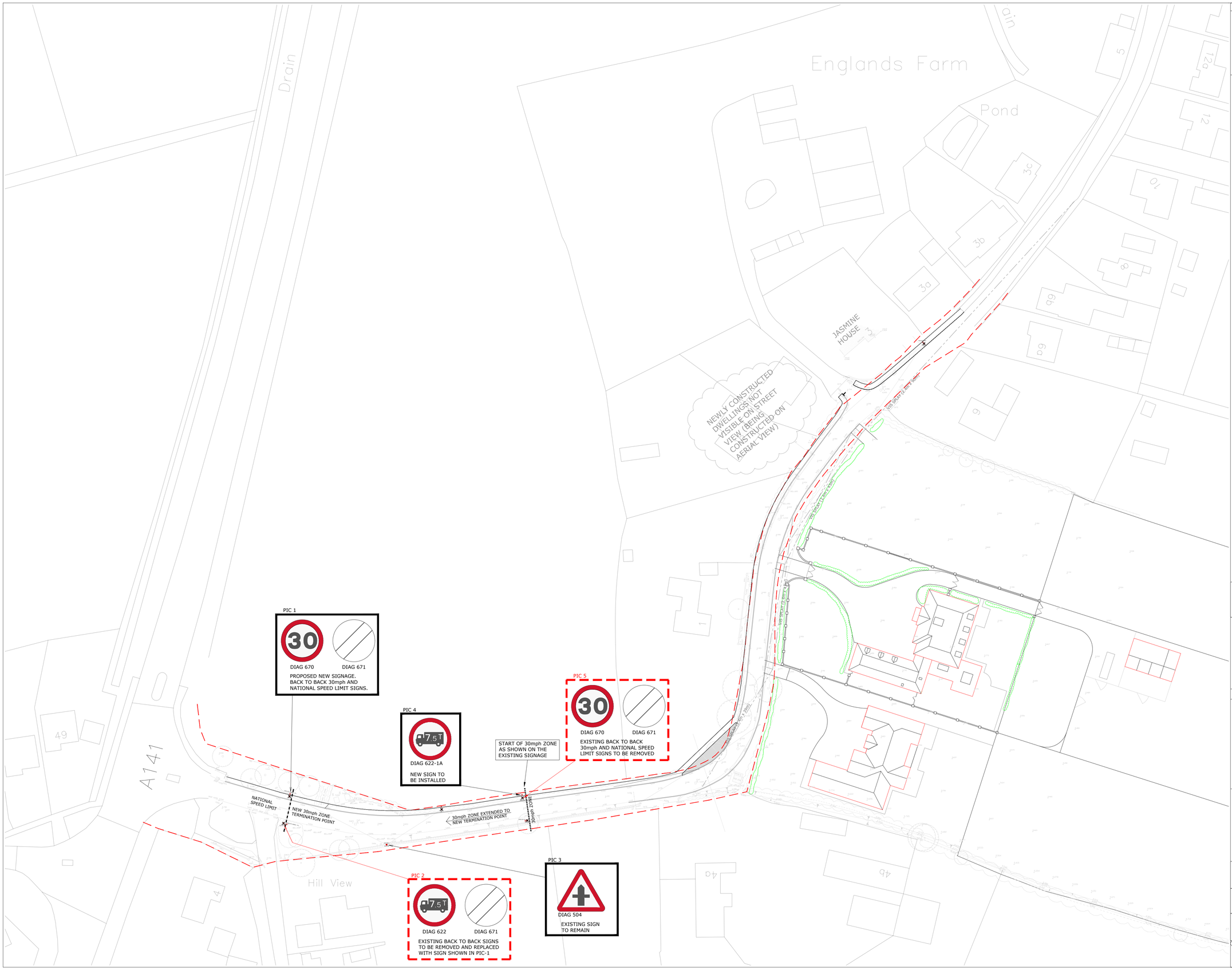

North Arrow

ALL ROAD WORK TO BE CARRIED OUT IN ACCORDANCE WITH CAMBRIDGESHIRE COUNTY COUNCIL'S DEPARTMENT OF TRANSPORTATION LATEST GUIDE - 'HOUSING ESTATE ROAD CONSTRUCTION SPECIFICATION APRIL 2018'.

REV	DATE	DESCRIPTION/REASON FOR ISSUE	APPR
A	25/05/21	UPDATED TO SUIT HW COMMENTS	MRF

MTC ENGINEERING
MTC Engineering (Cambridge) Ltd.
Ground Floor, 24 High Street
Whittlesford, Cambridgeshire, CB22 4LT
Tel (01223) 837270, fax (01223) 835648
E-mail office@mtcengineering.co.uk

TITLE
Proposed Residential Development
Land East of 6 Eastwood End
Wimblington, Cambridgeshire
TRO SIGNAGE DETAILS

ORIG	DATE
M.R.F	DECEMBER 2020
CHKD	SCALE 1:500 @ A1
APPR	DRAWING NO 2354-06 REV A

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F/YR21/0508/O

Applicant: Ms T Hughes **Agent: Mr Gareth Edwards Swann Edwards Architecture Limited**

Land North East Of 80, Coates Road, Eastrea, Cambridgeshire

Erect up to 5 x dwellings and the formation of new accesses (outline application with all matters reserved)

Officer recommendation: Refusal

Reason for Committee: Number of letters of support received contrary to officer recommendation.

1. EXECUTIVE SUMMARY

1.1. The proposal is an outline application for the construction of up to five dwellings on the land. The application site lies adjacent to but beyond the existing built-up edge of the settlement of Eastrea.

1.2. The application site forms part of a larger agricultural field between the villages of Eastrea and Coates.

1.3. Planning policy for villages such as Eastrea limits the scale of development to residential infilling, and sets out a range of criteria that development proposals must comply with in order to be considered acceptable.

1.4. The location and scale of the proposal are beyond that permitted by the detail of policies LP3 and LP12 of the Fenland Local Plan, with the scheme resulting in development that would be harmful to the transitional character of the area and that would result in coalescence of the two villages.

1.5. In addition to the adopted development plan, the emerging Whittlesey Neighbourhood Plan opposes development of the application site, identifying it as part of a green buffer between Eastrea and Coates.

1.6. There are no material considerations that indicate why the development should be approved contrary to the requirements of those policies, and so the recommendation is for refusal.

2. SITE DESCRIPTION

2.1. The application site is part of a wider agricultural field located on the eastern edge of the village of Eastrea. There is limited boundary planting separating the field from the highway running between Eastrea and Coates. The land to the south and east of the site is agricultural land forming the remainder of the field, is also within the applicant's ownership. To the immediate west boundary of the site lie the

existing buildings associated with the agricultural operation and an electrical substation.

2.2. The site is within flood zone 1.

3. PROPOSAL

3.1. The application proposes the construction of up to five dwellings on the land. The application is made in outline with all matters reserved, although an indicative site plan is submitted indicating how the applicant considers the level of development proposed could be satisfactorily accommodated on the site. This shows a row of five dwellings in large plots with individual accesses, albeit there are two side by side accesses, giving three access points proposed in total onto the A605.

3.2. Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QS16KXHE06P00

4. SITE PLANNING HISTORY

4.1. There is no site planning history.

5. CONSULTATIONS

5.1. **Whittlesey Town Council**
No substantive comment made by the Town Council however comments received from Cllr Whitwell, approved by Cllr Miscandlon:

Recommend refusal. LP3 categorises Eastrea as a small village where development will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling. This is not infilling and not of a limited nature. It is over intensification of the site.

LP12 states that for 'small' villages only infill sites will normally be considered favourably. It also states that is should not extend existing linear features of the settlement or result in ribbon development. LP12 contains other statements that do not support this application.

5.2. **Cambridgeshire County Council Historic Environment Team (Archaeology)**
No objection but the site should be subject to a programme of archaeological investigation secured by condition

5.3. **Cambridgeshire County Council Highways Authority**
The paired accesses should either be shared accesses or all single accesses located to the west or east of each plot arrangement to ensure the access junction spacing is maximised on what is currently a 40mph road.

There is also a policy argument for a footway to be delivered along the southern side of Coates Road to link the development accesses up with the existing footway network in Eastrea.

And, given this development will result in frontage development both sides of Coates Road, there is justification for the speed limit TRO to be amended and the 30mph limit extended beyond the development frontage.

Defer for amended plans

5.4. **Local Residents/Interested Parties**
Four responses have been received (Coates Road & Thornham Way) in relation to the scheme citing the following objections to the proposals:

- Development should make provision for enhancement of biodiversity and wildlife
- Impact on amenity from vehicular access
- Removal of green space
- Increased traffic
- Potential for future development
- Loss of semi-rural character
- Lack of proposal details
- Why wasn't the land to the rear of Roman Gardens chosen instead?
- Unsafe access
- Development should look at previously developed land first
- Additional strain on public services
- Development proposals are joining the two villages, which need to be kept separate – permission already given by committee on a further site to the east.
- Object to building on agricultural land
- Archaeology survey should be required if permitted
- No footpath to front of site
- Speeds of up to 92mph have been recorded in front of Eastrea Hall

10 letters of support have been received from nine distinct sources (Minuet Village, Coates Road, Nobles Close, Roman Gardens, Feldale Lane & Wype Road) in relation to the scheme. The responses made the following points:

- Need good housing in the area to help the villages survive
- No negative impact – would balance the roadside developments out
- Good visibility for building on filling in land
- Clearly infill but still leaves a substantial gap between Eastrea and Coates.
- Gap between villages on north side of road has had no detrimental effect

6. STATUTORY DUTY

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

7. POLICY FRAMEWORK

7.1. **National Planning Policy Framework (NPPF)**
Para 2: NPPF is a material consideration in planning decisions.
Para 7: Purpose of the planning system is to contribute to the achievement of sustainable development
Para 11: Presumption in favour of sustainable development
Para 12: Conflict with an up-to-date plan should not usually be granted
Para 79: Housing should be located where it will enhance or maintain the vitality of rural communities.
Para 92: Promote healthy and safe communities through layouts, routes through sites and public spaces etc.

Para 119: Promote effective use of land
Para 124: Making efficient use of land (density - need & character)
Para 125: Where land is limited, avoid building at low densities
Para 159: Development should be directed away from areas at highest risk of flooding.

7.2. **National Planning Practice Guidance (NPPG)**
Determining a Planning Application

7.3. **National Design Guide 2019**
Context
Identity
Nature
Uses

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
LP12 – Rural Areas Development Policy
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

7.5. **Whittlesey Draft Neighbourhood Plan**
Due to the current stage of progression of the plan it carries little material weight in any planning decision, however the following policies would be relevant to the proposal.

Policy 1: Spatial Strategy
Policy 2: Local Housing Need
Policy 11: Coalescence of Villages

8. KEY ISSUES
Principle of Development

9. BACKGROUND

9.1. There is no relevant background to the application site or proposal,

10. ASSESSMENT

Principle of Development

10.1. The application is made in outline with all matters reserved, and therefore the principle of development is the only issue for consideration at this time. The site itself is on the edge of the settlement of Eastrea, which is identified within the Fenland Local Plan as a Small Village.

10.2. Policy LP3 of the Fenland Local Plan (2014) states that development in small villages *"will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling."*

10.3. The application is not considered to be of a 'very limited' nature and as it extends the built-up part of the settlement out into the countryside it does not fall for consideration as infill. The scheme is therefore at odds with the limitations on development set by policy LP3.

10.4. Policy LP12(a) of the Local Plan re-inforces that when considering development within a small village only infill sites will normally be considered.

Character of area

10.5. The application site forms part of the only remaining 'gap' between Coates and Eastrea. Policy LP12 (b) requires development proposals to not result in coalescence with neighbouring villages, LP12 (c) to not have an adverse impact on the character and appearance of the countryside and farmland, while LP12 (d) requires development to be in keeping with the core shape and form of the settlement and in keeping with its character and part (e) that development would not extend linear features or result in ribbon development.

10.6. The proposal indicates that the development would result in a degree of coalescence with the neighbouring settlement to the east (particularly in view of the resolution taken to approve a development on the western edge of the settlement of Coates), and would extend the linear aspect of the village in a ribbon style along Coates Road.

10.7. The application site is flanked by agricultural premises to the west, with residential development beyond towards the core of Eastrea. The introduction of residential development beyond the current extent of the village in a position where the settlement currently transitions from a built-up character to a more open countryside appearance would fail to respect the core shape and form of the settlement and would adversely harm the character of this location.

10.8. Despite carrying limited weight at this stage in its adoption process, the Whittlesey Neighbourhood Plan states in its Policy 1 that development proposals adjoining the built area of the settlement must demonstrate that they are designed to minimise visual impacts upon the landscape. Policy 11 states that the villages of Eastrea and Coates should have a distinct separation, and that development will not be permitted if it would result in the loss of that separation. The application site is located within an area identified on Map 8 of the Whittlesey Neighbourhood Plan as a Green Buffer between the two settlements.

10.9. It is therefore considered that the proposed development of this site would be to the detriment of the character of the area and conflict with several of the requirements of Policy LP16.

Highways

10.10. The Highway Authority have raised no objections to the principle of the development but have commented on the indicated points of access. It is considered that these issues could be addressed at a detailed submission stage.

Residential Amenity

10.11. The application is in outline only and there are no details committed and consequently detailed relationships and amenity provision would need to be considered at a later stage . However, it is not considered that there are any indications that a detailed scheme could not be suitably designed in this regard.

Flooding and Drainage

10.12. The application site is located in Flood Zone 1, the lowest risk of flooding. The application indicates that surface water will be disposed of via soakaways and this would need to be considered under the Building Regulations.

Loss of agricultural land

10.13. The application site is agricultural land classified as Grade 2 (Very good). Policy LP12 Part A (i) requires development to not result in the loss of high grade agricultural land. While no evidence has been submitted to justify that loss it is not considered, given the abundance of such land within the District, that a refusal could be justified on these grounds.

11. CONCLUSIONS

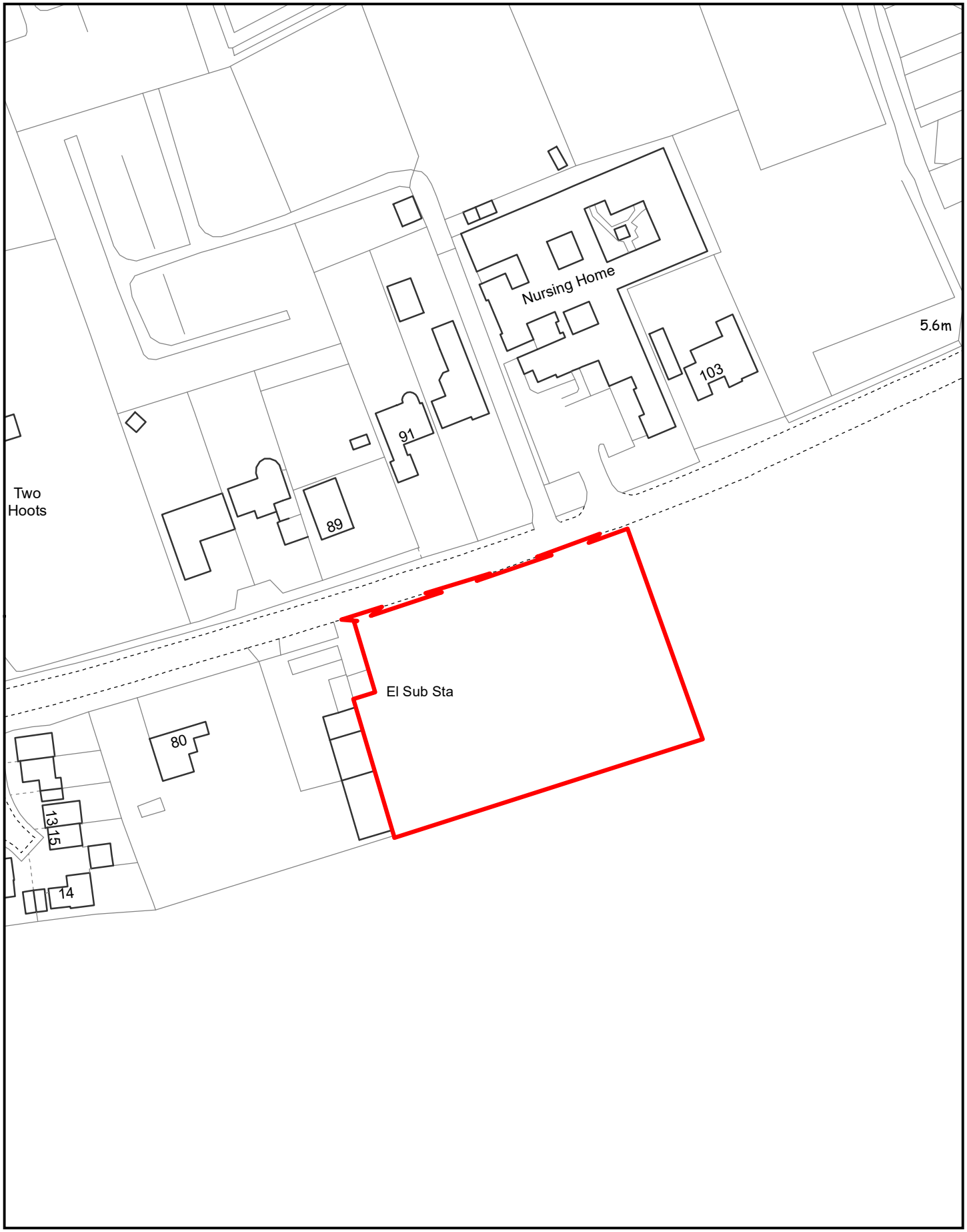
11.1. The application due to the location and character of the site is considered to be contrary to the stated requirements of policy LP12 of the Fenland Local Plan (2014) and is of a scale and nature that exceeds that envisaged by policy LP3. It would result in adverse impacts on the character of the area and would result in coalescence between the two villages, which is opposed by both the Fenland Local Plan and the emerging Whittlesey Neighbourhood Plan.

11.2. There would be some limited benefit to the provision of housing within the district from the site and to local employment in the construction industry, however these matters are not sufficient to justify granting permission for the proposals contrary to those policies.

12. RECOMMENDATION

REFUSAL, for the following reasons:

1	Policy LP3 of the Fenland Local Plan (2014) states that development in small villages *"will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling."* The proposal is for the construction of five dwellings on a site beyond the existing built-up edge of the settlement. This is reinforced by Policy LP12 (a. As such, the application fails to accord with the scale and location of development acceptable under the terms these policies, and the development is therefore contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014).
2	Policy LP12 of the Fenland Local Plan (2014) requires that development does not harm the wide-open character of the countryside. It also sets out a range of criteria, all of which must be complied with for development to be considered acceptable. The application is in outline for the construction of five dwellings beyond the existing built-up extent of the settlement, encroaching into farmland and resulting in coalescence between Eastrea and Coates and . The proposal details and the supporting information submitted in respect of the scheme fails to accord with the requirements of criteria (b), (c), (d) and (e) of policy LP12 of the Fenland Local Plan (2014) and the scheme is therefore contrary to that policy.



Created on: 27/05/2021

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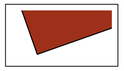
Scale = 1:1,250

N

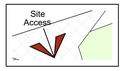
Fenland
CAMBRIDGESHIRE
Fenland District Council

SITE PLAN KEY

Indicates existing surveyed buildings



Indicates un-surveyed buildings taken from OS map



Indicates plot access to Cambs CC Highways specification, sealed and drained on to site

Indicates grassed gardens

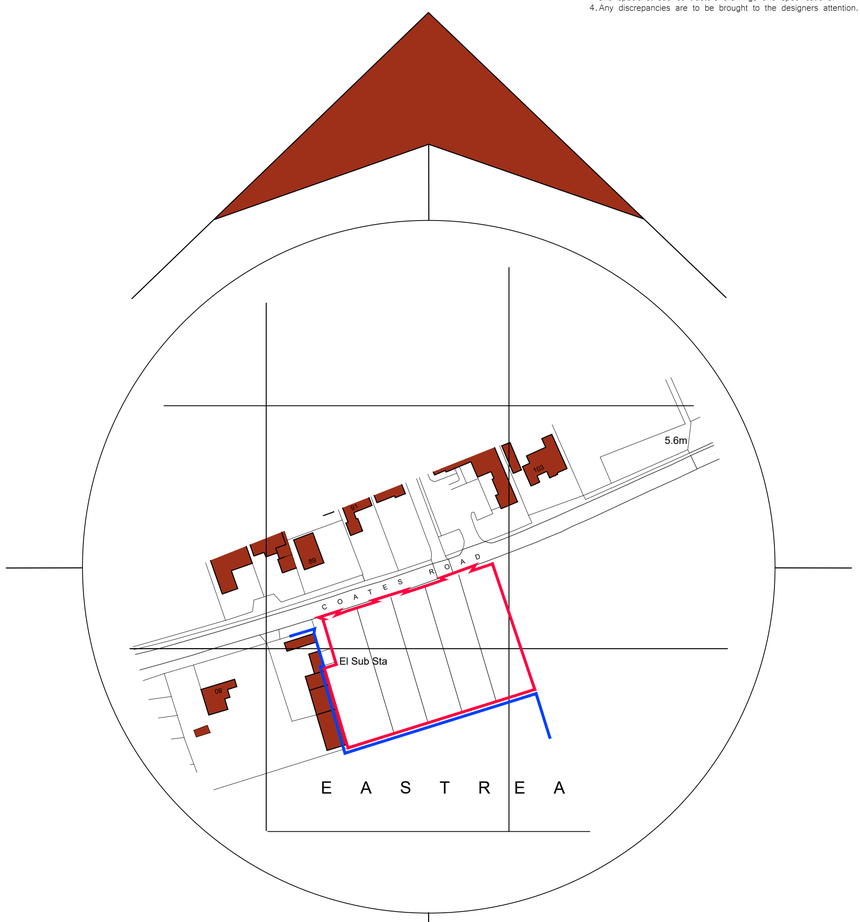
Existing position of hedges

Indicates proposed dwelling

Indicates driveway

Indicative Site Plan
Scale: 1:200

0 2 4 6 8
metres



Location Plan
Scale: 1:1250

0 12.5 25 37.5 50
metres

General Notes

1. All dimensions are shown in 'mm' unless otherwise stated.
2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
4. Any discrepancies are to be brought to the designers attention.

Status

FOR APPROVAL

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Job Title
Proposed Residential Development
Land Adj.
80 Coates Road, Eastrea
Cambridgeshire

Drawing Title
Indicative Outline Drawing
Site and
Location Plan

Date	Drawn by
March 2021	G.E.
	Checked by J.B.
Job No. SE-1581	Sheet Size A1
Dwg No. PP1000	Revision

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