

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 11 JANUARY 2023

1.00 PM

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

Committee Officer: Jo Goodrum
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Whilst this meeting is being held in person, we would encourage you to view the meeting via You Tube

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 24)

To confirm and sign the minutes from the previous meeting of 14 December 2022
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 4 To receive Members declarations of any interests under the Local Code of Conduct or any interest under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 5 F/YR22/0354/F
134A Ramnoth Road, Wisbech
Erect 16 x dwellings (2-storey 3-bed) with associated garages, parking and landscaping, involving demolition of existing buildings (Pages 25 - 68)

To determine the application.

- 6 F/YR22/0337/F
Land South And West Of March Enterprise Park 33, Thorby Avenue, March
Erect 7 x commercial units (Class E), comprising of 1 x block of 6 x units and 1 x detached unit, with associated parking (Pages 69 - 82)
- To determine the application.
- 7 F/YR22/0505/VOC
33 Gaul Road, March
Variation of condition 23 (list of approved drawings) of planning permission F/YR18/0947/F (Erection of 7no dwellings comprising of 1 x 2-storey 4-bed; 4 x 2-storey 3-bed and 2 x single-storey 3-bed dwellings) with garages (Plots 3, 6 & 7 only) involving demolition of existing dwelling, outbuildings and boundary wall) - to remove turning head and cherry trees (Pages 83 - 96)
- To determine the application.
- 8 F/YR21/1196/F
Land East Of Park House, Gorefield Road, Leverington
Erect 2 x single-storey buildings including the erection of 2.2m high brick wall and gates associated with a building contractors business involving the demolition of an existing workshop building and alterations to the access (Pages 97 - 126)
- To determine the application.
- 9 F/YR22/0988/O
Land West Of 121, West End, March
Erect 1 x dwelling involving the removal of existing shed (outline application with all matters reserved) (Pages 127 - 138)
- To determine the application.
- 10 F/YR22/1266/F
Land South East Of The Boathouse, Harbour Square, Wisbech
Erect a electricity substation (Pages 139 - 150)
- To determine the application.
- 11 Items which the Chairman has under item 3 deemed urgent

Members: Councillor D Connor (Chairman), Councillor I Benney, 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,

PLANNING COMMITTEE



WEDNESDAY, 14 DECEMBER 2022 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor M Cornwell, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding and Councillor W Sutton, Councillor A Miscandlon (Substitute)

APOLOGIES: Councillor I Benney, Councillor C Marks and Councillor Mrs K Mayor,

Officers in attendance: Nikki Carter (Senior Development Officer), Jo Goodrum (Member Services & Governance Officer), Nick Harding (Head of Planning), David Rowen (Development Manager), Alison Hoffman (Senior Development Officer) and Stephen Turnbull (Legal Officer)

P78/22 PREVIOUS MINUTES

The minutes of the previous meeting of the 16 November 2022, were agreed and signed as an accurate record, subject the following amendment.

- Councillor Sutton stated that under reference F/YR22/0764/F, within the third bullet point of the members debate, it should state that 'Councillor Sutton pointed out that Mr Slater is 'correct' in saying that there are passing places on Bar Drove as opposed to incorrect.

P79/22 F/YR22/1076/F LAND WEST OF 1 KING EDWARD ROAD, CHATTERIS ERECT 3 DWELLINGS (2-STOREY, 2-BED)

Nikki Carter presented the report to members and drew members attention to the update that had been circulated.

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

Members received a presentation, in accordance with the public participation procedure, from Councillor Alan Gowler of Chatteris Town Council. Councillor Gowler stated that he spoke on the application previously when it came before the committee in July and the view of the Town Council is still that the piece of land is derelict and suffering from anti-social behaviour, with the applicant clearing a number of hypodermic needles from the site. He added that the Town Council welcome the development of the piece of land and whilst it appears that the detail of the application has still to receive a recommendation of approval from officers, he expressed the view that he fails to understand particularly the concerns in relation to parking, when the proposal does offer parking and there are other places in the town of Chatteris which do not offer parking and therefore the proposal should be seen as a bonus rather than a detriment.

Councillor Gowler stated that the Town Council want to see the land developed and feel that the proposal is in keeping with the local area. He added that there are some very dilapidated buildings around it which could also be refurbished and, in his view, it is unfair to compare them to a new property which would provide welcome accommodation to the people of the town.

Members asked Councillor Gowler the following questions:

- Councillor Sutton stated that members spend time reviewing applications and he also looks at the comments and opinions made by the Town and Parish Councils and where possible he always tries to support them within the realms of what is permissible. He made the point that when reviewing the previous applications on the site, application F/YR16/1138/O was for 2 dwellings, which was not supported by the Town Council, however, it appears to be supporting the current proposal which is for three dwellings and he finds it difficult to be able to relate to the comments made by the Town Council in this case. Councillor Gowler stated that he can only make comments on the two applications he has seen since he became a Councillor in 2019 which is the current proposal and the one earlier on in the year which was for two dwellings and was supported by the Town Council.

Members received a presentation, in accordance with the public participation procedure, from Mr Darren Smith, the applicant. Mr Smith stated that the proposal site is a complicated piece of land which has three sides but four neighbours. He added that there are two covenants on the land to the east which he owns but has a right of way for vehicular and pedestrian access to 1 King Edward Road shed and 14 High Street land which cannot be built on without ownership of the land, as this in part is now impossible in part as the owner of 1 King Edward Road does not wish to sell and whilst 14 High Street is willing to sell its piece of land it would add to the costs of construction so it is not currently viable.

Mr Smith explained that the land has historical contamination due to the fact that it was previously a blacksmiths yard and now the modern-day contamination of the hypodermic needles and he explained that the top layer of soil will need to be removed at a depth of 1 foot for the safety of construction workers as over 70 needles have been removed so far. He stated that the existing building on the site has been demolished and a fence erected to stop the anti-social behaviour from continuing.

Mr Smith stated that the orange area which was shown on the presentation screen will be retained in order that all four neighbours will have access to maintain and repair fences and walls without the new owners of the properties being affected by the historic confusion. He explained that he has undertaken some investigation research into the planning history on the site dating back to 1998 and after reviewing the applications which have been submitted it shows that the proposals cannot be built because of covenants, the land not being owned or by the time that they come to the planning stage the cost implications make it not viable and he is now the third owner of the site who is also experiencing the same obstacles.

Mr Smith stated that there is the option of building a smaller number of units but that is not financially viable which appears to have been the case for the past 34 years otherwise it would not still remain as a piece of land. He explained that he asked his architect to replicate an application that in 2006 was approved but as it was on land with a covenant which was not owned by the previous applicant and, therefore, inaccessible, the development never took place.

Mr Smith explained that he tried to use the covenanted land as a driveway allowing access to 1 King Edward Road and 14 High Street which would not break the covenant, however, this was refused. He stated that in 2006 an application was passed but was impossible to build and in 2022, the same application was submitted but the opposite way around and was also refused, therefore, it appears that like the previous owners, the situation finds him going round in circles.

Mr Smith stated that he does not wish to keep going up against Planning Officers every time an application is submitted to try and build on this massively complicated site with covenants and restrictions. He questioned whether the site will remain undeveloped with the possibility of it being sold on again or will the committee support the proposal and approve the site to be built on which has for the last 34 years been a blot on the landscape for Chatteris being used for anti-social behaviour.

Mr Smith asked the committee to support the proposal for three good quality affordable homes in the town of Chatteris.

Members asked Mr Smith the following questions:

- Councillor Miscandlon stated that in 2019 permission was granted for one dwelling on the site and he questioned why this was not developed? Mr Smith stated that the cost of the removal of the historic contamination will cost £40,000 to take the top layer of earth at a depth of a foot away from the site and have it placed into landfill. Councillor Miscandlon made the point that contaminated land would need to be removed regardless of the number of dwellings being built. Mr Smith stated that a four bedroomed dwelling is being built in the middle of a town with a public house to the back and another to the side of it, there will not be enough money gained to actually make it financially viable and this is the reoccurring issue that is happening with the site.
- Councillor Mrs French asked whether archaeological works have been undertaken following the recommendation from the County Council? Mr Smith stated that due to the unsafe nature of the site, until the contaminated earth has been removed, no archaeological works can be considered.
- Councillor Connor asked Mr Smith whether he has worked with the Planning Officers to try and find a proposal which will be suited to the site since the previous application was refused in July. Mr Smith stated that he has worked with officers and the advice that they have provided, but the issue is down to economics and whilst he can adhere to some of the rules when it comes to carrying them out, economically it does not happen. He added that his last application included trying to make use of a covenanted piece of land and if the entry point is from the east, he is unable to build and if he enters from the west where he is not allowed to build, he could use that as a driveway, but the access was not deemed as acceptable. Mr Smith stated he has made efforts to make the most of the piece of land but there are then obstacles as the proposal does not accord with planning regulations or the proposal is not deemed as financially viable. He made the point that it was the planning officer who had advised him to look back at the planning history on the site which he is now aware goes back many years. Mr Smith explained that every time he considers a proposal it is costing in the region of £3,000 to £4,000 and to date it has cost him £12,000 without doing any works. He made the point that those costs do not include the costs that he has also incurred for securing the site, demolition and clearing the site. Mr Smith reiterated that it is down to economics as well as planning and this is why the site has never been developed because the two elements are never going to meet.
- Councillor Murphy asked Mr Smith whether he was aware of the covenants and other restrictions on the piece of land when he purchased it? Mr Smith stated that he knew that there was a covenant on the front piece of land because it was not included in the sale originally. He added that he was given the extra pieces of land to add to it and the intention was to try to make more of it. Mr Smith explained that 1 King Edward Road was up for sale, but unfortunately, he missed out on the purchase of it and he contacted the owner of 14 High Street and arranged to purchase the piece of land from them. He added that he was aware of the issues in the beginning, but the aim was to try to overcome them and to purchase the extra pieces of land to clear the site in a way to make it possible.
- Councillor Cornwell stated that he acknowledges the land ownership and covenant issues that are present and that the officers are stating that due to the restrictions the whole of the frontage is having to be used for parking and he asked whether any consideration has been given to the current design and to possibly consider a maisonette type approach, so that the parking actually becomes integrated into the actual design of the building and in that way the footprint of the plan would remain and he questioned whether any thought has been given to the problems that the planning officers have identified relating to parking? Mr Smith stated that he has looked at various different types of proposals to overcome the covenant issues and planning hurdles in order to satisfy the various requirements and at the end of the day to make money. He added that if a proposal fits the land then planning permission can be approved but then the costs become prohibitive. Mr Smith explained that there have

been two housing booms which have taken place during the planning history and he asked the committee to assist him in finding a solution which is achievable and financially viable.

Members asked officers the following questions:

- Councillor Mrs French stated that the most important question is whether there is anyway the officers can work with the applicant to make the site viable and accommodate two dwellings? She added that she is not happy with three dwellings as the Town Council were not previously in support of two dwellings so she cannot see how they would be agreeable to three. Nick Harding stated that the committee are obliged to consider the application that is in front of them. He added that if there are three dwellings on the front, and taking into consideration the covenant restraints that have been referred to by the applicant, in his view, he cannot see how a scheme can be achieved that delivers three dwellings and resolves the concerns of the officers and the appeal Inspector who had previously considered the scheme for two positioned in the same place broadly speaking on the site. Councillor Mrs French stated that it was dismissed at appeal for two dwellings, and she understands the point that he makes, and she also agrees with the point made by Councillor Sutton as to how the Town Council can recommend approval of three dwellings when two were dismissed.
- Councillor Miscandlon stated that in King Edward Road there are double yellow lines all the way down it to prevent parking and at a recent event he attended at the King Edward Centre, the road was full of parked cars and although there are yellow lines, there did not appear to be any restrictions and he questioned whether this has been taken into consideration as the Highway Authority have highlighted this and it is one of the reasons for refusal. David Rowen stated that in terms of parking enforcement and restrictions that is a separate matter. He added that one of the reasons for refusal that is recommended to members provides detail about the lack of parking provision on site and the main concern officers have is that if people cannot park on the site then they are going to be parking on the road and potentially contributing to the sort of problems that Councillor Miscandlon alluded to.

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

- Councillor Sutton stated that members are not here to be concerned about the cost of building and the committee are brought together to determine whether applications are suitable and are for the right use of the land. He added that this is one of the best planning departments that looks and works with applicants and agents wherever possible to bring acceptable schemes forward. Councillor Sutton expressed the opinion that he cannot support three dwellings on this proposal site and, in his view, two dwellings is not acceptable either. He added that the extant permission for development expired in October 2022 and had the proposal been built out when it received permission, the way that house prices have increased would easily have covered any extra costs and expenses incurred for the groundworks. Councillor Sutton stated that he appreciates the points stated by the applicant, but he cannot support a proposal which, in his view, is wrong and does not fit in and is way out of keeping. He added that the single dwelling in his opinion looked good, and the site is suited to a single dwelling.
- Councillor Mrs Davis stated that she supports the points made by Councillor Sutton with regards to the single dwelling and had it been built out it would more than likely have earned back the money from the investment. She added that it is a single dwelling site, and the proposal is trying to fit too much onto the site. Councillor Mrs Davis stated that both speakers had made it clear that the site was contaminated with needles and syringes, however, it is not the role of the planning committee to break planning guidelines to solve anti-social behaviour and she cannot support the proposal.

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

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

P80/22 **F/YR22/0709/O**
LAND EAST OF STATION FARM, FODDER FEN ROAD, MANEA
ERECT UP TO 5 DWELLINGS (OUTLINE APPLICATION WITH MATTERS
COMMITTED IN RESPECT OF ACCESS) INCLUDING FORMATION OF A
FOOTPATH ON THE WESTERN SIDE OF FODDER FEN ROAD

This application was withdrawn from the agenda.

P81/22 **F/YR21/1141/O**
45 WESTFIELD ROAD, MANEA
ERECT UP TO 2NO DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS
RESERVED) INVOLVING DEMOLITION OF EXISTING DWELLING

Alison Hoffman presented the report to members and drew members attention to the update that had been circulated.

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

Members received a presentation, in accordance with the public participation procedure, from Ian Gowler, the Agent. Mr Gowler stated that the application is to replace an existing rundown house with two new dwellings, referring members to the displayed photos which shows the existing house which is in poor repair and will cost a significant amount of money to renovate which is why the applicant is looking to redevelop the site. He stated that the proposal looks to demolish the existing house and construct two new properties within a lower flood risk area within the existing site and should the existing house be renovated it would not alleviate the existing flood risk to the property.

Mr Gowler explained that the indicative site plan provided indicates two dwellings in a location which was recommended by the Environment Agency and the sequential and exception tests were provided earlier on in the year and as the sequential test indicates there are existing sites in Manea which are capable of development and obviously this would fail the test, however, the proposal site should fall under Paragraph 166 of the National Planning Policy Framework as it is within the current developed area of Manea and, in his opinion, it should fall under existing allocated land. He stated that this matter is also part of the Local Plan Policy LP12 A (a) as an infill site and under both of the policies a sequential test would not be required and only subject to an exception test which was provided.

Mr Gowler stated that the site should be classed as a windfall site as paragraph 25 of the Flood Risk and Coastal Change guidance is where exemptions can be made to the sequential test where redevelopment is proposed to existing dwellings of an existing site. He added that as the site is a redevelopment site within the existing built form of Manea, in his view, it should be considered and he believes that this was the basis for the properties which are opposite the development site which were approved by the Planning Committee in 2020.

Mr Gowler made the point that under the emerging Local Plan the site also falls within the proposed development area boundary of Manea and, under the new Local Plan, windfall sites would be provided in order to provide 1500 homes and whilst the proposal only has 1 dwelling it still counts. He referred to the presentation screen and stated that on the Environment Agency Hazard map (Figure 3) it identifies existing flood risk levels, and pointed out that by locating the two dwellings in the corner of the site it is the least hazard area as recommended by the Environment Agency and it is in a lesser hazard area that the existing dwelling already there, with

in recent years there have been dwellings approved opposite and to the northwest which are both in a worse flood zone area than shown.

Mr Gowler stated that within the exception test that has been provided, he is proposing two important items which would fall in line with the windfall guidance and are improvements to the existing site providing a wider community benefit. He explained that the first is to provide an attenuation for the surface water on the site and at present the existing hard paving and dwelling goes unattenuated into an existing surface water drain and the new development will improve the situation. He explained that the second improvement is the proposal to install a footpath around the site which would go around the corner of Fallow Corner Drove and Westfield Road which will provide a much safer pedestrian access for people wishing to walk around the corner.

Mr Gowler pointed out that the development opposite was approved on similar redevelopment reasons which have been given for the site before the committee today and the proposed site is a lower risk area due to the fact that it already has an existing dwelling on the site, asking for consistency in the application of the two exceptions being applicable. He referred members to the presentation screen and showed them an indicative image of what the developed site could look like, subject to a reserved matters application, and he would hope that members agree that it would be an improved outview than the existing dwelling.

Members asked officers the following questions:

- Councillor Cornwell stated that on the site visit questions were asked with regards to the perceived visual levels that seemed to disagree with what the Environment Agency had stated. He added that it appears that some levels have been provided in detail and asked officers to advise whether they have considered the application strictly in accordance with Figure 3? David Rowen stated that the application has been considered in accordance with the National Planning Policy Framework advice which is that notwithstanding whether a site is or can be demonstrated to be safe from flooding for its lifetime is that sequentially development should be steered towards areas of lowest flood risk and, therefore, if anything is within Flood Zone 3 it should be steered to an area of lower risk of flooding and the site lies within Flood Zone 3.
- Councillor Cornwell stated that it is his understanding of Figure 3 is that the Flood Zone 3 area is actually in the corner which will form part of the new footpath. David Rowen stated that the Figure 3 that was displayed is the Environment Agency Hazard mapping which illustrates what the actual flood depth would be of the flood velocity and does not indicate that the area is in a lower risk of flooding. He added that within Flood Zone 3, there are areas that have different flood depths and if there is a flooding event the hazard map shows the actual variance in flood depths around and across the site. Nick Harding added that you could be in Flood Zone 3 and have up to a quarter of a metre of water depth or you could have a greater depth and still be in Flood Zone 3 and he stated that the point is that you are still at risk of flooding and the vast majority of the site is shown on the slide by the agent as being under water in a flooding event and only a small corner is not affected by flood water. He added that although not clearly shown on the slide there is an area shown highlighted over which a flood depth of 0 to 0.25 metres indicated and that this covers the majority of that site.

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

- Councillor Murphy stated that on the site inspections he saw that all the road and the land fell away into the agricultural land. He stated that if that area gets flooded then Chatteris will get flooded, and he added that there are other new properties which are built in the vicinity who will also suffer from a flood event and, therefore, he cannot understand why this proposal is any different.
- Nick Harding explained that the Figure 3 Environment Agency Hazard Map shows that if the land falls away to the left-hand side that is where there will be deeper water but it does not stop the application site from being at flood risk up to a depth of quarter of a metre and,

therefore, the water is not as deep but it still has water on it. He added that is why it is still in Flood Zone 3 and that flood zone is about the frequency of flood events and not depth.

- Councillor Murphy stated that if that is the case then the water will just run down the road, and it will not flood there.
- Councillor Sutton stated that he understands the officer's recommendation as they are adhering to policy but feels that the proposal is slightly different as it is replacing a dwelling, although he would have preferred to see a single storey dwelling with perhaps an escape route into the roof space. He added that to be consistent then sometimes officer's recommendations need to be overturned, with the committee approving the dwellings on the other side and the dwelling that is already built was approved under delegated authority and the property on the other side of the road which was also in Flood Zone 3 was approved as the committee thought it would benefit the business owner. Councillor Sutton expressed the view that it would be difficult for members in this case to agree with the officer's recommendation, given that the committee went against officers for the development on the opposite side of the road. He added that it is not an open piece of land as he may have had a different view but given that there is already a dwelling on the site which is an eyesore and out of keeping with the newer buildings around it then, in his view, consideration could be given to allow it to be approved, although he would prefer to see bungalows on the site rather than two storey dwellings which, in his opinion, are not in keeping with the nearby bungalows. Councillor Sutton stated that the comments from the local residents appear to state that they would also rather see bungalows on the site to stop any overlooking.
- Nick Harding stated that if the proposal was for one dwelling to replace the existing one, there would not be a reason for refusal that cited flood risk due to the fact that there would be one dwelling replacing the existing dwelling and, therefore, the problem is not any worse, however, the issue is that there is a second dwelling.
- Councillor Cornwell stated that he can see the officer's view, but practically when you look at the site the levels do not appear to accord. He added that approval was given for the dwellings opposite and he can see the arguments for building a house because if there is a perceived flood risk there would be an escape access upstairs. Councillor Cornwell made the point that consideration needs to be given to the footpath and the safety elements where the road comes out onto Westfield Road and the Chatteris Road due to the fact that currently there is a blind corner, and the footpath could be seen as a gain within the proposal. He added that the main plot has a 0.25m risk of flooding and if water should rise at that point at 0.25m high he wondered whether anybody has estimated how much water is flooded as, in his view, most of Isle of Ely would disappear on that basis. He added that the site on the other side of the road is still higher than the fen beyond it and that was very apparent when members went on site. Councillor Cornwell added that because the development across the road was allowed there is a net gain including the safety on the corner and the gains outweigh the small amount of flood risk that there is the site, and he will be going against the officer's recommendation.
- Councillor Miscandlon stated that a quarter of a metre is not very much and is about 9 inches in real terms, which is the same sort of issue that occurred when development took place near the Boathouse in Wisbech and the dwellings on that site were built 300mm higher. He stated that if the proposal is built 300mm higher then mitigation is in place as construction is built over what the projected flood zone is going to be. Councillor Miscandlon stated that he does not see any issues with the proposal providing that the reserved matters application has flood risk mitigation in place for the construction of the buildings as it has been achieved in other locations which needs to be taken into consideration.
- Councillor Mrs Davis stated that the committee overturned the officer decision on the property opposite and the others may have been before the introduction of the current Local Plan. She added that she does not think it is for agents to state that they will not bother about undertaking the sequential test process as it will not benefit them and members do need to be mindful of setting a precedent, however, on the site inspection it

was clear that there was a height difference. Councillor Mrs Davis added that whilst she has concerns about agents not applying for sequential tests and not abiding by policies, in this instance she will support the application.

- Nick Harding stated that the issue is not about the depth of water, it is the fact that there is water present. He referred to the point made by Councillor Miscandlon stating that you are not allowed to consider the mitigation until the sequential test has been passed but if your attention is focussed firstly on the mitigation then for 99% of the time the mitigation is capable of resolving the problem that would undermine the whole point of Government policy which is to avoid building in flood risk areas in the first place.
- Councillor Skoulding stated that he welcomes the proposal which will replace an eyesore and he will be going against the officer's recommendation.
- Councillor Sutton stated that he is aware that the last time any type of flooding took place in the vicinity of the development site was in 1929.

Proposed by Councillor Sutton, seconded by Councillor Murphy and agreed that the application be APPROVED against the officer's recommendation with authority delegated to officers to formulate suitable conditions.

Members do not support officer's recommendation of refusal of planning permission as it is already a developed site, and the extra dwelling will override the necessity for the sequential test.

P82/22

F/YR22/0942/FDC

GARAGE SITE, DRYBREAD ROAD, WHITTLESEY

ERECT UP TO 5 X DWELLINGS INVOLVING THE DEMOLITION OF EXISTING GARAGES (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

Alison Hoffman presented the report to members.

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

Members asked officers the following questions:

- Councillor Cornwell stated that the entrance off Drybread Road is quite narrow and he questioned whether the entry point meets the necessary requirements? Nick Harding stated that from a planning and highway perspective, consideration needs to be given as to what the starting point is and, in this case, it is a garage site. He added that if the garages were in use you would need to consider whether that would generate more, the same or less traffic than the proposed development and whilst the access is not what would be accepted if it was a fresh development, when taking into consideration the context of the proposal then an objection on highway grounds cannot be raised.
- Councillor Cornwell stated that given the fact that the garages appear to have been out of use for some considerable amount of time, consideration does need to be given to the fact that vehicles are a lot larger than they ever used to be. He added that presumably nobody lives there and there is no pedestrian footfall but in time it will become a shared access if there are dwellings built on the site. Nick Harding stated that whilst it appears that the garages may not be in use, the lawful use has to be looked at which is a garage parking court.
- Councillor Sutton stated that there is no reason not to approval the proposal.

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

(Councillor Miscandlon registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is Chairman of Whittlesey Town Council's Planning Committee, and took

no part in the discussion or voting thereon)

(Mrs French and Murphy declared that, whilst they are both members of the Cabinet, they are not pre-determined on this application and will approach it with an open mind)

P83/22 **F/YR22/1149/F**
LAND EAST OF HIGHLAND VIEW, BENWICK ROAD, DODDINGTON
ERECT 3 X DWELLINGS (2-STOREY 4-BED), AND THE FORMATION OF AN
ACCESS

Alison Hoffman presented the report to members.

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

Members received a presentation, in accordance with the public participation procedure, from Peter Humphrey, the Agent. Mr Humphrey stated that there is an opportunity to provide three self-build plots and he is aware that there is a large shortage of self-build plots and as Doddington is a growth village it will help in a small way to deliver some self-build plots because his client has got people looking to purchase them. He stated that the site will enhance the edge of the village development, it is also close to the adjacent Askham village community and also close to a village of holiday lodges and whilst the proposal may not be in the village it is very close to an approved 'village' next door, and it has dwellings both left and right.

Mr Humphrey explained that the applicant is looking to develop the land at the front as it is not suitable to farm as it is small and very difficult to work. He stated that the house types have been redesigned since the first application in accordance with the Parish Council's comments and that if the Parish Council and officers require more amendments then these can undertaken on any reserved matters application.

Mr Humphrey stated that the Parish Council are not against the development, the Environmental Health team have no objections to the proposal and the conditions that the Highway Authority have asked for can be complied with. He made the point that there were 6 letters of support and one letter of objection to the proposal which is sited in Flood Zone 1.

Mr Humphrey stated that the emerging Local Plan proposes 311 dwellings, and this is less than one percent of the proposal and it will provide employment during the course of its construction, and asked members to support the proposal.

Members asked Mr Humphrey the following questions:

- Councillor Connor questioned whether the proposed site is likely to be approved in the emerging Local Plan? Mr Humphrey stated that it is his understanding that the site is not within the new boundary, but when you look at the red line, there is also an area of red that shows that officers are content with development encroaching towards the applicants plots albeit not included. Councillor Connor stated that if the proposal was approved it would equate to 311 plus 3.

Members asked officers the following questions:

- Councillor Skoulding stated that he has seen at 5.3 of the report where it states that the highways authority has no objections. David Rowen explained that there is no recommendation for refusal on highway grounds for the current proposal and the previous application was refused on highway grounds due to the fact that there were three individual access points, with the application now being amended so that there is now a single access point which the highway authority are happy with although they have expressed in their comments on what may or may not happen at the back but that would be a matter to be

considered at that particular time.

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

- Councillor Skoulding expressed the view that he can see the proposal as an infill development as there are buildings to both sides. He added that the Highway Authority do not object and he thinks that the dwellings will look nice as you enter Doddington.
- Councillor Cornwell stated that he recalls at the last meeting that the committee were told that there were plenty of self-build plots available which is contrary to what the agent has stated. Nick Harding stated that is correct and the evidence that the Council holds points quite strongly that it is exceeding the delivery of self and custom build plots over and above the evidence that the Council holds in terms of the number of people on its register and the number of the actual completed as well. He added that members should be aware as part of the application that was submitted there was no mention of self or custom build dwellings and that has only been mentioned as part of the Agent's presentation today.
- Councillor Mrs Davis expressed the view that she has a problem with refusing the application due to the fact that there is Askham Village Community and the holiday lodge park which has 60 lodges and caravans and also Askham Row which is of a similar design and, therefore, she may well be going against the officer's recommendation.
- Councillor Mrs French stated that she agrees with Councillor Mrs Davis and she added that it has only been 2 or 3 months since the application in Hospital Road was approved and she cannot see much difference with the application before members.
- David Rowen stated that the existence of a holiday lodge does not set a precedent for the erection of permanent dwellings outside of a settlement. He made the point that when considering the proximity of the proposal site to Askham Row, this site is another 500 metres along the road outside of the village and he drew members attention to the Local Plan and the Rural Areas Development Policy which states that 'development will only be permitted in villages and the developed footprint of the village is defined as the continuous built form of the settlement and excludes individual buildings and groups of dispersed or intermittent buildings that are clearly detached from the continuous built up area of the settlement, agricultural buildings and associated land on the edge of the settlement'. David Rowen stated that he cannot see how the application cannot be considered as within the open countryside and, in his opinion, if this is classed as being within the village then most of Fenland could be considered as being within a village.

Proposed by Councillor Skoulding, seconded by Councillor Purser to approve the application against the officer's recommendation, which failed on a majority vote by members.

In providing reasons for going against officer's recommendation, Councillor Skoulding stated that under LP16 he feels the development would enhance the approach to Doddington and the proposed plans are acceptable. Nick Harding responded that he is concerned about this being the reason for going against the adopted Local Plan policy as it does not give any indication of why the existing plan policy of only allowing development in the open countryside in very limited circumstances should be put to one side in this instance, with the reason given being very general in its nature and would apply to any development anywhere in the district. Councillor Skoulding stated that he feels it is infill and enhances the area. Nick Harding stated that his concerns still remain and made the point that officers are providing a recommendation based on the Council's adopted policy, which was approved by members. The Legal Officer added that the other aspect that should be considered is that by giving inadequate reasons for opposing the officer's recommendation is to make a legally dubious decision should there be a challenge on the decision that is made then with regard to this application there may well be grounds to do so.

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

(Councillor Connor declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that he represents Doddington and Wimblington as a Fenland District Councillor and attends meetings of Doddington Parish Council, but takes no part in planning matters)

P84/22

F/YR22/0706/O

**LAND EAST OF SANDBANK FARM HOUSE, SANDBANK, WISBECH ST MARY
ERECT UP TO 4NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS
COMMITTED IN RESPECT OF ACCESS)**

Alison Hoffman presented the report to members and drew members attention to the update that had been circulated.

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

Members received a presentation, in accordance with the public participation procedure from Mrs Shanna Jackson, the Agent. Mrs Jackson stated that the application submitted is for a scheme for up to four dwellings and has been submitted in outline with matters committed in respect of access only. She added that the Parish Council support the application and eight letters of support from residents along Sandbank have also been received.

Mrs Jackson referred members to an application for a single dwelling on the land to the immediate southeast of the site which was also recommended for refusal, however, members considered that the single dwelling would adjoin the built form and was in a growth village and would not constitute ribbon development and the application was approved. She made the point that the application before the committee is the same in many aspects as the plot next door and, in her view, it is in a better position as it would infill the gap between the building plot to the southeast and the remainder of the built form to the northwest along Sandbank.

Mrs Jackson expressed the view that given its position between existing buildings it cannot be considered as ribbon development, and she agrees with the views of the Parish Council who have stated that the site is in the village. She made the point that Wisbech St Mary is a growth village where new development is encouraged and under Policy LP3 of the Local Plan it states that development including village extensions are appropriate in such locations and the proposal would provide four new dwellings within the growth village and even if the site was considered to be outside of the existing footprint, Policy LP3 would still allow for such development as it provides for extensions to the built up area and, therefore, the principle of development is supported in policy terms.

Mrs Jackson explained that the further benefit to the application includes the footpath to the front of the site which will link to the footpath which is included as part of the neighbouring plot, and it will provide a safer pedestrian access route for the parents and children of future residents and those that currently walk to the primary school. She made the point that it will also help with the speed reduction of traffic along Sandbank which is something that the Parish Council is working towards.

Mrs Jackson stated that the indicative drawings show that quality homes and spacious plots can be achieved on the site and the proposed finished floor levels will match those of the neighbouring plot to the southeast. She added that the further detail on how this will be accommodated into the building in design terms will be dealt with as part of the reserved matters application.

Mrs Jackson stated that there are no objections which have been received from any of the technical consultees and the scheme has the support of the Parish Council and from the neighbours in the immediate vicinity of the site. She stated that the proposal would bring significant benefits to the area by means of providing housing in a growth village, by providing a footpath link to both existing and future residents to the amenities within the village centre and there is, in her

opinion, no conflict with the policies which are set out in the reasons for refusal.

Members asked Mrs Jackson the following questions:

- Councillor Miscandlon stated that in paragraph 9.16 it makes reference to the existing application which has received planning permission as a grand design for the entrance to the area of the village and he asked Mrs Jackson whether it was her view that the current proposal if approved will diminish that statement? Mrs Jackson stated that in her view it would depend on the interpretation as to what the entrance to the village would be and there is development all the way along Sandbank to the north and to the south and personally she would not have said that the other site was the entrance to the village because the whole area of land would be an infill plot within the wider setting. Councillor Miscandlon stated that the application that was granted by the committee against the officer's recommendation was to make a grand entrance and, in his opinion, the addition of the proposed dwellings will diminish the grand design entry into the village.

Members asked officers the following questions:

- Councillor Cornwell stated that one of the points raised is that the floor level will have to be at least a metre above the ground level which presumably was a requirement of the previous approval and whilst he appreciates that there are different levels in that particular area and the fact that the land where these are to be built is quite low he would like to know why there is not an issue for one dwelling but is for a few more. David Rowen stated that when the reserved matters application came before the committee in August, the recommendation was to refuse it, due to the overall scale and design of the proposed dwelling and that would be exacerbated by the need to raise the land levels by a metre to make the site safe from flooding as it is in Flood Zone 3. He added that the reason for refusal with the current application relates more to the impact on the overall character of the area by having four houses there again exacerbated by the need to raise the levels up so that potentially you are looking at structures which are quite a way above existing ground level. Councillor Cornwell questioned what the detriment and difference would be with regard to the dwellings built at a higher level? David Rowen explained that the issue with this particular application is the need to look at the relationship with the property immediately to the north of the application site which is at its existing level and the overall concern is that not only is there the introduction of a level of urbanisation within the gap at the edge of the village there is also the exacerbation of the visual impact through the raising of the levels as well.

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

- Councillor Mrs Davis expressed the view that the only difference between this and the previous application is that one is in Flood Zone 1 and the other is in Flood Zone 3. She added that they have the same reasons for refusal and at the time when members voted to go against the officer's recommendation for the house, it had been said by some members that there would be a precedent set and if the current proposal is approved it will only be a matter of time before there will be further applications submitted for further dwellings. She made the point that, in her opinion, the officers have made the right recommendation.
- Councillor Sutton stated that he does not agree with Councillor Mrs Davis, he voted in favour for the single dwelling, but a precedent has now been set and if it is refused and it goes to appeal then the Council could incur costs due to the inconsistency of decision making.
- Councillor Mrs Davis stated that she does not think there is inconsistency as the single dwelling had another house opposite it whereas the current proposal is a block of dwellings going into the open countryside and, therefore, she views this differently.
- Councillor Mrs French stated that she has referred to the minutes of the meeting in August and the proposal was made by Councillor Sutton and seconded by Councillor Mrs Mayor that the application should be refused, and that proposal failed. She added that a further proposal was made by Councillor Benney and seconded by herself and the application was

then granted against the officer's recommendation with authority delegated to officers to apply conditions in line with the previous consent. Councillor Mrs French added that it also states in the minutes that 'members do not support officer's recommendation of refusal of planning permission as they feel that the height difference of 40cm makes no impact'. She stated that it was decided at that time that the proposal was going to be something different and there was no indication at that time that a further application was going to be submitted for a further four dwellings which she is very disappointed to see.

- Nick Harding clarified to the committee that the site is different, and it is a site next door.
- Councillor Cornwell stated that he can see from the plan that the other application that was approved was in fact opposite the existing development on the other side of the road to this particular plot although it is different it gives the appearance of just being another add on to the same plot and opposite there is simply open countryside and, in his view, officers have made the correct recommendation. He added that if there was the wish to maintain the gap between them all then this is the way for it to be achieved.
- Nick Harding pointed out that Councillor Mrs French had referred to the minutes of the August Planning Committee meeting and he pointed out that the quote she made was not the site next door and, therefore, the issue of the 40 centimetres was not relevant.

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

P85/22

F/YR22/1187/FDC

LAND NORTH OF 6 RIVERSIDE GARDENS, PARSON DROVE

ERECT 1X DWELLING INVOLVING DEMOLITION OF EXISTING GARAGE BLOCK

(OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

Alison Hoffman presented the report to members and drew members attention to the update that had been circulated.

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

Members asked officers the following questions:

- Councillor Cornwell stated that members had indicated on the site visit the importance of the bottom end which incorporates the plot for turning as it is a very narrow road and most of the existing residents along the road appear to park on the road and, therefore, there is nowhere to turn. He added that should the proposal be approved it is very important that there is sufficient space to turn, and that the Parish Council have also highlighted the same point. Councillor Cornwell expressed the view that it has been further complicated with regards to the other entrance from Riverside and the development on the other side and, therefore, it is important that if approved then strict controls be included with regards to access and turning for the remainder of Riverside Gardens and not just the proposal plot. David Rowen responded that access is committed as part of the application and the arrangement at the turning head is incorporated as a detailed matter as part of the application.
- Councillor Sutton asked officers to clarify why the dwelling could not have been built on Brewery Gardens because there are four plots there which are in Flood Zone 1 and, in his opinion, a dwelling would fit there quite comfortably. Alison Hoffman explained that part of applying a sequential test is to see whether or not a site is available and once the first clod of soil has been moved and a commitment to build has happened, a site is deemed as no longer available. She added that she is aware that the applicants at Brewery Close in that particular instance were very keen to commence development and their intention was to build out that site and as the site was not available it would not be factored into the sequential test. Nick Harding confirmed that work has commenced on the site.

- Councillor Sutton expressed the view that now that information has been confirmed by officers, in his view, the report has been written without any detail of that evidence and it did not detail Brewery Gardens specifically but referred to two other sites which were available. He added that the proposed dwelling would not fit on those sites and the report did not mention why it could not be built on Brewery Gardens at all. Nick Harding agreed with the feedback from Councillor Sutton and clarified that at 10.8 of the officer's report it states that the submitted sequential test information fails to identify any sites with extant permissions which would be at lower flood risk and that no other sites are known, and the sequential test is, therefore, passed.
- Councillor Mrs Davis stated that officers would not normally be expected to list sites and the fact that the sequential test has been passed is acceptable.

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

- Councillor Miscandlon stated that he will support the application regardless of who the applicant is as the current site is an absolute tip and an eyesore. He expressed the opinion that the resident of Number 6 will be glad for a house to be built there instead of a group of derelict garages.
- Councillor Purser agreed with the comments made by Councillor Miscandlon and will support the application.
- Councillor Mrs Davis stated that a derelict site is not a material planning consideration. She added that she has had her concerns allayed with regards to the turning circle as she has been advised that the average size delivery vehicle would be able to turn, and she will support the proposal.
- Councillor Skoulding stated that he will support the application, but he would like to see the hammerhead have hatched markings. Councillor Connor stated that it is a good idea but it would be down to the Highway Authority to decide that.

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

(Mrs French and Murphy declared that, whilst they are both members of the Cabinet, they are not pre-determined on this application and will approach it with an open mind)

**P86/22 F/YR21/1421/F
LAND NORTH OF KNOWLES TRANSPORT, BLUE LANE, WIMBLINGTON
FORMATION OF A CAR PARK AND ACCESS, AND THE ERECTION OF 2.0-
METRE-HIGH PALISADE FENCING, GATES AND 10 X 3M HIGH LIGHTING
COLUMNS**

David Rowen presented the report to members and drew members attention to the update that had been circulated.

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

Peter Humphrey, the Agent, had registered to speak under the public participation procedures but indicated that he did not wish to exercise this right. Members asked Mr Humphrey the following questions:

- Councillor Sutton stated that the concerns of the local residents appear to be that of noise, and he asked whether any consideration has been given to an acoustic fence along the frontage? Mr Humphrey confirmed that an acoustic fence on the boundary which will stop the headlights into the neighbours' properties and also reduce the noise can be installed, which the applicant is happy to implement. He stated that he is happy for a condition to be applied including changing the weld mesh fencing to timber acoustic fencing.
- Councillor Murphy agreed that this would be more appropriate.

- Councillor Connor stated that he does like to encourage the expansion of local businesses, but there is the need to be mindful of the residents of Coney Walk and Blue Lane. He is happy with the acoustic fence and the tree planting, but he made the point that he is concerned with the lighting on the site and for the residents he is of the opinion that it will be a nuisance and he asked whether there was any mitigation that could be included in the proposal? Mr Humphrey explained that earlier an amended lighting layout had been sent to officers but stated that he would be happy for a condition to be included which could be agreed with officers so that there are not lights which are intrusive into the neighbouring properties. He suggested that bollard lighting could be introduced so that staff could see to walk to their cars, but it would not shine over the top of the fencing. Councillor Connor stated that he would prefer that type of lighting, rather than what has been suggested currently which is a 3 metre high lighting scheme and the suggestion from Mr Humphrey has gone a long way to alleviate his concerns.
- Councillor Sutton stated that he is aware that the Police are not in favour of bollard lighting as it does not show up faces of people when they are walking and, therefore, there may need to be a compromise which Mr Humphrey can resolve with officers.
- Councillor Mrs French stated that there is a public right of way on the site and if it is to be closed during the development then a Traffic Regulation Order will need to be applied for which has a minimum of 12 weeks to obtain. Mr Humphrey stated that the design has been moved away so that the footpath and parking do not impact on the right of way.
- Councillor Miscandlon stated that he is glad to see that the agent is taking on board the issue with regards to the lighting and added that lighting which projects upwards is wasted and does impact on wildlife. He asked Mr Humphrey when the lighting is installed can he ensure that it is downlighting and not up lighting? Mr Humphrey stated that the same situation arose at another Knowles Transport site in Wisbech, where there were column lights which had an extra cover on them, and the lighting stream does not impact the neighbours.
- Councillor Connor asked whether the planting scheme can be enhanced to include a better hedge, or some mature trees? Mr Humphrey stated that could be conditioned. He added that when you drive past the lorries are not visible in the car park due to the landscaping scheme on the previous application. Mr Humphrey stated that he knows that the applicant will be happy to include a landscaping scheme that will mitigate and hide the traffic, but he would be happy to accept a condition.
- Councillor Sutton asked for clarification that an acoustic fence was only being suggested at the front of the site and not all of the way round? Mr Humphrey stated that it is about reaching a compromise between an acoustic fence and the weld mesh, the weld mesh is more secure as there is still the ability to see what is happening behind it and he would only really want to install the acoustic fence where the properties are, and he would like to ensure that is made clear.

Members asked officers the following questions:

- Councillor Sutton asked whether officers are content with the questions and answers from Mr Humphrey so that appropriate conditions can be added? David Rowen stated that the condition that is recommended as part of the update report relates to fencing purely along the Blue Lane boundary and the anticipation is that it would be a solid fence of an acoustic grade mainly to prevent headlights shining into the properties on Blue Lane. He added that with regards to the wider lighting scheme, he is not aware that a further lighting scheme has been submitted by the Agent and he made the point that he would question whether it is necessary, given that there is a lighting scheme in place that the Environmental Health Team are content with and they have not raised any concerns about excessive illuminance or light overspill.
- Nick Harding stated that the lighting plan shows that the light spill going into the houses opposite is less than one lux and he advised members that a streetlight is 5 lux or more and, therefore, there is no light trespass in terms of this development onto the adjacent dwellings because it is not even at street lighting level.

- Councillor Sutton asked whether it would be possible to ask for a mixed scheme with bollard lighting at the front of the site and then a better scheme at the back which would alleviate everybody's issues. David Rowen stated that the Police Designing Out Crime Team are also content with the proposal, making reference to the point made by Mr Humphrey with regards to bollard lighting and confirming that the Police are not overly keen on bollard lighting as it does not provide a good environment in terms of security. He added that if consideration is being given to implementing bollard lighting at the most vulnerable part of the site which is at the front, in his opinion, it would not be looked at favourably by the Police. David Rowen added that the Wildlife Officer has also stated that they are happy with the proposal and, therefore, in terms of the lighting scheme, the Police, Environment and Health and the Wildlife Officer are all content.
- Councillor Connor stated that whilst he appreciates that all the parties are happy, consideration must be given to the local residents who are not happy, and a compromise needs to be sought.
- Nick Harding stated that there is a lighting scheme before the committee which is acceptable to the technical experts and the decision the committee needs to make is whether they wish to approve it on the basis of the submitted lighting scheme and if members are happy to approve it on the basis that discussions will take place between the officers and the applicant to see if the lighting levels can be reduced even more than so be it.
- Councillor Mrs French stated that members of the committee are not technical experts and, therefore, it should be left to officers and the agent and applicant to reach a satisfactory outcome.
- Councillor Murphy stated that it must be an acoustic fence on one side.
- Councillor Cornwell asked whether the conditions are going to include elements of tree planting on the eastern side so that the existing gap where the tip at the back is not left completely open? David Rowen stated that there is a condition proposed with regards to the reinstatement of the existing access points and as part of that he would anticipate that hedge planting would come in as part of the condition, however, if members would like to put on a wider landscaping condition across the site it is within members gift should they wish to grant planning permission.

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

- Councillor Miscandlon stated that the agent accepts that there does need to be compromises with regards to the lighting and the fencing. He added that he is aware that the Police do not like bollard lighting as it is detrimental to security, but he stated that there are infra-red cameras that can be considered, and it could be something that the applicant may wish to look at. Councillor Miscandlon made the point that the lighting scheme will have to form a mixture of different types on the site which the agent and applicant will appreciate and will act accordingly.
- Councillor Sutton stated that there is already a tree planting scheme in place which just needs to be extended to the front of the site along with the acoustic fence which will go some way to allaying any concerns that the residents may have. He added that if the bollard lighting is considered in row 1 then he would be happy to approve the application.
- Councillor Miscandlon stated that he would like to see a construction management plan included which will not disturb the neighbours as the proposal is going to be a large project.
- Councillor Mrs French stated that whilst she agrees with the inclusion of a construction management plan, they do need to be monitored and adhered to.
- Councillor Cornwell stated that the car park is a private car park, and it is the responsibility of the applicant to offer a duty of care to his employees which may not correlate with the suggestions put forward and, therefore, unless conditioned the applicant can do as he may wish.
- David Rowen stated that there is Construction Management Plan which has already been submitted which is at Condition 11 and sets out the permitted hours of operation.
- Councillor Sutton asked officers to provide the details of the conditions that they wish to add

to the permission should it be granted. David Rowen stated that from his notes from the debate he has captured that members are looking at including a landscaping condition, reinforcement of the condition that has been included in the update report with regards to specifically detailing an acoustic fence and a lighting scheme to be submitted and agreed. Councillor Connor stated that he would still like the bollard lighting to be included even though it is not favoured by the Police.

Proposed by Councillor Murphy, seconded by Councillor Mrs French and agreed that the application is APPROVED as per the officer's recommendation including additional conditions in relation to landscaping, acoustic fencing and a lighting scheme.

(Councillor Connor declared, under Paragraph 14 of the Code of Conduct on Planning Matters, that he represents Doddington and Wimblington as a Fenland District Councillor and attends Wimblington Parish Council meetings but takes no part in planning matters)

(Councillor Mrs Davis declared that she is pre-determined on this application and took no part in the discussion and voting on this item)

P87/22

F/YR22/0966/O

**LAND NORTH OF WINDY WILLOWS, CHURCH LANE, TYDD ST GILES
ERECT UP TO 2 X DWELLINGS AND THE FORMATION OF AN ACCESS
(OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF
ACCESS)**

David Rowen presented the report to members and drew members attention to the update that had been circulated.

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

Members received a presentation, in accordance with the public participation procedure from Shanna Jackson, the Agent. Mrs Jackson stated that the proposal is for two dwellings and has been submitted in outline form, with matters of access committed only. She explained that the proposal has 16 letters of support and has been recommended for refusal by officers for reasons which include principle, visual impact, flood risk and highway safety.

Mrs Jackson explained that with regards to the principle of development, the national and local housing policies direct new housing to locations amongst existing housing and within an existing settlement. She stated that there is a dwelling to the immediate south of the site and there is also continuous residential development opposite and whilst the proposal does not strictly adhere to the infill definition as detailed in Policy LP3 of the Local Plan, it is within the spirit of the policy as it constitutes new housing which is amongst other residential development.

Mrs Jackson explained that the site is opposite an existing footpath which links the land to the village centre by foot and future residents will be able to walk to local amenities including the pub and the primary school and become part of the local community which is what the national and local policies require. She made the point that set against the backdrop of the existing dwelling to the south and the continuous frontage development opposite, in her opinion, there would be no visual harm caused by the proposal in principle as the site is already within a residential location and the specific design details of the development would be secured at the reserved matters stage.

Mrs Jackson explained that the Environment Agency have not objected to the proposal which must demonstrate that the scheme is technically safe from flooding and the sequential test has passed on the basis that the village of Tydd St Giles applies, however, there is a difference of opinion as

officers consider that the whole of the district applies. She stated that in the event that it is considered that the sequential test has passed, the application contains the necessary credentials to pass the exception test.

Mrs Jackson referred to the reason for refusal concerning highways and added that there have been no objections received from the Highways Authority, the site is located along a long straight road where visibility splays of 2.4m by 120m can be achieved in either direction as well as sufficient space within the site to allow for turning and, in her opinion, the proposal is acceptable in highway safety terms. She expressed the view that the proposal would bring new housing to the village of Tydd St Giles which has been acknowledged as an aspiration of the Parish Council in their recent comments relating to the emerging Local Plan and the proposal is an appropriate form of development which she would like to see the committee approve.

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

- Councillor Cornwell made the point that there is no development at all along that side on the approach into the village from the main drain, until you reach the road on the left-hand side. He expressed the opinion that it is a new plot in an open area.

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

**P88/22 F/YR22/1123/PIP
LAND EAST OF CHARDOR, NEEDHAM BANK, FRIDAY BRIDGE
RESIDENTIAL DEVELOPMENT OF UP TO 9 X DWELLINGS INVOLVING THE
FORMATION OF 9 X NEW ACCESSES (APPLICATION FOR PERMISSION IN
PRINCIPLE)**

David Rowen presented the report to members and drew members attention to the update that had been circulated.

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

Members received a presentation, in accordance with the public participation procedure from Mr Peter Humphrey, the Agent. Mr Humphrey referred to the presentation screen and explained that the white triangles displayed highlight the developed frontage pointing out to the committee the only other gap on the southern point where it shows FDC Draft Local Plan and there is an allocation for the other open space for 6 dwellings and then further along on the slide it shows the proposal that the committee are determining. He expressed the view that the proposal should be one of the simplest, easiest Planning in Principle application that has been submitted as it is only for frontage and it is of a very similar format to the rest of the village.

Mr Humphrey added that there is an estate to the top left-hand side of the slide on the screen but, in his view, the majority of Friday Bridge is frontage, and frontage development is more sustainable making the point that why would there be a backland development where a new road would have to be implemented with all of the amenities when there is an existing frontage. He stated that the site is in Flood Zone 1 and there are 16 dwellings after the proposal site and before you reach The Stitch and there is already a footpath up to Laddus Drove which is to the south of Needham Bank, but he would be happy to extend the footpath along this site frontage to make it safer for everyone in the village.

Mr Humphrey referred to the presentation screen and explained the proximity of the site to the assumed village centre which contains the school, pub and shop and expressed the view that the site is so much closer than The Stitch and 50% of the village but the opinion of officers is that the site is in the wrong location. He made the point that the draft Local Plan proposes infill only gaps

and it also proposes 230 dwellings for a limited infill village and, in his opinion, the proposal before the committee is more logical.

Mr Humphrey stated that there is shortage of plots for people to build their own properties but officers have stated that there is not a shortage on self-build plots, however, in his view, there is a difference in the Council's self-build, custom build register of plots that people want to buy and build their own. He stated that the proposal site is a classic site which can be divided up into 9 plots and the plots will be sold quickly as he is aware that there is a demand for available plots and he asked the committee to consider and approve the application.

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

- Councillor Mrs French stated that the application site falls within part of her County Council division and it is Councillor Sutton's district ward. She made reference to the points made in the officer's report from Councillor Sutton where he has stated that 'Both sites, ref: F/YR22/1123/PIP and F/YR/22/1124/PIP, are adjacent to the built form so are policy compliant both locally and nationally. Under the local plan Friday Bridge is a limited growth village where it is expected to deliver 10% of the total dwellings during the life of the plan, (58 dwellings) currently it has only delivered 35 whereas most villages, including Elm, are way over the 10%. With a shortfall of 23 and generally linear development, it would appear that this type of proposal is the only option of Friday Bridge to take its share of development'. Councillor Mrs French stated that she agrees with the comments of Councillor Sutton and will support the proposal because not only will it support the linear development of the proposal site it will also help the rest of the village.
- Councillor Mrs Davis referred to the point made by Councillor Mrs French and made the point that the 10% is not something that has to be met.
- Nick Harding stated that the agent has made reference to the application being for self-build homes and that has not been mentioned in the application when it was submitted. He added that the drawing that the agent referred to on the presentation screen only included some of the allocations which are proposed within the village which were the road frontage ones and he added that there are other allocations which are proposed in the emerging Local Plan and there is nothing to suggest that two of those sites could not come forward under the auspices of the current plan policy. Nick Harding explained that given that those sites are being put forward to the Council by the landowner, there is no reason why the sites would not come forward in due course.
- Councillor Mrs French stated that the committee are in place to look and listen to the new information which is brought forward. She stated that she is not pre-determined and whilst she understands the views of officers, there will need to be discussions between the agent and officers to clarify whether it is a self-build proposal, but, in her opinion, Friday Bridge is a village and she will support the application.
- Councillor Miscandlon expressed the view that the application has been submitted in an incomplete format and the agent has provided information during his presentation that the committee was not aware of. He added that it is incumbent of the agents to speak to the officers with as much information as possible and he appreciates that there will always be a last-minute addition but to find out now that the proposal is for self-build dwellings, he can understand the frustration of officers.
- Councillor Cornwell stated that there have been points discussed which have skewed his thinking and he agrees that it would have been ideal to have some of the points raised in the officer's report and before the application came before the committee.
- Councillor Mrs Davis stated that consideration also need to be given to the points raised by Elm Parish Council and the fact that they have made reference to the nine access points that will be formed along a 60mph stretch of road with possibly up to four additional vehicles per dwelling is quite a considerable increase in traffic.
- Councillor Cornwell stated that the application is only being considered in a permission in principle format and aspects such as the access points along a road like that which is quite a fast road need to be taken into account.

- Councillor Connor stated that the committee are considering the land use aspect of the application.
- Councillor Mrs French stated that the local highway improvements are now being considered and Elm Parish Council can apply for the speed to be reduced along that road. She added that the proposal will include a footpath and that is something that will come under a local highway improvement, however, the Parish Council are only allowed one unlike the Town Councils and, therefore, in her opinion it is a prime opportunity to actually give something to the village.
- David Rowen clarified that that the speed limit on this particular part of Needham Bank is actually 40mph rather than 60mph and the actual change from 30mph to 40mph is just to the west of the site.
- David Rowen explained that Planning in Principle (PIP) applications are unusual applications due to the fact that the Government guidance on them is that a PIP cannot be granted subject to a Section 106 agreement and you also cannot grant a PIP subject to any conditions and, therefore, if members were minded to give any weight to the self-build elements or to the provision of a footpath, permission is being granted with no conditions and no Section 106 agreements and, therefore, they are not something that can be secured at this point. He added that the properties immediately to the west of the application site do not have footpaths along their frontage and he is not sure what purpose a footway along the front of the application site would necessarily achieve.
- Councillor Mrs French questioned whether if a PIP application is approved when the application comes back as a full application can conditions be added at that stage? David Rowen stated that if a PIP is granted, there is then a technical consent stage and the difficulty would be if the application was granted in principle and then a footpath was not included as part of the technical consent stage, or the application was not proposed as self-build housing then those sorts of issues would perhaps be somewhat difficult to secure at the technical consent stage. Councillor Mrs French expressed the view that if that were the case it would not a wise course of action for agents.
- Councillor Murphy expressed the view that he does not welcome PIP applications as in his view it is a way of submitting a planning application without actually providing a planning application and he thinks that they should be stopped. He expressed the view that there are so many restrictions once a PIP is approved and he does not agree with them at all.

Proposed by Councillor Mrs French, seconded by Councillor Skoulding to approve the application against the officer's recommendation, which failed on a majority vote by members.

In providing reasons for going against officer's recommendation, Councillor Mrs French stated that in her opinion the application is compliant with both Local and National Planning Policies and that Friday Bridge is a growth village.

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

(Councillor Sutton declared that he had called the application into committee and had attended meetings with residents where the application had been mentioned so took no part in the discussion or voting thereon for this item)

P89/22

F/YR22/1124/PIP

**LAND WEST OF RAILWAY CARRIAGE, NEEDHAM BANK, FRIDAY BRIDGE
RESIDENTIAL DEVELOPMENT OF UP TO 4 X DWELLINGS INVOLVING THE
FORMATION OF 4 X NEW ACCESSSES (APPLICATION FOR PERMISSION IN
PRINCIPLE)**

David Rowen presented the report to members and drew members attention to the update that had been circulated.

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

Members received a presentation, in accordance with the public participation procedure from Mr Peter Humphrey, the Agent. Mr Humphrey stated that in his view the benefit of Planning in Principle (PIP) applications is that they are better than pre-applications due to the fact that a formal recommendation is obtained and there is not a large cost implication for his clients to pay out in order to ascertain whether it is worth submitting an application. He added that they are also reviewed and turned around quickly by the officers with a quick decision, with a PIP application reverting back to previous times where a red line would be shown on a piece of land and the Planning Department would make a decision in outline, but the name has changed to a PIP.

Mr Humphrey referred to the presentation screen and pointed out site and the continuous built frontage and explained that there is a house beyond the development site which acts as a stop. He added that he cannot understand the officer's point of view when they state that it is not continuous built-up frontage as it is natural infill.

Mr Humphrey made the point that the site is also very close to the developed executive homes on Bar Drove and it is the development which is furthest north as you look at Bar Drove which is adjacent to the proposal site where there is just one side frontage. He made the point that he does not mean to change the description when he states 'self-build', in the sense that the Planning Officer's mean and explained that his objective is to deliver plots and he does not want them labelled as self-build as he wants to have more marketable plots but he is aware that this is an area where people do like to build their own houses.

Mr Humphrey expressed the view that he would class this as a village gateway site and there are 230 houses proposed in the draft Local Plan and the application before members offers four plots which will help employment during construction, and he asked the committee to support the proposal.

Members asked Mr Humphrey the following questions:

- Councillor Mrs French asked whether the proposal would include a footpath and Mr Humphrey stated that the proposal does not include a footpath.

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

- Councillor Cornwell expressed the opinion that the proposal is intrusion into the open countryside and extends the village when there would appear to be plenty of building opportunities at some stage. He added that there is a built form which finishes at the road junction to the southwest and there is an isolated fen type settlement just beyond it.

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

(Councillor Sutton declared that he had called the application into committee and had attended meetings with residents where the application had been mentioned so took no part in the discussion or voting thereon for this item)

P90/22

TPO03/2022

LAND ADJACENT TO ST LEONARDS CEMETERY, CHURCH ROAD, LEVERINGTON

TPO IN RESPECT OF THE 1 X POPLAR TREE, 1 X SYCAMORE TREE, 1 X HAWTHORN, 6 X ASH TREES AND 2 X GROUPS OF ASH TREES WITHIN A

CONSERVATION AREA

David Rowen presented the report to members and drew members attention to the update that had been circulated.

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

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

- Councillor Mrs French stated that she is glad to see that the emergency Tree Preservation Order was added in September, and expressed the view that the trees do need to be preserved.

Proposed by Councillor Miscandlon, seconded by Councillor Mrs Davis and agreed that the Tree Preservation Order should be CONFIRMED.

4.43 pm

Chairman

F/YR22/0354/F

**Applicant: Mr Ivan Towler
St Marys Estates**

**Agent: Mr Nigel Lowe
Peter Humphrey Associates Ltd**

134A Ramnoth Road, Wisbech, Cambridgeshire, PE13 2SW

Erect 16 x dwellings (2-storey 3-bed) with associated garages, parking and landscaping, involving demolition of existing buildings

Officer recommendation: Grant

Reason for Committee: Number of representations contrary to officer recommendation.

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission for the construction of 16, 2-storey, 3-bed dwellings on the site.
- 1.2 Policy LP3 sets out the settlement hierarchy for development within the District. Wisbech is identified as a 'Primary Market town' and is therefore identified as a location where most development and service provision will be focused. In addition, this is a brownfield site in a sustainable location, within an area which is predominantly residential in character.
- 1.3 The proposed dwellings are of a modernist mono-pitched design taking inspiration from the Fire Station and Isle College buildings to the north, aside from Plot 1 which is more traditionally designed to reflect the dwellings in the immediate vicinity along Ramnoth Road and building line of No.134.
- 1.4 The relationships between the proposed dwellings and surrounding buildings are generally considered acceptable, subject to a condition to secure obscure glazing to plots 13-16.
- 1.5 The development proposes a 5m access from Ramnoth Road leading to a 6m wide shared surface, the principle of access to the site and its redevelopment for residential purposes is not opposed and the Highways Authority has confirmed that the change of use of the site would not result in intensification of use of the access, further details of the access are however required which can be secured by way of a condition.
- 1.6 The Senior Planning Obligations Officer has confirmed that on the basis of the information submitted as part of the viability assessment, on this occasion, due to viability, the proposal is not able to deliver affordable housing nor any S106 contributions.

2 SITE DESCRIPTION

- 2.1 The application site is located to the south of Wisbech Fire Station and is within a built-up residential area. There is a varied mix of styles, form, and massing of buildings in the vicinity. Currently operating as a yard and mechanic's garage the application site is accessed from Ramnoth Road via a roadway which runs immediately to the north of 134 Ramnoth Road a bungalow which incorporates accommodation in the roof-space, part of the application site is amenity space serving this dwelling. It should be noted that this property also benefits from separate a vehicular access to the south of its curtilage.
- 2.2 The site boundary with Churchill Road is formed by high level close boarded fencing behind the footway and verge that runs along the highway. The northern boundary, which runs along the access road to the Fire Station comprises an established hedge with some fencing at the western end. Elsewhere the other boundaries are formed by a mixture of hedging and fencing.
- 2.3 The application site has an area of approximately 0.5ha with the western end containing several workshops, garage, and commercial buildings of varying scales. This is a previously developed brownfield site categorised as being within a Flood zone 1 area.

3 PROPOSAL

- 3.1 The application seeks full planning permission for the construction of 16, 2-storey, 3-bed dwellings on the site. The access is shown to be in the position of the current access to commercial activity undertaken to the western part of the site albeit alterations are proposed to this access point.
- 3.2 Plot 1 is an individually designed detached dwelling which measures 10.9m x 6.9m and 7.7m in height with accommodation comprising lounge, kitchen/diner, utility and WC at ground floor level with 3 bedrooms (1 with en-suite) and bathroom at first floor.
- 3.3 Plots 2-3 are semi-detached, measuring 16.7m x 8.6m and 7.2m in height, with accommodation for each property comprising accommodation comprising lounge, kitchen/diner, utility and WC at ground floor level with 3 bedrooms (1 with en-suite) and bathroom at first floor.
- 3.4 Plots 4-6 are detached, measuring 8.5m x 8.7m and 7.2m in height, with accommodation comprising accommodation comprising lounge, kitchen/diner, utility and WC at ground floor level with 3 bedrooms (1 with en-suite) and bathroom at first floor.
- 3.5 Plots 7-8 and 9-10 are semi-detached, measuring 11.8m x 13.3m and 7.3m in height, with accommodation for each property comprising accommodation comprising lounge, kitchen/diner, utility and WC at ground floor level with 3 bedrooms (1 with en-suite) and bathroom at first floor.
- 3.6 Plots 11-12 are semi-detached, measuring 14.7m x 13.8m and 7.3m in height, with accommodation for each property comprising accommodation comprising lounge, kitchen/diner, utility and WC at ground floor level with 3 bedrooms (1 with en-suite) and bathroom at first floor.
- 3.7 Plots 13-16 are detached, measuring 9.9m x 9.5m and 7.4m in height with accommodation comprising accommodation comprising lounge, kitchen/diner, utility and WC at ground floor level with 3 bedrooms (1 with en-suite) and bathroom at first floor.

- 3.8 Plots 1-6, 8 and 13-16 incorporate garages and plots 2-6 and 13-16 have raised patios with steps down to the garden as finished floor levels are raised in relation to surface water flood risk. The development is served by a 6m wide (5m at the junction with Ramnoth Road) shared surface access road.
- 3.9 The scheme would involve the demolition of the existing structures on the site, removal of the conifers and boundary hedging.
- 3.10 Full plans and associated documents for this application can be found at:

[F/YR22/0354/F | Erect 16 x dwellings \(2-storey 3-bed\) with associated garages, parking and landscaping, involving demolition of existing buildings | 134A Ramnoth Road Wisbech Cambridgeshire PE13 2SW \(fenland.gov.uk\)](https://www.fenland.gov.uk/F/YR22/0354/F | Erect 16 x dwellings (2-storey 3-bed) with associated garages, parking and landscaping, involving demolition of existing buildings | 134A Ramnoth Road Wisbech Cambridgeshire PE13 2SW)

4 SITE PLANNING HISTORY

F/YR21/1222/F	Erect 18 x dwellings (12 x 2-storey 3-bed and 6 x 2-storey 2-bed) with associated garages, parking and landscaping, involving demolition of existing buildings	Refused 27/1/2022
F/YR20/0615/O	Erect up to 9 dwellings (outline application with matters committed in respect of access) involving demolition of existing buildings	Granted 11/9/2020
F/YR04/4156/F	Erection of a vehicle workshop	Granted 7/1/2005

5 CONSULTATIONS

5.1 Town Council (3/5/2022 and 29/11/2022)

That the application be supported, subject to the Local Highway Authority being satisfied with the proposed access arrangements

5.2 Town Council (20/6/2022 and 14/12/2022)

That the application be supported

5.3 Wildlife Officer (FDC) (6/5/2022)

Recommendation:

The application scheme is acceptable but only if conditions are imposed.

Recommended condition(s)/Reason(s) for refusal:

Pre-commencement Condition(s) -

- *No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:*

a) Summary of potentially damaging activities.

b) Identification of "biodiversity protection zones".

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method

statements) including ensuring no Non-Native Invasive Species are spread across the site.

d) The location and timing of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Compliance Condition(s) -

- Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.

Assessment/Comment:

I was pleased to see that several ecological enhancements have already been adopted within the landscaping plan. However there are several ecological mitigation recommendations within the Preliminary Ecological Appraisal that need to be codified in order to be adopted during development. That is the purpose of the CEMP Pre-commencement condition above.

5.4 Wildlife Officer (FDC) (23/6/2022)

Recommendations:

No further recommendations in addition to those given on the 6th of May.

Assessment/Comment:

The new plans do not contain any deviation that significantly alter the recommendations give in the previous consultation on the 6th of May.

5.5 Wildlife Officer (FDC) (16/12/2022)

Recommendations:

No further recommendations in addition to those given on the 6th of May.

Assessment/Comment:

Considering the location of the development there is low risk that the new lighting schemes will create significant negative impacts on commuting bats. As such I am happy to accept the lighting scheme with no recommendations for revisions.

The new plans do not contain any deviation that significantly alter the recommendations give in the previous consultation on the 6th of May.

5.6 Arboricultural Officer (FDC)

The proposed scheme is acceptable with a good number of new trees.

My only comment would be to use *Betula pendula* 'Zwisters Glory' on the south boundary as a lot of trees are proposed and this form retains a tidier more upright crown so may be more appropriate in the rear gardens.

5.7 S106 Officer (FDC)

The Local Plan and CIL Viability Assessment Report (LPVA)... indicates that brownfield development is likely to be unviable, even without the provision of any Affordable Housing. This development is on previously developed land located within the 'Lower Value' area.

The applicant has provided several appraisals as part of their viability submission with various levels of S106 provision and sensitivity analysis that I have reviewed and bench-marked against the assumptions contained in the LPVA, including inputs for profit, interest rates, external works & infrastructure costs, design & professional fees, and Gross Development Value.

The overall deficit of the appraisal that contains no affordable housing nor any S106 contribution is £532,500, I therefore accept that on this occasion, due to viability, the proposal is not able to deliver affordable housing nor any S106 contributions.

5.8 Designing Out Crime Team (3/5/2022)

Thank you for the opportunity to comment on this planning application I have viewed the design and access statement (DAS) and supporting documents in relation to crime, disorder, the fear of crime, and community safety. I have researched the constabulary crime and incident systems covering this location for the last two years – a two-year period would usually provide sufficient information however these figures also take in Covid-19 lockdown and restrictions. I would consider this to be an area of low/medium vulnerability to the risk of crime at present. Please see figures below: -

*Assault Without Injury = 20
Burglary Dwelling = 4
Theft from Motor Vehicle = 2
Theft of Motor Vehicle = 2
Theft of Cycle = 5
Criminal Damage = 2
Drug Trafficking = 1
Drug possession = 1
Criminal Damage Vehicle = 2
Assault without Injury = 9
Assault with injury = 20
Arson no Injury = 2
Theft other = 4*

There is no specific section within the Design and Access Statement relating to crime prevention or security measures. NPPF para 130f states: - Planning policies and decisions should ensure that developments- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. While it is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for residents and visitors, it is obvious that some measures have already been considered.

This appears to be an acceptable layout in relation to crime prevention and the fear of crime providing reasonable levels of natural surveillance from neighbour's properties with many of the homes facing each other. Pedestrian and vehicle

routes are aligned together, well overlooked and pedestrian safety has been considered. This should encourage some level of territoriality amongst residents. Most of the vehicle parking is in-curtilage between and to the sides of properties. Most of the homes have back to back protected rear gardens which reduces the risk and vulnerability to crime and have been provided with the potential for some defensible space to their front.

I do however have the following comments: -

Lighting – I note on the documents that there is a proposal for each property to have a bollard light. For the safety of people and their property our recommendation is that all adopted and un-adopted roads, private and shared drives and parking areas or footpaths and should be lit by columns to BS5489:1 2020. Bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads, parking areas or footpaths, where they are also prone to damage. Care should be taken in relation to the location of lighting columns with the entry method for the majority of dwelling burglary being via rear gardens. Lighting columns located next to rear/side garden walls and fences with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens. Home security lights both front and rear should be dusk to dawn bulkhead LED lights.

There is no mention of sheds or cycle storage if these are to be provided please see below:

Sheds - for cycle storage for residential gardens. The design problems that we are trying to prevent are cycle hoops bolted into the ground; they need to be cemented 300mm into the floor or as a minimum ground anchors cemented into the floor and the structure and doors need to be robust with a heavy duty sold secure gold hasp and lock. (I would like to see a design for the sheds once available if being provided?).

Cycle – stands located within garages cycle hoops bolted into the ground; they need to be cemented 300mm into the floor or as a minimum ground anchors cemented into the floor.

I am supportive of the design and layout but clarification on the above comments would be appreciated. This has the potential to be a development where there is a strong commitment to community safety and reducing vulnerability to crime, I would encourage the applicant considers submitting a “Secured by Design” 2019 Homes application – this office would be pleased to work with them to attain this award.

5.9 Designing Out Crime Team (10/6/2022)

Thank you for the opportunity to comment on this application. I have viewed the revised documents in relation to crime, disorder, and the fear of crime. My colleague completed a search of the Constabulary crime and incident systems for the above location covering the last 2 years. It is possible that the crime data will have increased slightly, I refer you to those statistics, and the comments about external lighting/cycle storage & security dated 3rd May 2022 still apply.

5.10 Designing Out Crime Team (10/11/2022)

I can see that 2 lighting columns have been designed into the development, along with bollards. At this stage, I'm not convinced that there is sufficient lighting, and the scheme doesn't appear to have been designed to BS5489:1-2020. Please

note: Bollard lighting should only be used as wayfinding only and not as a main source of lighting. I would like to see the lux levels and calculations when available please.

As previously mentioned, will there be any cycle storage provision included for the residents, such as a shed? Our recommendation for cycle storage sheds within accessible locations in rear gardens are provided with a ground anchor fixed to a concrete sub-base to allow the resident to secure their bike/s. We also recommend a solid secure, gold rated hasp and lock for the door.

5.11 Designing Out Crime Team (6/12/2022)

Further crime figures provided and comments specifically relating to the development detailed below:

Having looked at the lighting plan, I still feel that the luminaire isn't sufficient for the development. A fully qualified lighting engineer will design the lighting plan to BS5489-1:2020 whilst ensuring that the lux levels, uniformity, and location of luminaires for the site are suitable. My previous comments in relation to bollards still stand, they should not be used as a main source of lighting, they also appear to have been positioned on private drives where they are likely to be damaged.

5.12 Cambridgeshire Fire and Rescue (21/4/2022, 14/6/2022, 14/11/2022 and 6/12/2022)

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.

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

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.

I trust you feel this is reasonable and apply our request to any consent given.

5.13 Anglian Water

Comments were received on 13/4/2022, 14/6/2022, 16/11/2022 and 21/12/2022 comments received on 21/12/2022 are detailed below:

ASSETS

Section 1 - Assets Affected

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 would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the 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. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of West Walton Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: FRA and Drainage Strategy Dec 22 REV C 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. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Anglian Water has reviewed the submitted documents (FRA and Drainage Strategy Dec 22 REV C) and can confirm that these are acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted. Note to applicant – Surface Water Hierarchy/brownfield site evidence will need to be submitted at 106 application stage before any connection point or rate will be agreed.

5.14 Environmental Health (FDC) (22/6/2022)

This service previously consulted on an application seeking a similar proposal involving this development site where we had 'No Objections' but highlighted matters in respect to gas protection, noise and environmental construction methods.

Contamination

Having reviewed this latest application and the documents resubmitted in support of it, this service maintains its stance that contamination is no longer considered an issue at this site. This follows an analysis of soils previously sampled from across the site as part of an assessment undertaken by EPS (Report Ref: UK21.5466) that stated concentrations of contaminants were found to be below guideline values determining the site did not pose a risk to human health and was therefore deemed suitable for the proposed development. The same report further stated that risks associated with ground gas were not considered high but that it had not been fully resolved recommending, precautionary ground gas protection measures be incorporated into the fabric of the new dwellings unless such a need could be discounted through a programme of ground gas monitoring.

This service reiterates its previous recommendation that precautionary ground gas protection measures be incorporated into the proposed new dwellings as recommended by EPS, unless the results of further ground gas monitoring programme demonstrate risks at the application site do not exceed the relevant gas screening criteria.

Suggested wording for the above recommendation if conditioned:

'The gas protection measures as stated in EPS Assessment Report Ref: UK21.5466 shall be carried out in accordance with latest industry guidance and best practice and be suitable for the development, unless otherwise agreed in writing by the Local Planning Authority that the results of further ground gas monitoring programme have demonstrated risks at the application site do not exceed the relevant gas screening criteria.'

Reason: To protect future users and final occupiers of the site and the environment.

Noise

The application site lies within an area where road use has been identified as an existing noise source most notably the A1101 that lies adjacent where, the proposed dwellings west of the application site are likely to receive the highest exposure.

In our earlier consultation this service recommended the applicant should submit a scheme of noise attenuating measures. A 1.8m acoustic fence has since been proposed but we note the absence of any further details on its attenuation properties or other noise protection measures such as suitably designed glazing or, an assessment that demonstrates effective noise attenuation will be achieved

for future occupiers along the façade closest to the existing road. In the absence of this information noise levels cannot be determined or the level of impact mitigation may have to protect future occupiers from this location.

The proposed 1.8m acoustic fence should meet or, otherwise contribute towards additional mitigation used in the development, such as the recommended noise guidelines produced by the World Health Organisation in their 'Environmental Noise Guidelines for the European Region on exposure to road traffic noise'.

Suggested wording for the above recommendation if conditioned:

'The proposed 1.8m acoustic fence shall meet the recommended noise exposure levels provided by the World Health Organisation –'Environmental Noise Guidelines for the European Region on exposure to road traffic noise' or otherwise contribute towards meeting the recommended noise exposure levels through additional mitigation used in the development. This shall be implemented with a report being submitted to and agreed in writing by the LPA before first use of the development that confirms the recommended noise exposure levels have been met in accordance with the World Health Organisation guidelines.'

Reason: To comply with recommended exposure levels provided by the World Health Organisation –'Environmental Noise Guidelines for the European Region on exposure to road traffic noise', protect future occupiers of the site and comply with national and local planning policy .

As previously recommended, this service asked for relevant condition(s) so that the existing local amenity or nearby sensitive dwellings could be protected during the development.

If this application is approved we ask for conditions relating to working hours and the use of machinery and other noise making activity.

Suggested wording for the above:

- 1. 'The use hereby permitted shall take place between the hours of 8am and 5pm weekdays, 8am to 1pm Saturdays and at no time on Sundays & Bank Holidays.'*
- 2. 'No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: 8am and 5pm weekdays, 8am to 1pm Saturdays and at no time on Sundays & Bank Holidays in accordance with BS 5228 Code of Practice for Noise and Vibration Control on Construction and Open Sites.'*
- 3. 'The developer shall adhere to all parts of the 'Mitigation of Construction Activities' as per Table 19 of the submitted AQ Assessment written by GEM Air Quality Ltd during all phases of development.'*

Reason: To protect the character and amenities of neighbouring areas by ensuring that measures are implemented to avoid unwanted nuisance or any other disturbance.

Health Impact

The previously submitted Health Impact Assessment (HIA) accompanies this latest application. As advised in our earlier consultation a HIA should examine the

potential health effects associated with the proposed residential development and promote sustainability with emphasis being placed on good design and finished materials to help reduce energy consumption and address concerns such as fuel poverty. We maintain our stance that the installation of modern and energy efficient heating systems and suitably designed glazing units meet latest standards and that the development affords future occupiers sustainable travel options such as walking, cycling and the use of electric vehicles with electric vehicle charging points being installed with welcome packs provided to all new residents containing information and incentives to encourage the uptake of greener forms of travel.

Air Quality

This service has previously highlighted the proposed development being within an Air Quality Management Area (AQMA). New developments are expected to contribute to rather than impact on the existing climate. We therefore welcome the resubmitted Air Quality Assessment Report Ref: AQ2133 that states based on the outcome of this assessment, 'the current proposals are considered acceptable in terms of the potential air quality impacts across the development' subject to appropriate measures being carried out over the course of the development to minimise impacts of the surrounding locality, as described in Table 19 – 'Mitigation of Construction Activities'.

5.15 Environmental Health (FDC) (27/6/2022)

Further to our conversation earlier on the noise implications associated with this application.

In order to ensure that the noise implications associated with the construction of residential properties adjacent to the busy A1101 (Churchill Road) are addressed, the applicant must submit a noise report detailing how attenuation measures will reduce the exposure of residents to noise levels from traffic to below the following levels specified in the WHO's 'Environmental Noise Guidelines for the European Region' on exposure to road traffic noise.

-For average noise exposure, noise levels produced by road traffic should be below 53 (dB) L_{den} ,

-For night noise exposure, noise levels produced by road traffic should be below 45 (dB) L_{night} ,

REASON

To ensure that the amenity of the occupiers of the proposed development are not adversely affected by road traffic noise in accordance with policy LP16 - Delivering and Protecting High Quality Environments across the District.

5.16 Environmental Health (FDC) (18/11/2022)

In our last consultation we advised the proposed dwellings west of the application site were likely to receive the highest exposure due to the presence of a busy road and that a noise assessment should be undertaken.

We welcome submission of a noise assessment undertaken by Nova Acoustics dated 4th August 2022 Project Ref: 7994NL and note a scheme of noise attenuating measures as the results of a noise survey revealed existing noise levels would impact on the proposed dwellings west as well as far east of the application site.

The assessment assumes a 1.8m acoustic fence has been included within the calculation software but we are unable to read the technical specification of this potential form of mitigation.

To allow us to effectively consider the noise calculations provided in the assessment please could the technical specification for the proposed 1.8m fencing be submitted and clarification that, the level of attenuation obtainable from the proposed fencing has been deducted from the initial noise recordings made, as indicated in Chapter 3 of the noise assessment.

5.17 Environmental Health (FDC) (24/11/2022)

We note the absence on the amount of noise the proposed 1.8m fencing will attenuate and therefore the effect this had on the reported calculations provided in the noise assessment.

As a general rule on the use of effective barriers or screens, a reduction of around 10dB can be expected if the noise source is completely hidden from view by the barrier. The higher the barrier the more attenuation can be achieved, the same is said for increasing the density or thickness of the barrier or screen to be used.

In the absence of sound attenuation acoustic properties for the proposed fencing, using the 'superficial mass of 15kg/m²' specification option as shown in the information provided, a sound reduction of around 10dB maybe possible or otherwise, provide some degree of improved noise reduction. We would advise such performance figures are however only regarded as an estimate because of various factors applicable to a 'line noise source' such as the type of vehicles being used and number of vehicles passing for example. It is likely the proposed fencing will offer better protection of garden amenity and ground floors of the proposed dwellings as oppose to upper floors, with this level of protection expected over the fencings useful service life of between 10 and 20 years.

In order to achieve the required noise levels of LAeq 16hr 35 dB for habitable rooms daytime and LAeq 8hr 30 dB for bedrooms at night in accordance with BS8233: 2014, that addresses the reduced upper floor noise attenuation identified above, reviewing the height of the proposed fencing, subject to planning approval, may be necessary but mainly through the installation of mechanical ventilation with heat recovery systems as well as enhanced glazing units, as recommended in the submitted noise assessment.

Windows can be considered the weakest point of a façade in terms of noise reduction from external noise sources so the glazed elements installed in all the living rooms and bedrooms will require the minimum sound reduction as shown in the submitted noise assessment.

The sound insulation scheme should therefore be installed prior to occupation and be retained thereafter and for all rooms to ensure the internal noise levels are acceptable in terms of the assessment to British Standard 8233: 2014.

The Environmental Health Team therefore accept the submitted noise assessment and the recommendations made in that noise mitigation will be required to make the proposed development acceptable. We recommend the proposal be granted planning permission with conditions to ensure future occupiers of the intended development are protected from the potential of unwanted noise identified at this location.

1. *'No building or use hereby permitted shall be occupied or the use commenced until the recommendations made in the approved Noise Impact Assessment by Nova Acoustics Report Ref: 7994NL have been implemented in full, and thereafter to be permanently maintained for all rooms to ensure the internal noise levels are acceptable in accordance with British Standard 8233: 2014.'*

Reason: To safeguard the amenity of future occupiers and be in accordance with recognised standards'.

2. *'No occupation or use of the development shall take place until all walls and fences indicated on the approved plans have been erected. The hereby approved boundary treatment(s) shall be permanently retained and maintained thereafter by the developer'*

Reason: To safeguard the amenity of future occupiers'.

5.18 Environmental Health (FDC) (9/12/2022)

The applicant has submitted further information on the subject of glazing and acoustic fencing to be incorporated into the final design of the development.

Having reviewed the additional information provided this service has no further comments to make following our last consultation of 24th November 2022.

In our last consultation we recommended a condition to safeguard the amenity of future occupiers of the proposed development where,

'No occupation or use of the development shall take place until all walls and fences indicated on the approved plans have been erected. The hereby approved boundary treatment(s) shall be permanently retained and maintained thereafter by the developer'

Should this proposal be granted planning consent and the recommended condition added that requires the approved boundary treatment to be erected before occupation, we ask for the revised wording to be used:

- 2 *'No occupation or use of the development shall take place until all walls and fences indicated on the approved plans have been erected. The hereby approved boundary treatment(s) shall be permanently retained and maintained thereafter by the respective owner(s) to ensure a satisfactory acoustic environment is achieved'.*

Reason: To safeguard the amenity of future occupiers'.

5.19 Refuse Team (FDC) (30/6/2022 and 14/12/2022)

To allow access the private road would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from landowners or future management company against any potential damage to the road surface etc. which may be caused during vehicle operations.

A swept path plan would be required to demonstrate that an 11.5m refuse vehicle could access throughout the site turn and leave the site in a forward direction.

Residents would be required to present bins at the boundary of the property where it meets the private access road.

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.

5.20 Housing Strategy (FDC) (4/7/2022)

As I understand it a viability assessment has been submitted on this application to reduce the affordable housing contributions to 0% on this scheme of 16 dwellings.

In the event that it is concluded that the provision of affordable housing is viable our Housing needs Policy provisions below apply.

Policy LP5 of the Fenland Local Plan (adopted May 2014) seeks 25% affordable housing on developments where 10 or more homes will be provided.

<i>On sites of</i>	<i>Level of affordable housing</i>
<i>Minor developments (5-9 dwellings)</i>	<i>Nil affordable housing</i>
<i>Major developments (10 or more dwellings)</i>	<i>25% affordable housing (rounded to the nearest whole dwelling)</i>
<i>Tenure Mix</i>	<i>70% affordable housing for rent (affordable rent tenure) and 30% other affordable routes to home ownership tenure (shared ownership housing)</i>

The Fenland Viability Report (March 2020)

To inform the preparation of Fenland's emerging Local Plan, a Viability Assessment was undertaken which looked at the cost of building new homes and the costs associated with the policies in this Local Plan.

This report concluded that viability in Fenland is marginal and varies between localities in the district. The assessment indicates that 20% affordable housing is likely to be the maximum level of provision that can be achieved through planning obligations. In response to the report, the Council has confirmed that finding of the viability assessment will be taken into account when determining planning applications from May 2020 onwards.

Consequently, while the Council aims to deliver policy compliant 25% affordable Housing provision on qualifying schemes where possible, it is acknowledged that a reduced percentage of affordable housing via planning obligations to a maximum of 20%, will be achievable in most instances.

Since this planning application proposes the provision of 16 number of dwellings, our policy seeks to secure a contribution of 4 affordable dwellings in this instance. Based on the provision of 20% affordable housing provision we would seek a contribution of 3 affordable dwellings in this instance.

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 3 affordable rented homes and 1 shared ownership based on the provision of 25% affordable housing or 2 affordable rented homes and 1 shared ownership based on the provision of 20% affordable housing.

The provision of on-site affordable housing or a financial contribution

Where affordable housing is due, the policy indicates that the affordable housing will be provided on site unless there are exceptional circumstances which necessitate provision on another site or the payment of a financial contribution.

In recognition of the difficulty of implementing an on-site policy for affordable housing provision where the number of affordable homes generated by planning obligations is less than 10 dwellings, since April 2016 Fenland has agreed that on sites submitted for planning for 37 dwellings or fewer, the affordable housing planning requirement can be discharged by way of a financial contribution rather than on-site provision.

This arrangement has now been reviewed in response to the findings of the Viability Assessment and the potential for variations in the percentage of affordable housing delivery that is likely to be achievable through planning obligations, depending on the location of the site within the local authority district area.

Accordingly, Fenland's revised approach is to agree that sites that yield less than 10 (i.e., 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision. This application of this arrangement is not dependent on the total number of dwellings seeking consent for delivery, instead, it is triggered by the number of affordable homes that are deliverable.

If the applicant chooses to provide a financial contribution rather than seek an RP partner to deliver the on-site affordable housing, the affordable housing financial contribution will be calculated in accordance with the mechanism provided in the Local Plan policy and as follows:

- The applicant should submit the necessary open market values of homes which would otherwise have been affordable housing to FDC.*
- FDC will assume that RPs would usually pay 55% of OMV for a rented dwelling and 65% of OMV for a shared ownership dwelling.*
- FDC will assume that 70% of all affordable homes will be rented tenure and 30% will be shared ownership tenure.*

5.21 Housing Strategy (FDC) (17/11/2022)

Having looked at this re-consultation for this application, I see no amendments to the affordable housing provision. Therefore, my previous comments from 4th July 2022 are still valid.

5.22 Cambridgeshire County Council Lead Local Flood Authority (LLFA)

The LLFA objected to the scheme on 6/5/2022 and removed their objection on 22/6/2022 following re-consultation on revised details. The most recent comments received 15/12/2022 are detailed below:

We have reviewed the following documents:

□ Flood Risk Assessment and Sustainable Drainage Strategy, MTC Engineering, Ref: 2719 –

FRA & DS – Rev B, Dated: May 2022

□ Response to LLFA Comments, MTC Engineering, Dated: 24 May 2022

□ Proposed Residential Development – Planning, Peter Humphrey Associates, Ref: 6066-

PL01k, Dated: July 2021 (uploaded to Fenland Planning Portal 10 November 2022)

□ Proposed Residential Development – Planning, Peter Humphrey Associates, Ref: 6066-PL01k, Dated: July 2021 (uploaded to Fenland Planning Portal 28 November 2022)

The amendment does not appear to have any surface water flood risk or drainage implications so we have no further comments to make. Therefore, our position remains that we, as Lead Local Flood Authority (LLFA), 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 permeable paving, and geocellular storage, restricting surface water discharge to 2.5 l/s into the surface water sewer, as agreed with Anglian Water.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a watercourse.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual. 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 and Sustainable Drainage Strategy prepared by MTC Engineering (ref: 2719 – FRA & DS – Rev B) dated May 2022 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) 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) Demonstration that the surface water drainage of the site is in accordance with DEFRA nonstatutory technical standards for sustainable drainage systems;*

- g) Full details of the maintenance/adoption of the surface water drainage system;*
- h) Permissions to connect to a receiving watercourse or sewer;*
- i) 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.

Informatives

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

5.23 Cambridgeshire County Council Highways (10/5/2022)

The plans denote footway at the access to the site and narrowed through the site. Please state the widths of the footway.

The access should be sealed and to be drained away from the highway in a bound material for a minimum of 5m back from the existing footway. The vehicular access shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification. Surface water from private roads/ driveways areas must not discharge onto the public highway, and appropriate intervention must be provided. Please demonstrate a method at the boundary of the private and public highway of the access.

Should the applicant be able to amend the access in light of the minor comment above, then please append the following conditions and informative to any permission granted:

5.24 Cambridgeshire County Council Highways (12/7/2022)

Following discussion with the LPA and upon further review of the submitted information, below is a revised consultation response.

The proposed access onto Ramnoth Road is broadly acceptable but the submitted drawings lack sufficient detail. In particular, the drawings omit the tie-in with the footway immediately to the north and omit the interaction with the existing white lining (which provides a hatched buffer between the footway and nearside lane). In absence of this information, it is unclear how the access would be constructed and how it would interact with the surroundings. I recommend that the applicant be asked to provide a more detailed access drawing which includes the aforementioned detail. This may require the procurement of enhanced base mapping.

The visibility splay to the south passes behind the existing footway and therefore passes into third party land. However, I note that this sliver of land is included within the blue line boundary. The visibility splay, where it is outside of the extents of the highway, needs to be included in the redline boundary so that it can be secured as part of any permission.

The spacing between the site access and the Fire Station to the north is sub-optimal (approximately 15m). As a result, there could be some ambiguity regarding turning vehicles. However, the number of vehicles using each access is relatively low so unless the Fire and Rescue Service object, I am satisfied with the arrangement.

The site plan labels the internal road as 'adoptable' but the LHA will not adopt this road for the following reasons:

- Cellular storage located underneath the carriageway.*
- The road is too narrow (carriageway needs to be 6m plus x2 0.5m maintenance strips i.e., 7m total)*
- The surfacing material is incorrect as all shared surfaces need to be block paved to change the character of the road (note block paving cannot be laid flatter than 1 in 80 long fall).*

Unless the scheme is amended to address the above, it will remain in private ownership for the lifetime of the development. As such, a future maintenance and management plan should be suitably conditioned if the scheme is to be permitted. Furthermore, it is my understanding the FDC's waste team do not typically enter private streets so the applicant will need to consider how refuse is collected. I would also like to highlight to the developer, if the wished to make alternations to the proposals so that the road met the LHA's adoptable standards, a traditional street lighting scheme would be required. The proposed stainless steel bollard lights would not suffice in isolation.

As the road will remain in private ownership, the developer needs to ensure that private surface water is not discharged onto Ramnoth Road.

The traffic which will be generated from this scheme is likely to be lower than that which is associated with the exiting garage. However, the applicant's argument that the traffic which could be generated by the garage without the need for planning permission is greater than that of the residential scheme, is valid. While I dispute some of the specific assumptions in the note provided, this would not change the overall outcome.

I would like to invite the applicant to prepare a revised scheme in response to these comments prior to recommending any conditions. If they are unable to do so, please let me know so that I can provide further response.

5.25 Cambridgeshire County Council Highways (23/11/2022)

The revised submission has addressed many but not all of my previous comment. The road will not be adoptable by the LHA, largely due to the presence of attenuation underneath the internal road.

However, my previous comments related to access have not been addressed. For convenience these comments are repeated below.

The proposed access onto Ramnoth Road is broadly acceptable but the submitted drawings lack sufficient detail. In particular, the drawings omit the tie-in with the footway immediately to the north and omit the interaction with the existing white lining (which provides a hatched buffer between the footway and nearside lane). In absence of this information, it is unclear how the access would be constructed and how it would interact with the surroundings. I recommend that the applicant be asked to provide a more detailed access drawing which includes the aforementioned detail. This may require the procurement of enhanced base mapping.

I still maintain that the applicant should amend / detail the access, because that shown on drawing 6066-PL01k is not necessarily implementable in the current form. I am however sure an access can be implemented with minor changes so should the applicant be unable to make these changes, a condition for detailed access should be appended to any permission.

Conditions

- *Non-standard conditions: Prior to the commencement of development, details of an access onto Ramnoth Road shall be provided in writing and agreed by the Local Planning Authority.*

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

- *Adoptable Standards: The highway shall be built to adoptable standards as defined by Cambridgeshire County Council Housing Estate Road Construction Specification (current at time of commencement of build) before the last dwelling is occupied.*

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

- *Highway Drainage: The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity*

Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014.

- *Gates/Enclosure/Access Restriction: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, amending or re-enacting that order) no gates or other means of enclosure shall be erected across the vehicular access hereby approved.*

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

- *Management of Estate Roads: Prior to the occupation of the first dwelling/use hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 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, adopted May 2014.

5.26 Cambridgeshire County Council Growth and Economy

Full comments are available to view on the Council's website via Public Access, the summary table is provided below:

<i>Table 1: S106 contributions – summary table</i>				
	<i>Contribution</i>	<i>Project</i>	<i>Indexation date</i>	<i>Trigger</i>
<i>Early Years</i>	<i>£20,057</i>	<i>New Early Years Places in Wisbech</i>	<i>1Q2020</i>	<i>100% prior to commencement</i>
<i>Primary</i>	<i>£0</i>	<i>n/a</i>	<i>n/a</i>	
<i>Secondary</i>	<i>£60,427</i>	<i>New secondary school</i>	<i>1Q2020</i>	
<i>Libraries</i>	<i>£2,360</i>	<i>Wisbech Library</i>	<i>1Q2019</i>	<i>100% prior to occupation of 50% of the development</i>
<i>Monitoring</i>	<i>£150</i>			

5.27 NHS Primary Care Team (30/5/2022)

Introduction

Thank you for consulting Cambridgeshire and Peterborough Clinical Commissioning Group (CAPCCG) on the above planning application.

I refer to the above planning application and advise that, further to a review of the applicants' submission, the following comments are with regard to the primary healthcare provision on behalf of Cambridgeshire and Peterborough Clinical Commissioning Group (CAPCCG).

Existing Healthcare Position Proximate to the Planning Application Site

The proposed development is likely to have an impact on the services of 3 x GP Practice(s) operating within the vicinity of the application site. On reviewing the current footprint of these practice, it would appear that none have capacity for any additional growth resulting from this development.

Review of Planning Application

CAPCCG acknowledge that the planning application does not appear to

include a Health Impact Assessment (HIA) or propose any mitigation of the healthcare impacts arising from the proposed development.

A Healthcare Impact Assessment (HIA) has been prepared by CAPCCG to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.

Assessment of Development Impact on Existing Healthcare Provision

The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 38 residents and subsequently increase demand upon existing services.

The primary healthcare service directly impacted by the proposed development and the current capacity position is shown in Table 1.

Table 1: Summary position for primary healthcare services closest to the proposed development

<i>Premises</i>	<i>Weighted List Size ¹</i>	<i>NIA (m²)²</i>	<i>Capacity ³</i>	<i>Spare Capacity (NIA m²)⁴</i>
<i>North Brink</i>	<i>22,510</i>	<i>784.8</i>	<i>11,445</i>	<i>-758</i>
<i>Trinity Surgery</i>	<i>10,905</i>	<i>963</i>	<i>14,043</i>	<i>215</i>
<i>Clarkson Surgery</i>	<i>14,020</i>	<i>781.7</i>	<i>11,400</i>	<i>-179</i>
<i>Combined</i>	<i>47,435</i>	<i>2529.5</i>	<i>36,888</i>	<i>-722</i>

The development would have an impact on the primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

Healthcare Needs Arising From the Proposed Development

The intention of CAPCCG is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View.

The development could give rise to a need for improvements to capacity, in line with emerging STP estates strategy; by way of improvements to, reconfiguration of, development of, extension of, or relocation of existing premises; or improvements to digital infrastructure, providing additional resource for the benefits of patients of; the Wisbech GP Practices, a proportion of the cost of which would need to be met by the developer.

Table 2 provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.

Table 2: Capital Cost calculation of additional primary healthcare services arising from the development proposal

<i>Premises</i>	<i>Additional Population Growth (16 dwellings)⁵</i>	<i>Additional floorspace required to meet growth (m²)⁶</i>	<i>Spare Capacity (NIA)⁷</i>	<i>Capital required to create additional floor space (£)⁸</i>
<i>March and Wisbech GP Practices</i>	38	2.61	None (see Table 1)	£9,500

A developer contribution will be required to mitigate the impacts of this proposal. CAPCCG calculates the level of contribution required, in this instance to be £9,500 Payment should be made before the development commences.

CAPCCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

Conclusions

In its capacity as the healthcare provider, CAPCCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

Assuming the above is considered in conjunction with the current application process, CAPCCG would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

The terms set out above are those that CAPCCG deem appropriate having regard to the formulated needs arising from the development.

CAPCCG is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

CAPCCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

5.28 NHS Cambridgeshire and Peterborough Integrated Care System (16/11/2022)

Thank you for consulting Cambridgeshire and Peterborough Integrated Care System (CAPICS) on the above planning application. I refer to the above planning application and advise that, further to a review of the applicants' submission, the following comments are with regard to the primary healthcare provision on behalf of CAPICS.

The proposed development is likely to have an impact on the services of the GP Practice operating within the vicinity of the application Wisbech Practices: Clarkson Surgery, North Brink and Trinity Surgery. These practices support a total patient list size of 43,284 patients and this development of 16 dwellings would see an

increase patient pressure of 39 new residents which would require additional GP/Nurse / (Admin support) workforce to support potential increase in appointments : GP = 0.02 / Nurse = 0.01 and Admin = 0.04 with a resulting increase on estate demand of 2.63 sqm net internal area using standard planning formula 1,750 patients = 120sqm of space (NIA) @ £3,652 m².

A developer contribution will be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £9,616.24 CAPICS therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission.

In its capacity as the healthcare provider, CAPICS has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Assuming the above is considered in conjunction with the current application process, CAPICS would not wish to raise an objection to the proposed development. Otherwise, the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

The terms set out above are those that CAPICS deem appropriate having regard to the formulated needs arising from the development. CAPICS are satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

5.29 Local Residents/Interested Parties

7 objections have been received, all from residents of Ramnoth Road, in relation to the following:

- Entrance to site on a busy road, on a bend, near fire station and bus stop
- Increased traffic as a result of development and potential for accidents
- College is nearby - the area becomes very busy with many pupils walking passed the site
- Construction traffic and impacts
- Overdevelopment
- Loss of privacy/overlooking
- Dwellings not in keeping with surrounding area
- Noise and pollution
- Density of development in relation to parking

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Context - C1

Identity – I1, I2

Built Form – B2
Movement – M3
Nature – N3
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
LP5 – Meeting Housing Need
LP6 – Employment, Tourism, Community Facilities and Retail
LP8 – Wisbech
LP13 – Supporting and Managing the Impact of a Growing District
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP19 – The Natural Environment

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy
LP2 – Spatial Strategy for the Location of Residential Development
LP5 – Health and Wellbeing
LP7 – Design
LP8 – Amenity Provision
LP11 – Community Safety
LP12 – Meeting Housing Needs
LP15 – Employment
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP24 – Natural Environment
LP27 – Trees and Planting
LP32 – Flood and Water Management
LP33 – Development on land affected by contamination
LP34 – Air Quality
LP36 – Residential site allocations for Wisbech (LP36.15 relates to this site)

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM3 – Making a Positive Contribution to Local Distinctiveness and Character of the Area
DM4 – Waste and Recycling Facilities

Developer Contributions SPD 2015

Fenland Infrastructure Delivery Plan 2016

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- Principle of Development and Employment
- Design considerations and visual amenity of area
- Residential Amenity/Health and wellbeing
- Parking and Highways
- Developer Contributions
- Flood Risk and Drainage
- Ecology and Landscaping

9 BACKGROUND

9.1 Outline planning permission (F/YR20/0615/O) was granted in September 2020 for the development of up to nine dwellings with only access committed for approval. This permission remains extant although reserved matters have not yet been submitted.

9.2 Subsequently application F/YR21/1222/F for 18 dwellings was submitted, this was refused for the following reasons:

- 1 The proposal is for the construction of 18 dwellings on the land. The Lead Local Flood Authority have identified that the detailed proposals result in shared ownership of drainage pipes on the proposed plans, along with an unacceptably high run-off rate from the site into the wider network. Although the applicant has indicated how they would propose to overcome these matters, these details have not been provided for consideration by the Local Planning Authority at this time, and the application has been requested by the agent to be determined based on the submitted details. The application details submitted present an unacceptable risk of flooding from the site due to the above matters, and the scheme is therefore contrary to the requirements of Chapter 14 of the National Planning Policy Framework, and policy LP14 of the Fenland Local Plan (2014).*
- 2 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. The proposals fail to provide clear details of the proposed vehicular access, with the submitted plans contradicting details provided within the Highways Statement. There are also outstanding concerns identified by the highways authority regarding the parking strategy associated with the development and the turning arrangements within the site. The scheme therefore fails to comply with the requirements of policy LP15 of the Fenland Local Plan.*
- 3 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 proposal is for a development at a density of more than 30 dwellings per hectare, which is at odds with the prevailing character of modern development in this locality. The development density therefore results in a scheme that fails to make a positive contribution to the character and distinctiveness of the area, and results in a layout that provides a poor end stop to views from the driveway serving the development as these properties turn their back on the access road. The scheme therefore fails to accord with the requirements of policy LP16 of the Fenland Local Plan, requiring significant amendment to comply. The Local Planning Authority requested alterations to be made however the agent indicated a wish for the proposal to be determined based on the submitted details.

- 4 *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. The proposal indicates the construction of a two-storey dwelling on plot 13 in a location where such a property would adversely impact on the outlook of the adjacent dwelling from its windows that face the application site, whilst simultaneously resulting in the potential for a detrimental impact on the privacy of the proposed dwelling due to overlooking of the site from those same windows. The proposal is therefore contrary to policies LP2 and LP16 of the Fenland Local Plan.*
- 5 *The development is located within an Air Quality Management Area but is not accompanied by an Air Quality Assessment to establish if remedial measures are required to minimise the impact of the proposal on the surrounding environment. The scheme therefore fails to comply with the requirements of policy LP2 of the Fenland Local Plan (2014).*

9.3 The current submission seeks to overcome these reasons for refusal.

10 ASSESSMENT

Principle of Development and Employment

10.1 Policy LP3 sets out the settlement hierarchy for development within the District. Wisbech is identified as a 'Primary Market town' and is therefore identified as a location where most development and service provision will be focused. In addition, this is a brownfield site in a sustainable location, within an area which is predominantly residential in character; all these factors further evidencing the schemes compatibility with planning policy at a national and local level.

10.2 Whilst the policies of the emerging local plan carry extremely limited weight in decision making:

Policy LP1, Part A identifies Wisbech as a Market Town and the site is included within the residential site allocations for Wisbech as a site for housing development with an extant planning permission.

10.3 Policy LP6 of the FLP requires the retention of high-quality land and premises currently in use as B1 (now E (g)), B2 and B8. The use of premises for vehicle repair and maintenance would fall within the B2 use class and as such Policy LP6 could be deemed a material consideration. Notwithstanding this however, there remains an extant permission for development of the entire site for residential purposes and as such the loss of the commercial facility is acceptable.

Design considerations and visual amenity of area

10.4 The site is bounded by two road frontages with Churchill Road to the west and Ramnoth Road to the east. These frontages have two distinct characters with Churchill Road being the main route into the town from the south and comprising a mixture of residential dwellings and commercial premises. The Ramnoth Road frontage is more residential in character (albeit the large Isle College complex is in the vicinity), with the street scene being less spacious and residential development being more prominent (albeit not exclusive), with a closer relationship to the highway than is the case for Churchill Road.

10.5 The proposed dwellings are of a modernist mono-pitched design taking inspiration from the Fire Station and Isle College buildings to the north, aside from Plot 1 which is more traditionally designed to reflect the dwellings in the immediate vicinity along Ramnoth Road and building line of No.134. Submitted street scene drawings show the proposal in the context of its surroundings and whilst it is acknowledged that there is some juxtaposition between the proposal and the traditionally designed dwelling of 300 Churchill Road to the south, this is not considered to be significantly detrimental to visual amenity given the variety of styles in this area. The proposal does retain a high fence along Churchill Road which is unfortunate, however this is reflective of development in the area (for example Willow Way further south) and allows the proposed dwellings to face onto the shared access road providing a terminus to the development and overcoming this element of reason for refusal 3 of application F/YR21/1222/F in relation to the poor end stop views to the access.

10.6 The scheme has been reduced by 2 dwellings from 18 to 16 and therefore the density reduced as a result. The development does still propose a density of more than 30 dwellings per hectare (32dph) and above the typical density of modern development in the vicinity of the application site (typically 30dph and below). However, it is acknowledged that the development plan does not identify a density figure acceptable to specific locations and the re-designed scheme is on balance now considered to be acceptable in this respect, subject to all other considerations.

10.7 The materials proposed are Traditional Brick and Stone Audley Antique and Redland Cambrian Slate Grey to Plot 1 and Wienerberger Forum Grey, Marley Duo Modern Smooth Grey and Anthracite Hardieplank cladding for the remaining plots. The materials proposed for plot 1 are considered acceptable, however the buildings either side of the site along Churchill Road are red brick and the proposed brick is a very pale grey, furthermore for a development of this scale a variation of material would be expected, as such it is considered necessary to impose a notwithstanding condition regarding materials.

Residential Amenity/Health and wellbeing

10.8 The relationships between the proposed dwellings and surrounding buildings are generally considered acceptable. It is acknowledged that there will be some detrimental impact to No. 134 Ramnoth Road in relation to outlook, overlooking and noise and disturbance due to the proximity with the access road, however these impacts are not considered to be significantly detrimental particularly as it is

noted the traffic from the scheme is likely to be less than for the existing use (see highways section below).

- 10.9 Plots 14-16 are between 7.8m-10m from the southern boundary of the site, which adjoins the gated development of No.s 144, 146 and 148 Ramnoth Road, set around a shared access and parking area, the dwelling and amenity space serving No.148 is set far enough away that significant detrimental effects are not considered. The private and usable garden area serving No.146 is 16m from the dwelling at plot 14, it is understood that there is a bedroom window in the north side of No.146 and the location of this, the proposed 2.1m high fence and location of first-floor windows on the proposed dwellings (noting that plots 13-16 have been revised to ensure all first-floor windows in the rear are obscure glazed and can be conditioned as such) is not considered to result in a significant adverse impact. No.144 is located close to the boundary with plot 16 and has limited amenity space, the relationship between this dwelling and the proposal is considered acceptable on the basis that the first floor windows in the rear of the proposed dwellings are conditioned to be obscure glazed. The aforementioned windows serve an en-suite, landing and secondary window to bedroom 3, as such it is considered reasonable for these to be obscured as they either do not serve habitable rooms or are not the only window in the room they serve.
- 10.10 No.300 Churchill Road to the south west of the site is located in close proximity to the boundary of the site and in particular Plot 12, it is noted that there is a dining room window at ground floor level and a bedroom and landing window at first floor level in the northern side elevation facing towards the site. Plot 12 has been redesigned to mitigate the impact on No.300, the closest element of the proposal is 3.4m from No.300, single-storey and flat roofed at 3m high, the 2-storey element is 5.6m distant at 5m high sloping up to the highest point (7.2m) 11.8m distant, there are no windows in the southern elevation of Plot 12 which could result in direct overlooking. As such, whilst it is acknowledged that the dining room window may experience a loss of light this is not the only window serving this room and outlook from all windows in the north side elevation of No.300 will be affected this is not now considered to be significantly detrimental.
- 10.11 The relationships between proposed dwellings are considered to be acceptable and approximately or in excess of a third of the plot is provided for private amenity space (including No.134 Ramnoth Road), in accordance with Policy LP6 (h).
- 10.12 Whilst it is acknowledged that there will be some overlooking due to the location of windows, and the garden serving No.146 is raised, the impact on future residents from the surrounding existing properties is not considered to be significantly detrimental given the distance/location of windows and the proposed 2.1m high fence to the southern boundary of the site. Buyers of the properties will of course need to be aware that there is the potential for siren noise from the fire station at any time of the day or night should the need arise. This is an acceptable risk and impact however and does not justify refusal of the scheme.
- 10.13 The Designing Out Crime Team have advised that the layout appears acceptable in relation to crime prevention and the fear of crime, providing reasonable levels of natural surveillance from properties with many of the homes facing each other and that pedestrian and vehicle routes are aligned together, well overlooked and pedestrian safety has been considered. Concerns have been raised regarding the suitability of the lighting scheme, however a mix of column and bollard lighting is proposed which is considered acceptable for the development and no issues have been raised regarding the impact of the lighting scheme on ecology.

- 10.14 A tracking plan is provided within the Highways Statement (Appendix 6) which demonstrates that a 11.5m refuse vehicle can access and turn within the site. As such, and subject to agreement to an indemnity against any potential damage to the road surface etc. which may be caused during vehicle operations, the Council's Refuse Team would enter the site to collect bins from the boundary of the properties as indicated on the proposed site layout.
- 10.15 The Fire Authority have requested adequate provision be made for fire hydrants and the applicant will be made aware of this requirement by way of an informative.
- 10.16 The application site lies within an area where road use has been identified as an existing noise source most notably the A1101 (Churchill Road), and as a result the application is accompanied by a Noise Impact Assessment. A sound insulation scheme has been provided, including glazing and an alternative ventilation strategy and an Acoustic Fence is proposed to all boundaries. A condition can be imposed to ensure that these measures are implemented and retained in order to achieve an acceptable living environment for future residents in this regard.
- 10.17 The application has been accompanied by a Phase I & II Geo-Environmental Assessment which has been reviewed by the Council's Environmental Health Team. It is considered that contamination is no longer an issue at this site as the report states that soil samples revealed that concentrations of contaminants were found to be below guideline values, determining the site did not pose a risk to human health and was therefore deemed suitable for the proposed development. The same report further stated that risks associated with ground gas were not considered high but that it had not been fully resolved, recommending precautionary ground gas protection measures be incorporated into the fabric of the new dwellings, unless such a need could be discounted through a programme of ground gas monitoring and this can be dealt with by way of a suitability worded condition.
- 10.18 The site is located within Air Quality Management Area (AQMA), the application is accompanied an Air Quality Assessment Report which states based on the outcome of the assessment, *'the current proposals are considered acceptable in terms of the potential air quality impacts across the development'* subject to appropriate measures being carried out over the course of the development to minimise impacts of the surrounding locality, as described in Table 19 – 'Mitigation of Construction Activities'. The mitigation measures identified can be secured by way of a condition.

Parking and Highways

- 10.19 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. The development proposes a 5m access from Ramnoth Road leading to a 6m wide shared surface, the principle of access to the site and its redevelopment for residential purposes is not opposed and the Highways Authority has confirmed that the change of use of the site would not result in intensification of use of the access. Further details of the access when it joins Ramnoth Road are considered necessary as the indicated access is not necessarily implementable in its current form, however the LHA are content that an access can be implemented with minor changes and as such a pre-commencement condition is considered necessary in this regard.

10.20 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 a garage can be considered a parking space providing it has internal measurements of 7m x 3m. The proposed site layout details 2 parking spaces per dwelling (some including a garage of the required dimensions) with at least 6m behind to enable these to be exited, roller shutter doors are proposed to garages given the length of the spaces in front of these.

Developer Contributions

10.21 The Local Plan and CIL Viability Assessment Report indicates that brownfield development is likely to be unviable, even without the provision of any Affordable Housing. This development is on previously developed land located within the 'Lower Value' area. The Senior Planning Obligations Officer has confirmed that on the basis of the information submitted as part of the viability assessment, on this occasion, due to viability, the proposal is not able to deliver affordable housing nor any S106 contributions.

Flood Risk and Drainage

10.22 The application site is located within flood zone 1, though there is a risk of surface water flooding for parts of the site. The application is accompanied by Flood Risk Assessment and Sustainable Drainage Strategy which the Lead Local Flood Authority (LLFA) consider demonstrates that surface water from the proposed development can be managed through the use of permeable paving, and geocellular storage, subject to conditions in relation to detailed design and surface water management during construction. A revised Drainage Strategy has been submitted to take into account the revisions to plots 11-12, the principle remains the same and no concerns are expected, however further comments have been sought regarding this which will be provided by way of an update.

10.23 Foul drainage is proposed to the mains sewer, Anglian Water advise that the foul drainage from this development is in the catchment of West Walton Water Recycling Centre, that will have available capacity for these flows. There is an Anglian Water Foul Sewer which runs close to the western boundary of the site, as indicated within Anglian Water's consultation comments this would have an associated 3m easement and the proposed site plan indicates that there is no development within 3m of this boundary.

Ecology and Landscaping

10.24 The application is accompanied by an Ecology Report which concludes that the buildings on site have negligible potential to support roosting bats, impacts to other protected and valued species are considered unlikely and mitigation measures are proposed, including bat and bird boxes and landscaping, which are detailed on the proposed site layout and can be conditioned. The Wildlife Officer has indicated that the proposal is acceptable regarding its impact on ecology, albeit that conclusion is subject to a pre-commencement condition in relation to a construction environmental management plan.

10.25 The Council's Arboricultural Officer considers that the proposed landscaping scheme is acceptable with a good number of new trees and the tree species has been updated on his advice.

11 CONCLUSIONS

11.1 Policy LP3 sets out the settlement hierarchy for development within the District. Wisbech is identified as a 'Primary Market town' and is therefore identified as a location where most development and service provision will be focused. In

addition, this is a brownfield site in a sustainable location, within an area which is predominantly residential in character.

- 11.2 The proposed dwellings are of a modernist mono-pitched design taking inspiration from the Fire Station and Isle College buildings to the north, aside from Plot 1 which is more traditionally designed to reflect the dwellings in the immediate vicinity along Ramnoth Road and building line of No.134.
- 11.3 The relationships between the proposed dwellings and surrounding buildings are generally considered acceptable, subject to a condition to secure obscure glazing to plots 13-16.
- 11.4 The development proposes a 5m access from Ramnoth Road leading to a 6m wide shared surface, the principle of access to the site and its redevelopment for residential purposes is not opposed and the Highways Authority has confirmed that the change of use of the site would not result in intensification of use of the access, further details of the access are however required which can be secured by way of a condition.
- 11.5 The Senior Planning Obligations Officer has confirmed that on the basis of the information submitted as part of the viability assessment, on this occasion, due to viability, the proposal is not able to deliver affordable housing nor any S106 contributions.

12 RECOMMENDATION

Grant; subject to the following conditions:

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

The applicant has been consulted on the proposed conditions, and has confirmed their agreement to them in writing.

1.	Start date
2.	<p>No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <ul style="list-style-type: none"> a) Summary of potentially damaging activities. b) Identification of “biodiversity protection zones”. c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site. d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be

	<p>present on site to oversee works.</p> <p>f) Responsible persons and lines of communication.</p> <p>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</p> <p>h) Use of protective fences, exclusion barriers and warning signs.</p> <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason - In the interests of protecting and enhancing biodiversity in and around the site in accordance with policy LP16(b) and LP19 of the Fenland Local Plan, 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that the impacts of the development on biodiversity are adequately mitigated.</p>
3	<p>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.</p> <p>The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Sustainable Drainage Strategy prepared by MTC Engineering (ref: 2719 – FRA & DS – Rev B) dated May 2022 and shall also include:</p> <p>a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;</p> <p>b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;</p> <p>c) Detailed drawings of the entire proposed surface water drainage system, 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);</p> <p>d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</p> <p>e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</p> <p>f) Demonstration that the surface water drainage of the site is in accordance with DEFRA nonstatutory technical standards for sustainable drainage systems;</p> <p>g) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>h) Permissions to connect to a receiving watercourse or sewer;</p>

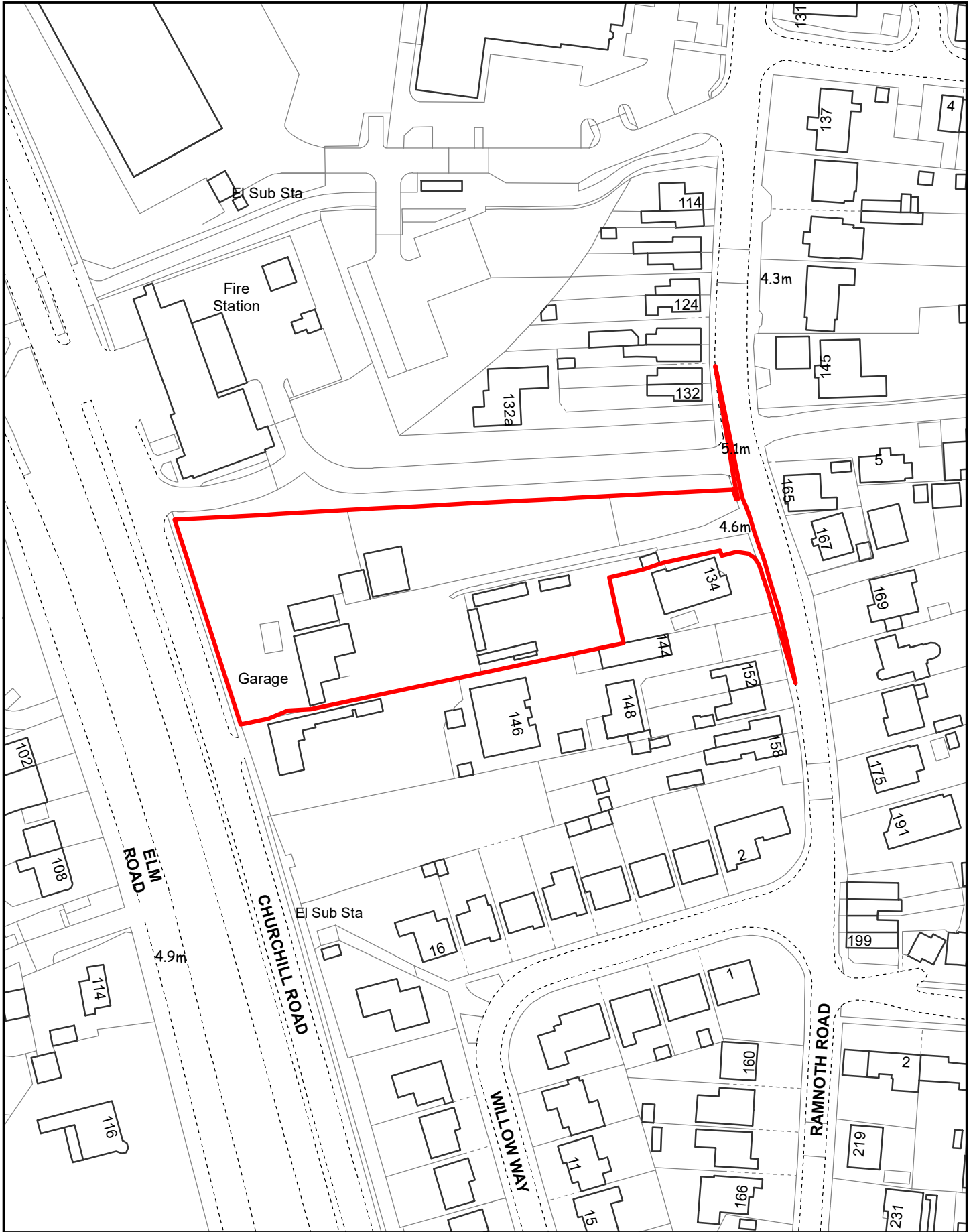
	<p>i) Measures taken to prevent pollution of the receiving groundwater and/or surface water</p> <p>Reason To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the 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.</p> <p>A pre-commencement condition is necessary in order to ensure that surface water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
4	<p>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.</p> <p>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.</p> <p>A pre-commencement condition is necessary in order to ensure that surface water drainage is adequately dealt with</p>
5	<p>Prior to the commencement of development, details of an access onto Ramnoth Road shall be provided in writing and agreed by the Local Planning Authority.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that a suitable access into the site can be achieved.</p>
6	<p>Notwithstanding the submitted details, 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.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>

7	<p>Prior to occupation of any dwelling hereby permitted a management and maintenance plan for the shared/public areas (including landscaping and lighting) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved in accordance with the specified schedule contained therein.</p> <p>Reason: To ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 and that the development is adequately maintained, managed and serviced in accordance with Policy LP16 of the Fenland Plan 2014.</p>
8	<p>No development shall take place above slab level until a scheme for the hard landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved.</p> <p>Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
9	<p>Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan 2014.</p>
10	<p>The external lighting, as detailed within NVC Lighting dated 25/11/2022 shall be installed prior to the first occupation of the development and thereafter retained.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.</p>
11	<p>The gas protection measures as stated in EPS Assessment Report Ref: UK21.5466 shall be carried out in accordance with latest industry guidance and best practice and be suitable for the development, unless otherwise agreed in writing by the Local Planning Authority that the results of further ground gas monitoring programme have demonstrated risks at the application site do not exceed the relevant gas screening criteria.'</p> <p>Reason: To protect future users and final occupiers of the site and the environment in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
12	<p>During construction of the development hereby permitted, no machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times: 8am and 5pm weekdays, 8am to 1pm Saturdays and at no time on Sundays & Bank Holidays in accordance with BS 5228 Code of Practice for Noise and Vibration Control on Construction and Open Sites.</p>

	<p>The developer shall adhere to all parts of the 'Mitigation of Construction Activities' as per Table 19 of the submitted AQ Assessment written by GEM Air Quality Ltd during all phases of development.</p> <p>Reason: To protect the character and amenities of neighbouring areas by ensuring that measures are implemented to avoid unwanted nuisance or any other disturbance in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
13	<p>Prior to the first occupation of any dwelling the road required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the approved scheme outlined in condition 5.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
14	<p>The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity</p> <p>Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan 2014.</p>
15	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, amending or re-enacting that order) no gates or other means of enclosure shall be erected across the vehicular access hereby approved.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan 2014.</p>
16	<p>Prior to the first occupation of the relevant dwelling hereby approved, the associated on-site parking, including garages, shall be provided in accordance with the approved plans. Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of occupiers for each dwelling of the approved scheme, and shall not be used for any other purpose. The garage doors shall be of roller shutter design and remain as such.</p> <p>Reason - In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
17	<p>The bat and bird boxes as detailed on drawing 6066-PL01k prior to occupation of the relevant dwelling and thereafter retained in perpetuity.</p> <p>Reason - In the interests of protecting and enhancing biodiversity in and around the site in accordance with policy LP16(b) and LP19 of the Fenland Local Plan, 2014.</p>
18	<p>All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the</p>

	<p>first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
19	<p>The development hereby permitted shall be constructed and/or elements installed in accordance with the Sound Insulation Scheme, Section 5, Noise Impact Assessment BS8233:2014 Dated August 2020 along with the Acoustic Fence as indicated on drawing 6066-PL01k being installed, prior to the first occupation of the relevant dwelling and thereafter retained in perpetuity.</p> <p>Reason- to ensure an acceptable level of residential amenity is achieved, in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
20	<p>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), planning permission shall be required for the following developments or alterations:</p> <ul style="list-style-type: none"> i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E); ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D); iii) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B); iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C); <p>To protect the amenity of existing and future residents and ensure that the Local Planning Authority retains control over the future extension and alteration of the development to prevent overdevelopment of the site, in accordance with Policies LP16 and LP18 of the Fenland Local Plan 2014.</p>
21	<p>Before the relevant dwelling hereby approved is first occupied, the proposed first floor windows in the rear of plots 13-16 shall be obscure glazed and fixed as detailed on drawings 6066-PL03C and 6066-PL02d and so maintained in perpetuity thereafter.</p> <p>Reason: To safeguard the amenities currently enjoyed by the occupants</p>

	of adjoining dwellings in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.
22	Approved Plans



Created on: 10/11/2022

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F/YR22/0354/F

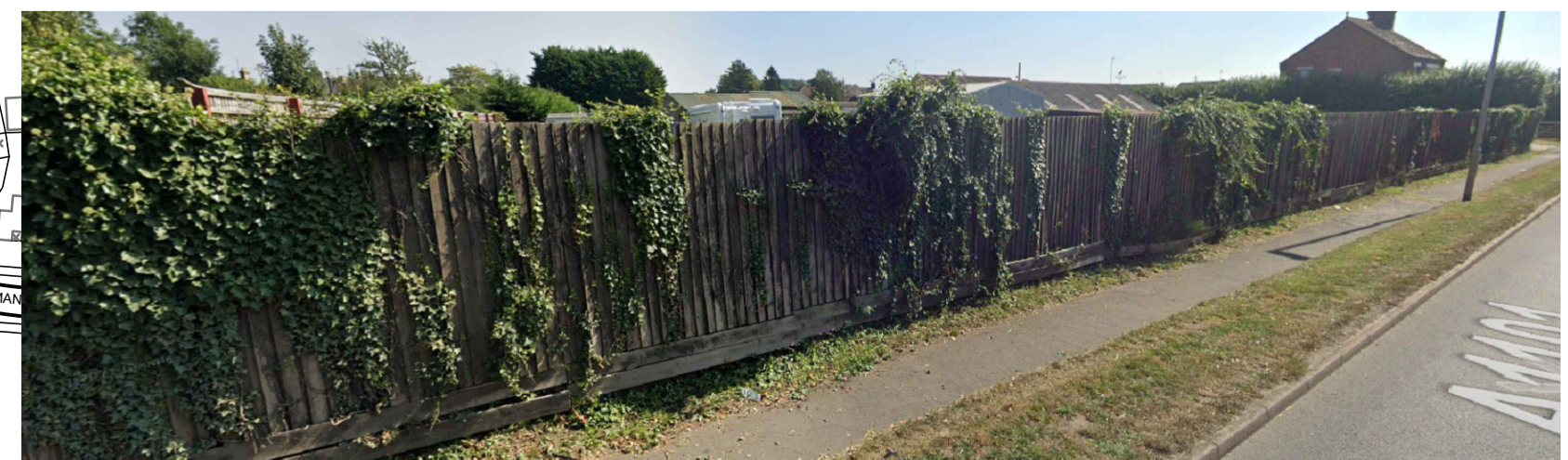
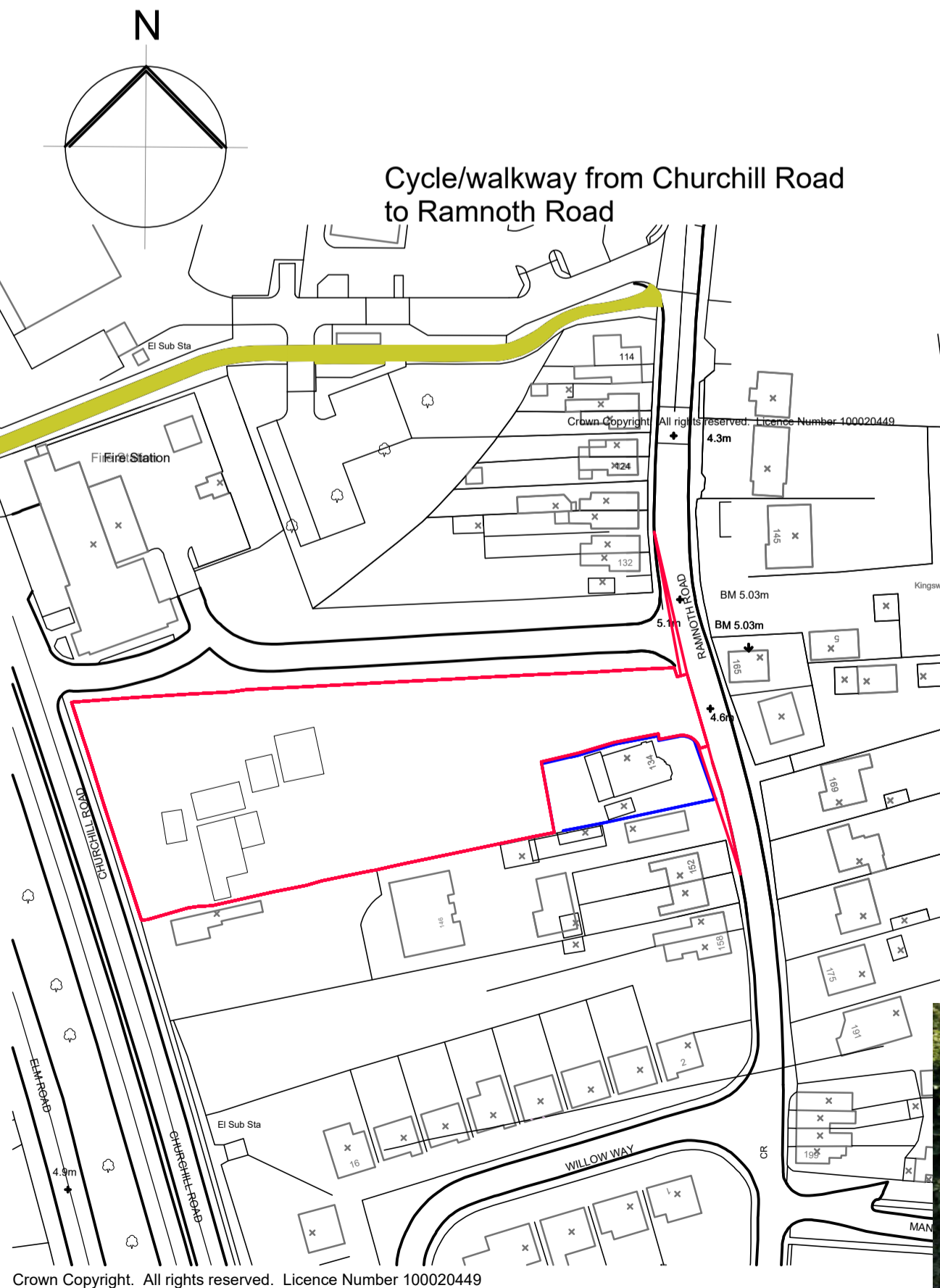
Scale = 1:1,250



SITE PLAN 1:250



- GC GROUND COVER PLANTS
COTONEASTER HORIZONTALIS,
HEDERA HELIX, LAVANDULA SPICA
6 PLANTS PER METRE SQ.
- SP SHRUB PLANTING TO INCLUDE
BARBERRY (BERBERRIS) GUELDER ROSE (VIBURNUM)
BUDDLEIA DAVIDII, FORSYTHIA X INTERMEDIA LYNWOOD
FIELD ROSE (ROSA ARVENSIS)
C3 POT SIZE
PLANTING SIZE 40-60cm
PLANTED AT 750mm cts
- TREE PLANTING
A SILVER BIRCH - BETULA PENDULA 'ZWISTERS GLORY'
B BIRD CHERRY - PRUNUS PADUS
C CRAB APPLE - MALUS SYLVESTRIS
D COMMON ALDER - ALNUS GLUTINOSA
TREE'S PLANTED TO BE 1.800m HIGH



Existing fence to Churchill Road replaced with acoustic fence



Woodstone Sparrow nest box
1 to each North elevation plots 1-6



Schwegler triple cavity swift box
1 to each East elevation plots 14,15,16



Eco House Martin nest
1 to each East elevation plots 9,12



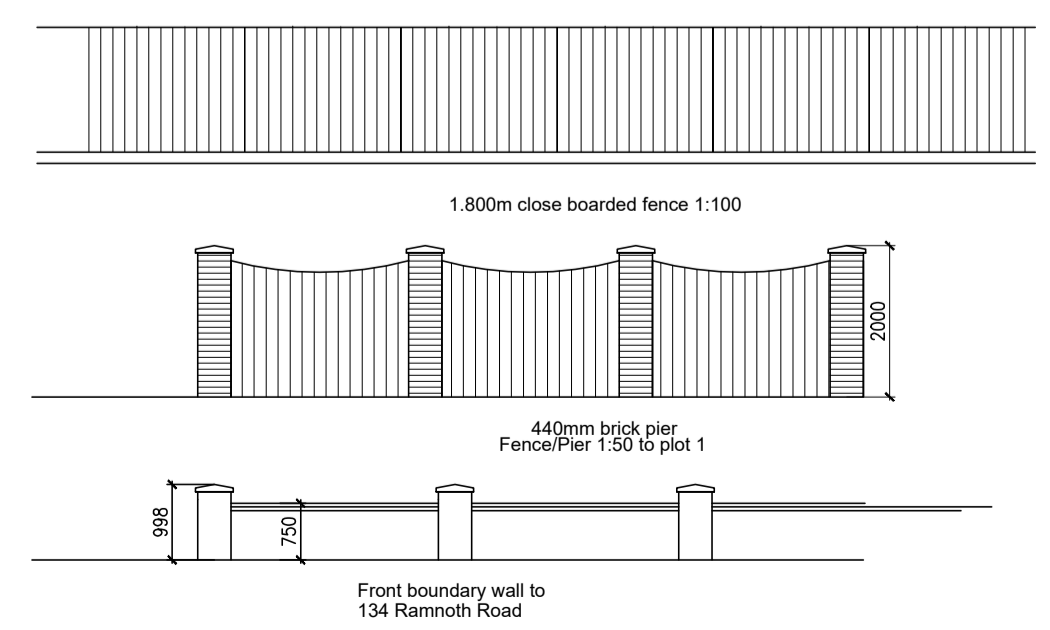
NHBS Habitat bat box
One on each South
Elevation plots
10,12,14,16

2.000m Footpath .
Access to be sealed and drained away from
Highway in Tarmac, access to be laid out and
constructed to CCC construction specification.

All internal boundaries 1.800m close boarded fence
JACKSONS ACOUSTIC FENCING

12K Acoustic Envirofence®
A lighter 20mm thick board than our other Jakoustic® barriers, maintaining the same 125mm cover face. Planed Tongue and Grooved boards with small chamfers which form a "V" join between boards. Suitable for installation where the required noise reduction is lower than that which would be provided by the standard Jakoustic® noise barrier - or where a superficial mass of 10, 11 or 12 kg/m² is specified.

- Light weight with a 20mm x 125mm x 4.8m boards (planned)
- Attractive timber construction
- Achieves the planning / architects' normal acoustic specification of 10 - 12kg per sqm
- Counter rail size 34mm x 70mm x 2.4m (planned)
- Only available in reflective
- Matching single leaf and double leaf gates available
- 25-year Jakoustic® guarantee



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CLIENT
ST MARY'S ESTATES
PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
SITE
134A
RAMNOTH ROAD
WISBECH
CAMBS

DRAWING
PLANNING
JOB NO. 6066-PL01k PAPER SIZE A1 DATE JULY 2021

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FRONT ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100

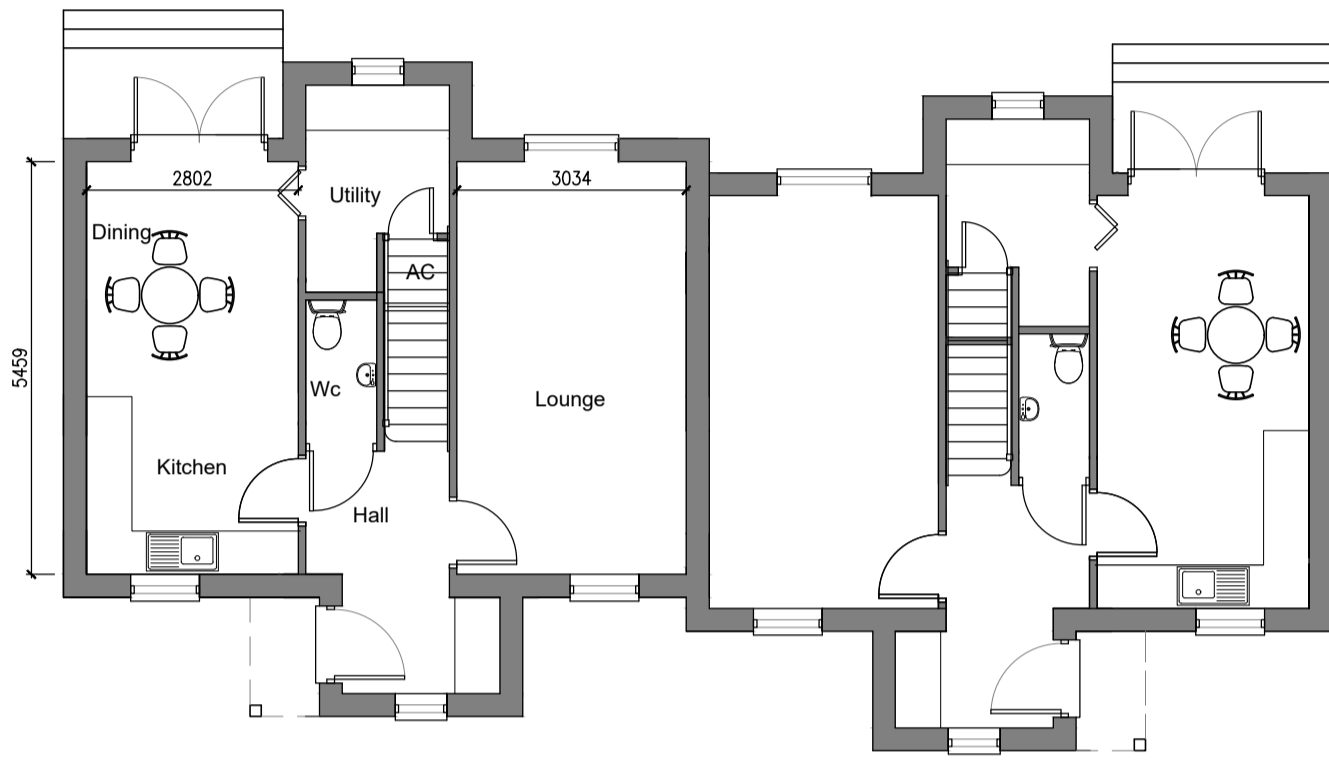


REAR ELEVATION
SCALE 1:100

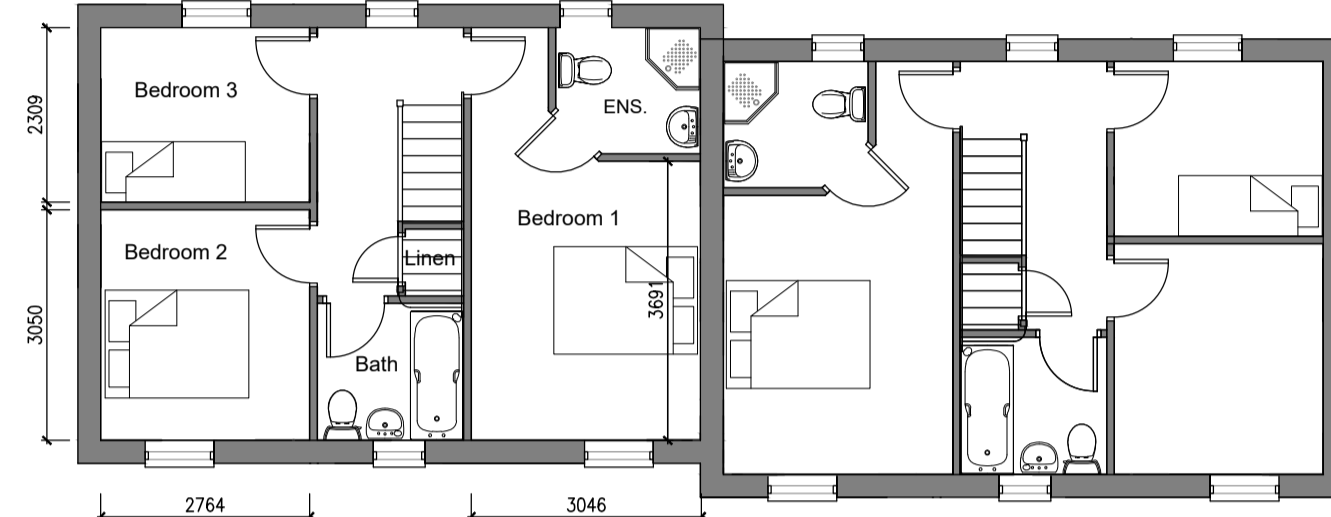


SIDE ELEVATION
SCALE 1:100

PLOTS 2-3

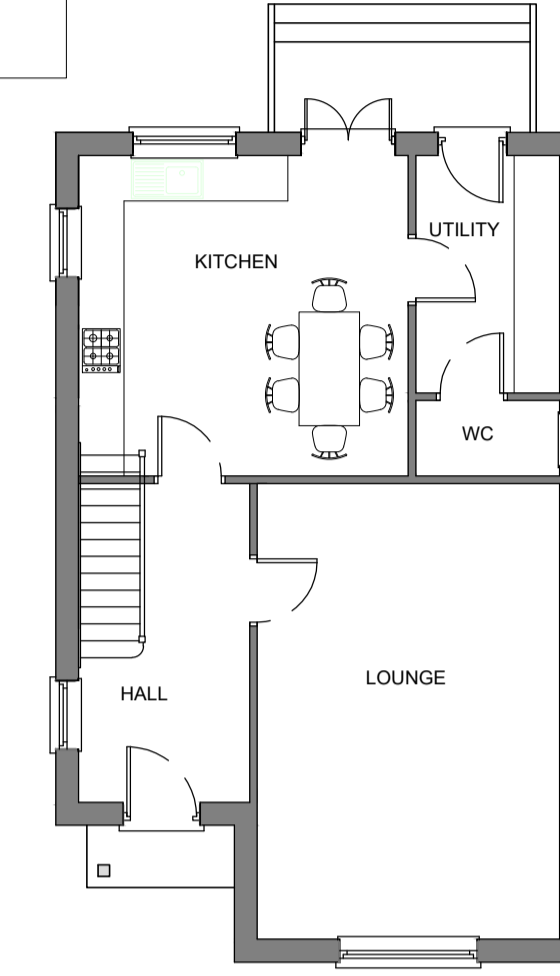


FLOOR PLAN SCALE 1:100 Dwelling Floor Area 79.000m.sq.

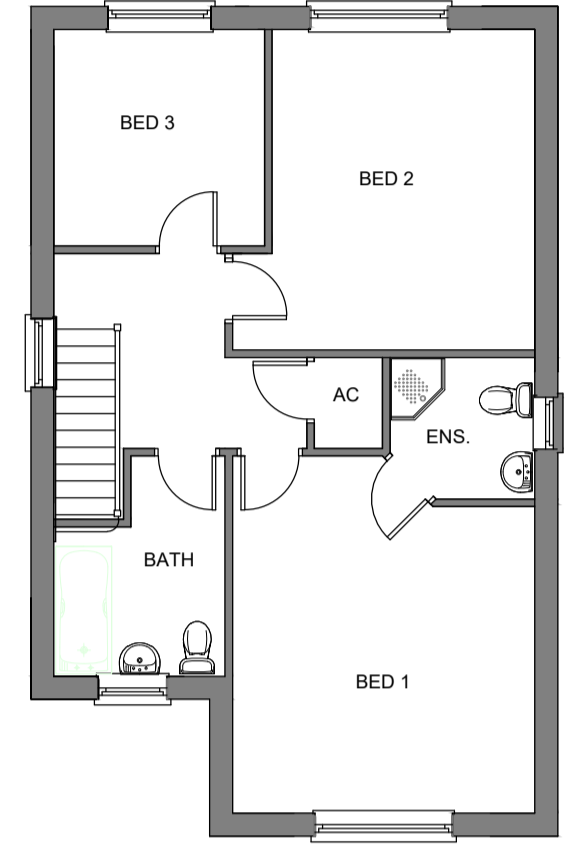


FLOOR PLAN SCALE 1:100

PLOT 1



GROUND FLOOR
1:100



FIRST FLOOR
1:100



FRONT ELEVATION
SCALE 1:100



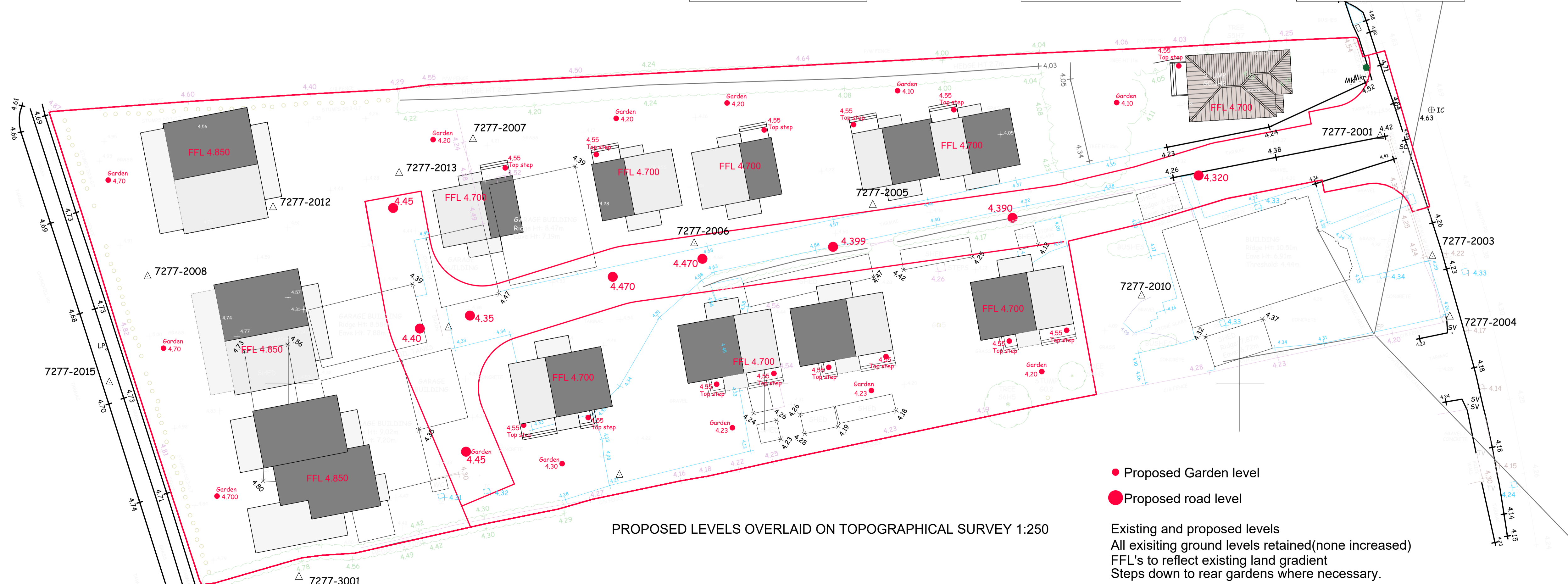
SIDE ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100



- Proposed Garden level
- Proposed road level

Existing and proposed levels
All existing ground levels retained (none increased)
FFL's to reflect existing land gradient
Steps down to rear gardens where necessary.

G: 2/11/2022
F: 19/10/2022
REVISIONS



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CLIENT
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PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
134A
RAMNOTH ROAD
WISBECH
CAMBS

DRAWING
PLANNING

JOB NO.	PAPER SIZE	DATE
6066-PL04G	A1	JULY 2021

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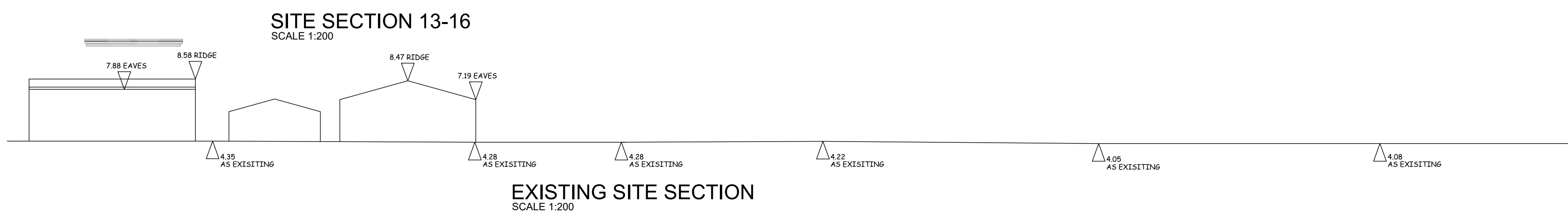
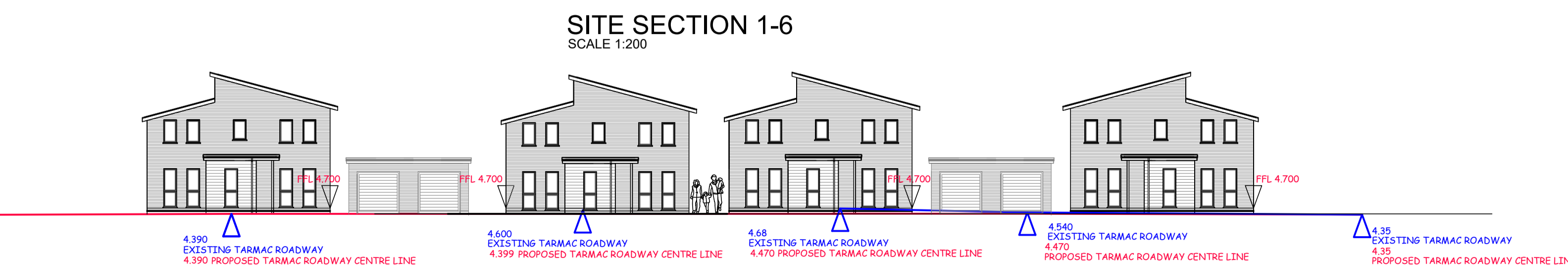
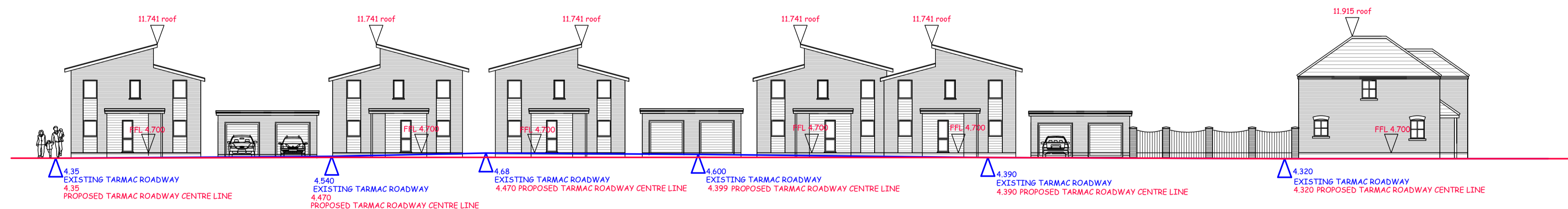
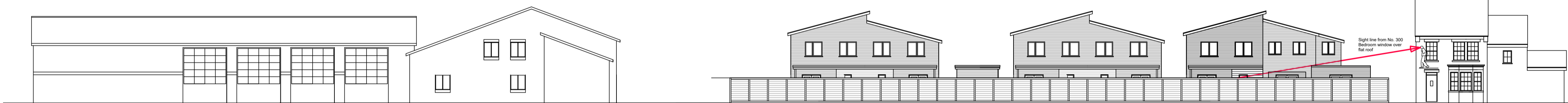
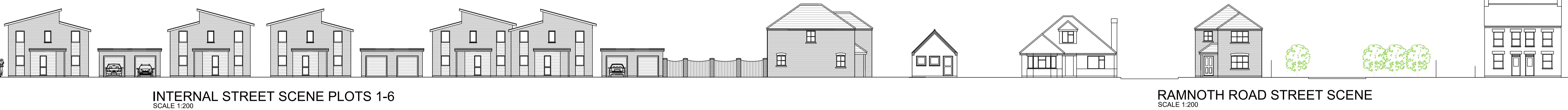
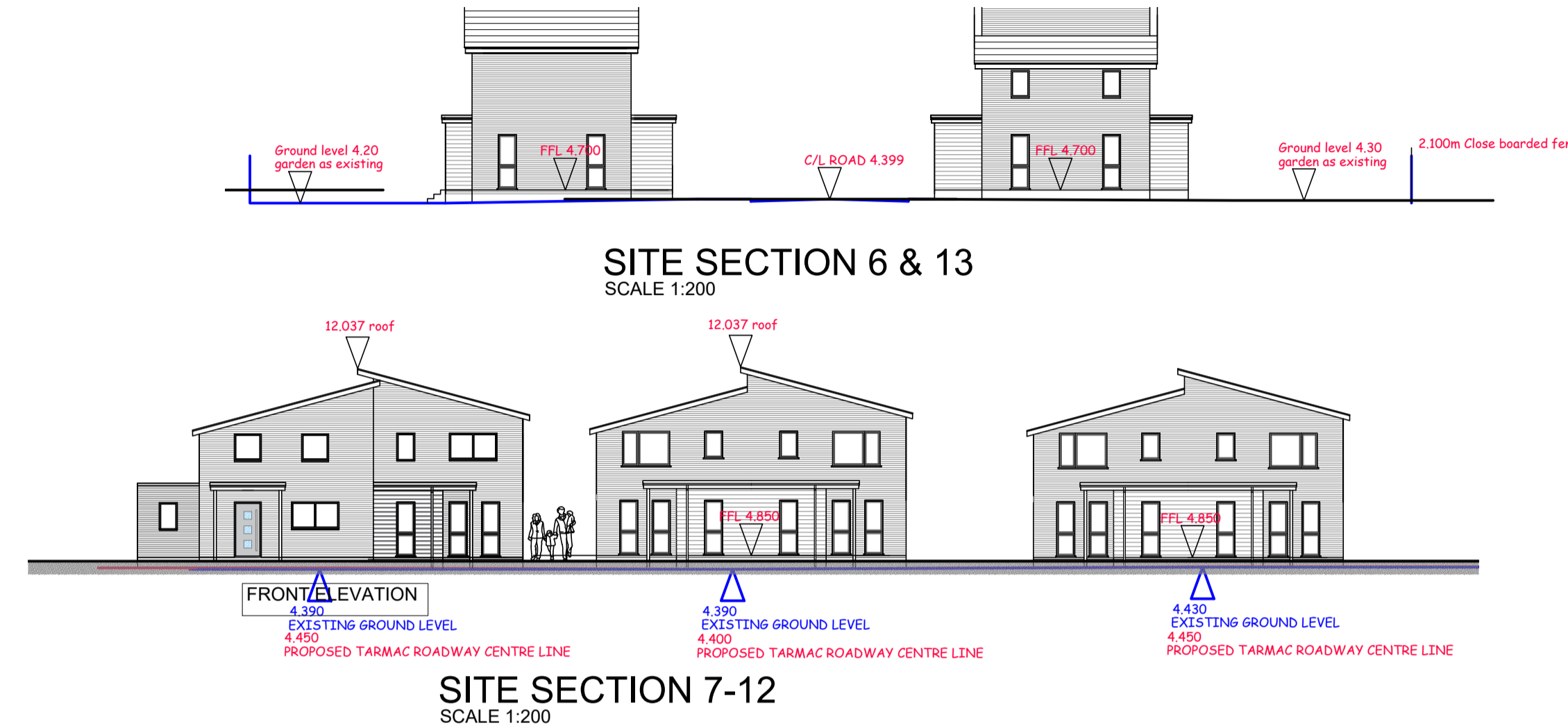
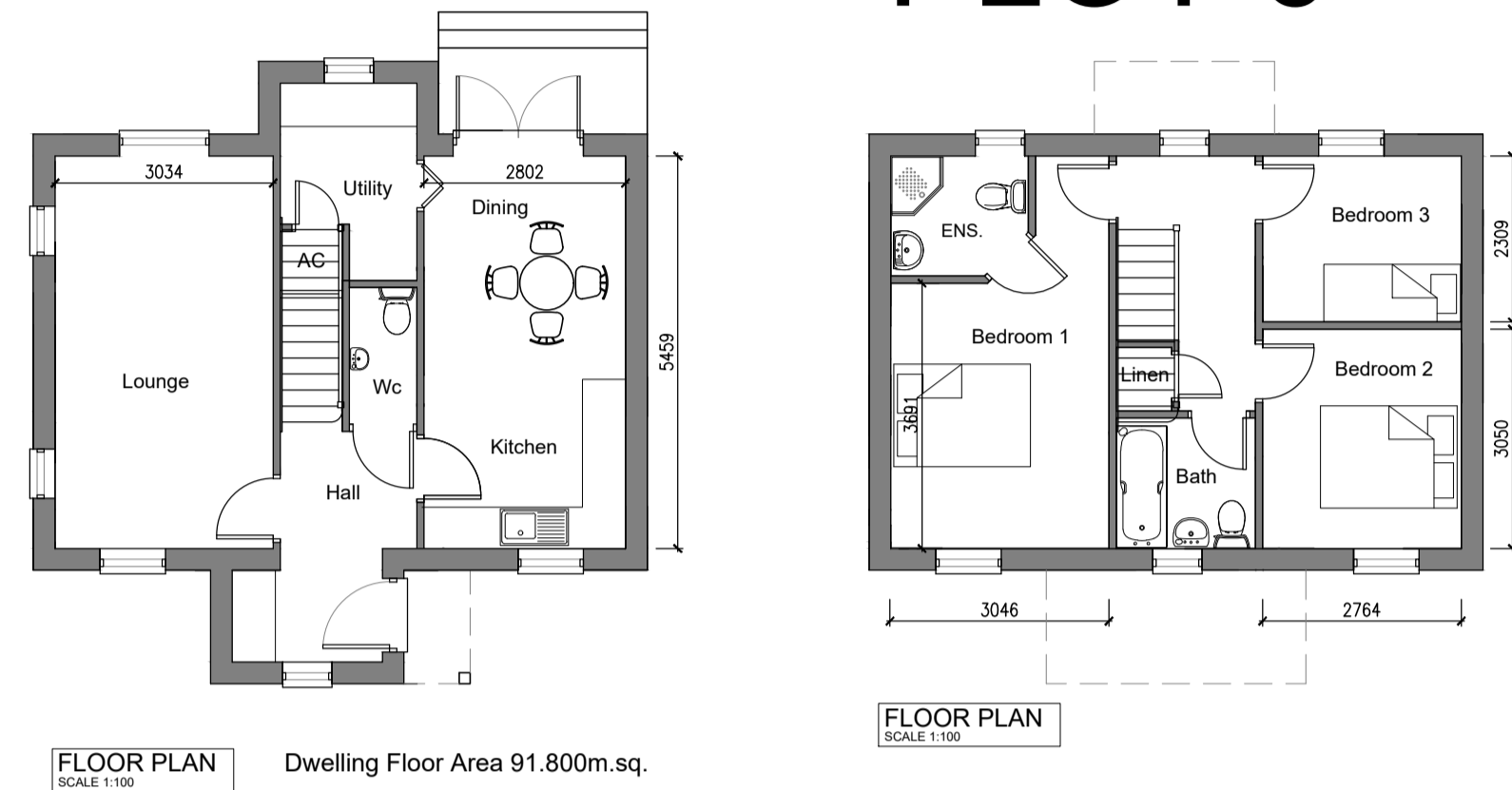
Plot 1 Traditional Brick and Stone
 Redland Cambrian slate grey
 Cream UPVC windows and doors



Wienerberger Forum Grey

Materials Plots 2 to 16
 Dark grey upvc doors and windows
 Roofs to be Marley Duo Modern Smooth Grey
 Anthracite Hardie plank cladding
 Black upvc gutters and downpipes
 Wienerberger Forum Grey

PLOT 6



H-24/11/2022
 G-19/10/2022
 A-08/02/2022
 REVISIONS



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PROJECT

PROPOSED RESIDENTIAL DEVELOPMENT

SITE

134A

RAMNOTH ROAD

WISBECH

CAMBS

DRAWING

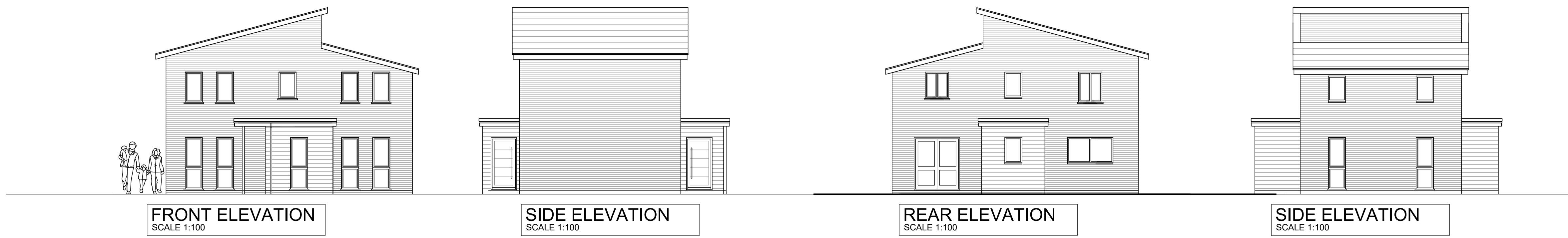
PLANNING

JOB NO.	PAPER SIZE	DATE
6066-PL05J	A1	JULY 2021

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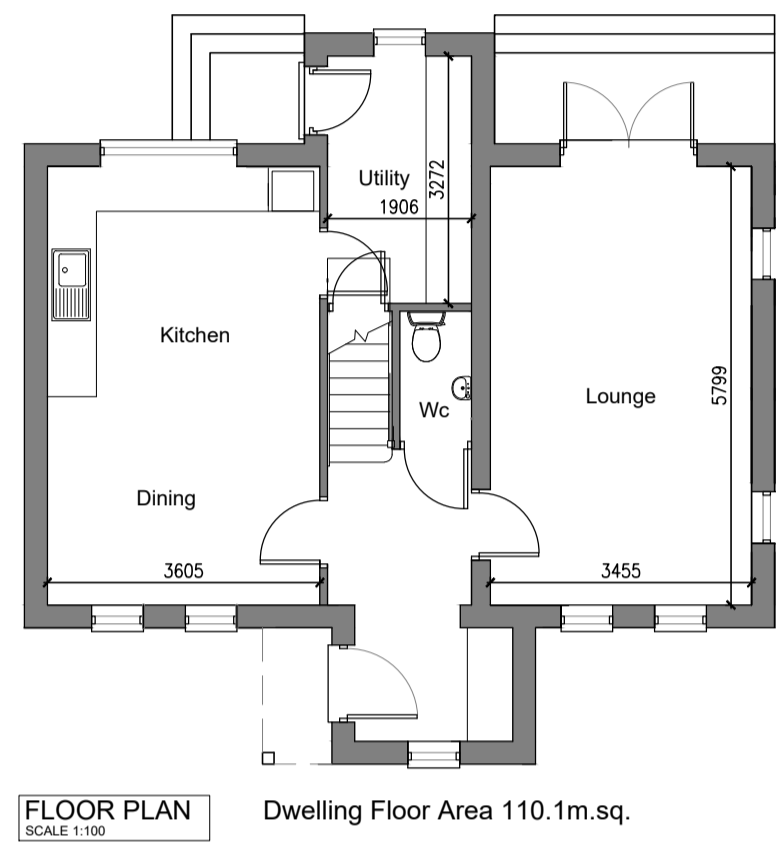


FRONT ELEVATION
SCALE 1:100

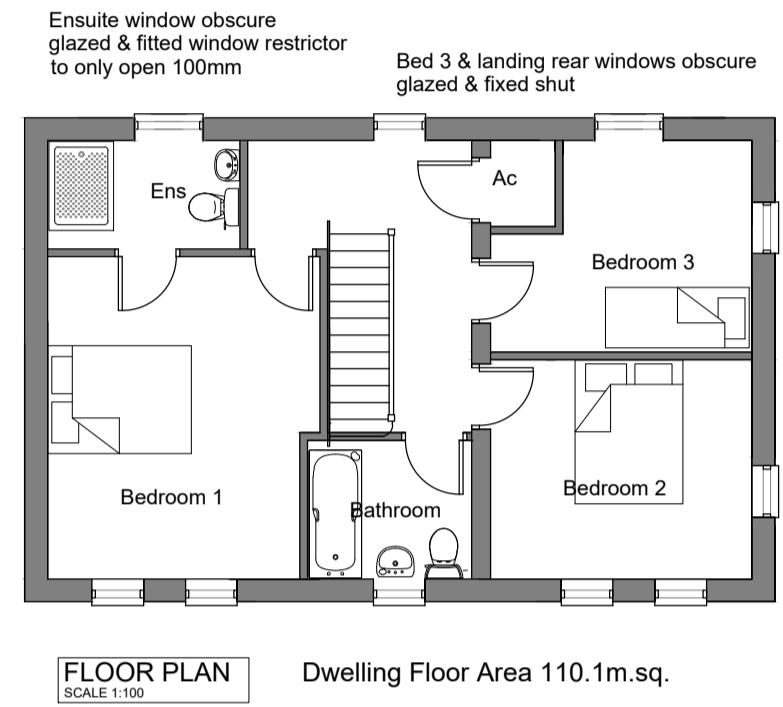
SIDE ELEVATION
SCALE 1:100

REAR ELEVATION
SCALE 1:100

SIDE ELEVATION
SCALE 1:100



FLOOR PLAN
SCALE 1:100
Dwelling Floor Area 110.1m.sq.



FLOOR PLAN
SCALE 1:100
Dwelling Floor Area 110.1m.sq.

PLOT 13

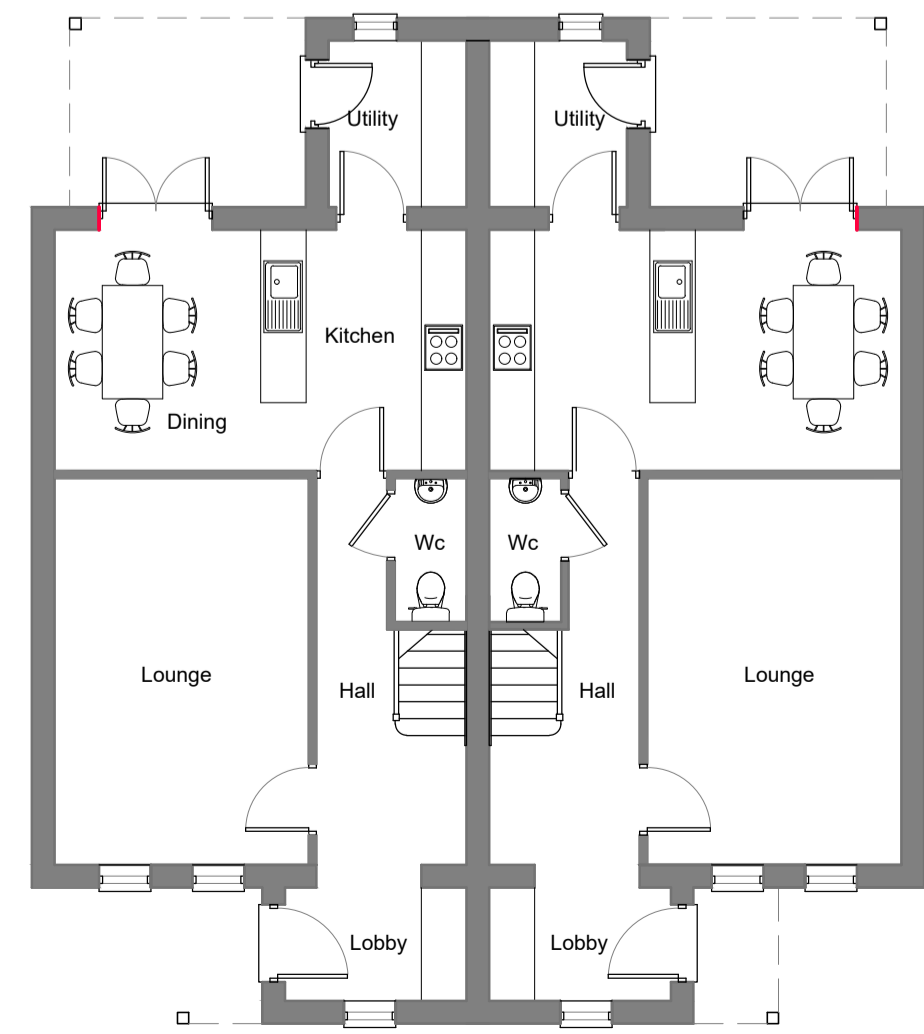


FRONT ELEVATION
SCALE 1:100

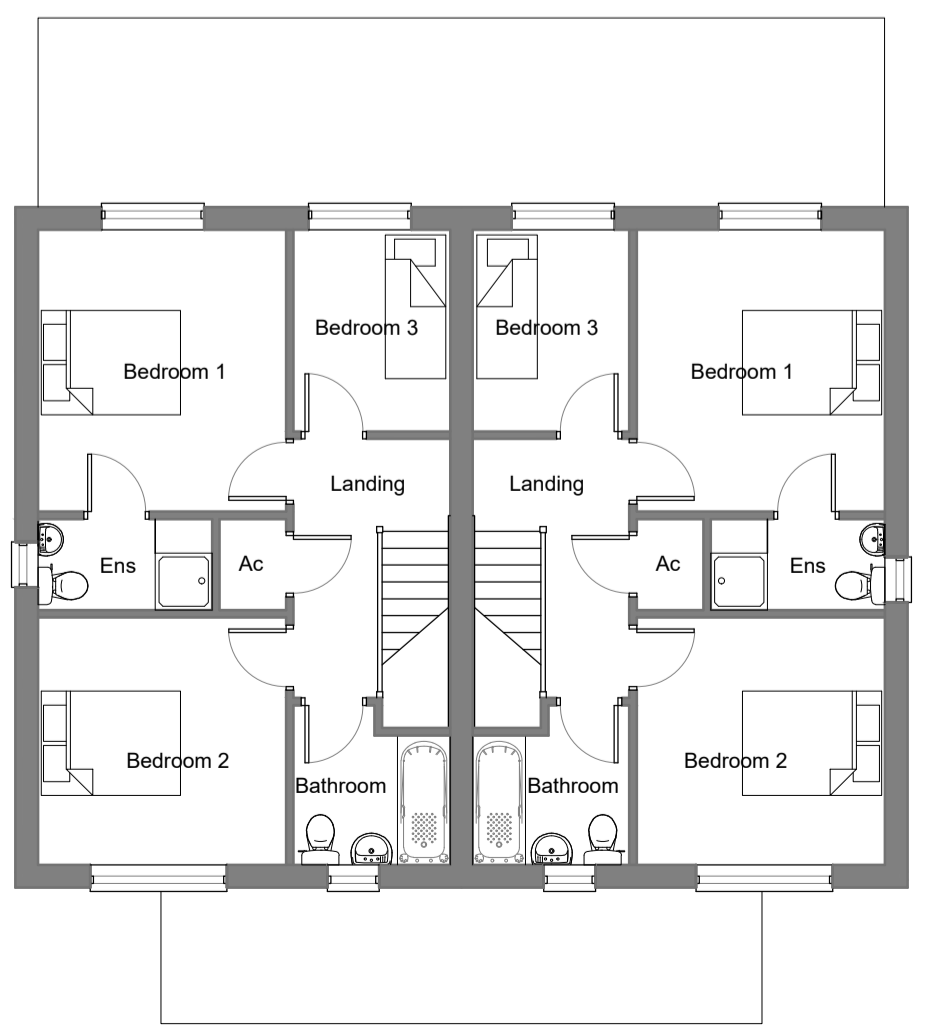
SIDE ELEVATION
SCALE 1:100

REAR ELEVATION
SCALE 1:100

SIDE ELEVATION
SCALE 1:100



FLOOR PLAN
SCALE 1:100
Dwelling Floor Area 100.32m.sq.



FLOOR PLAN
SCALE 1:100

PLOTS 7-8,9-10

C-2411/2022
A-08/02/2022
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WISBECH
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PLANNING

JOB NO.	PAPER SIZE	DATE
6066-PL03C	A1	JULY 2021

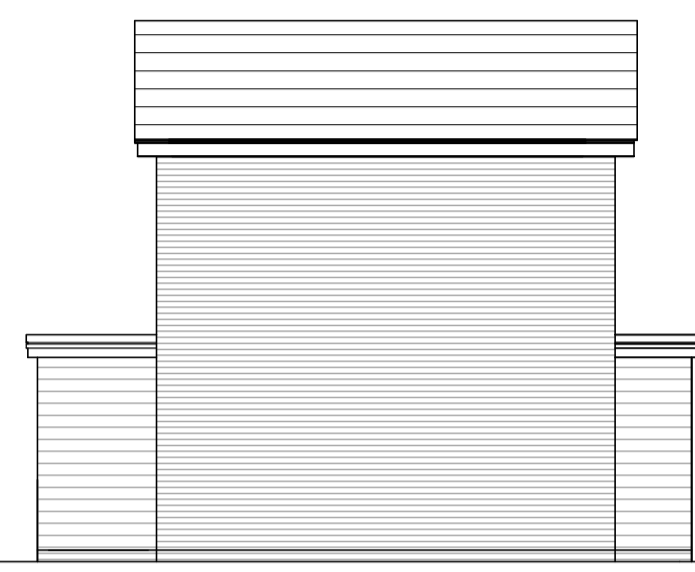
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FRONT ELEVATION
SCALE 1:100



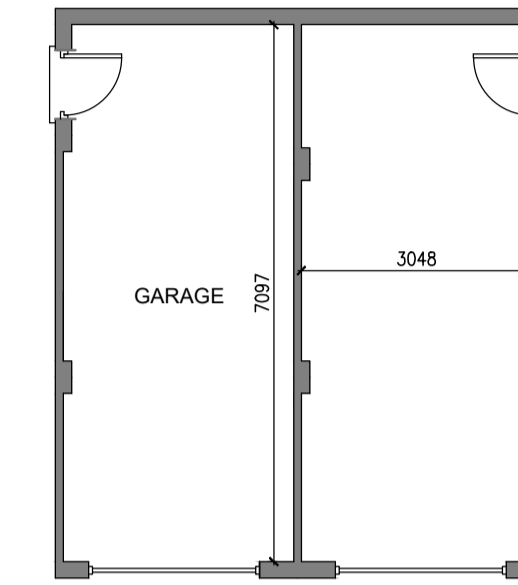
SIDE ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100



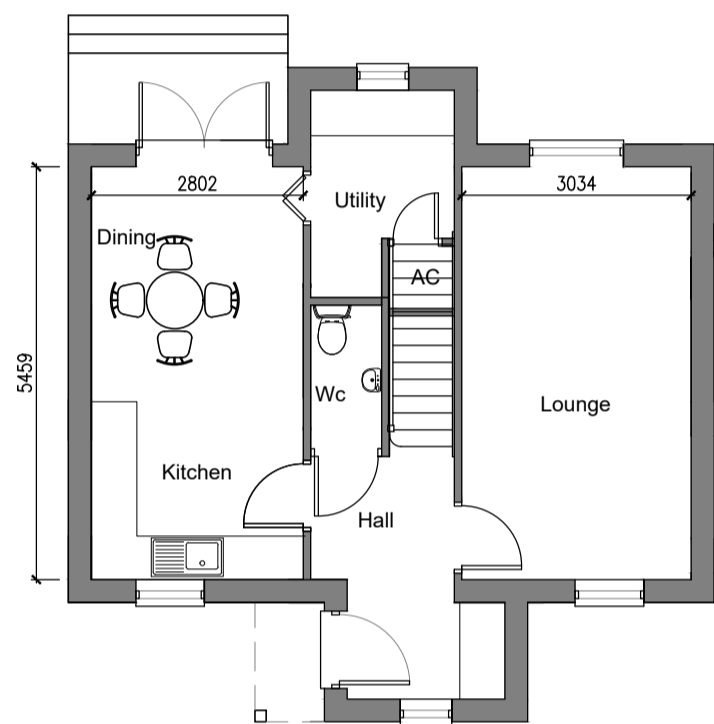
SIDE ELEVATION
SCALE 1:100



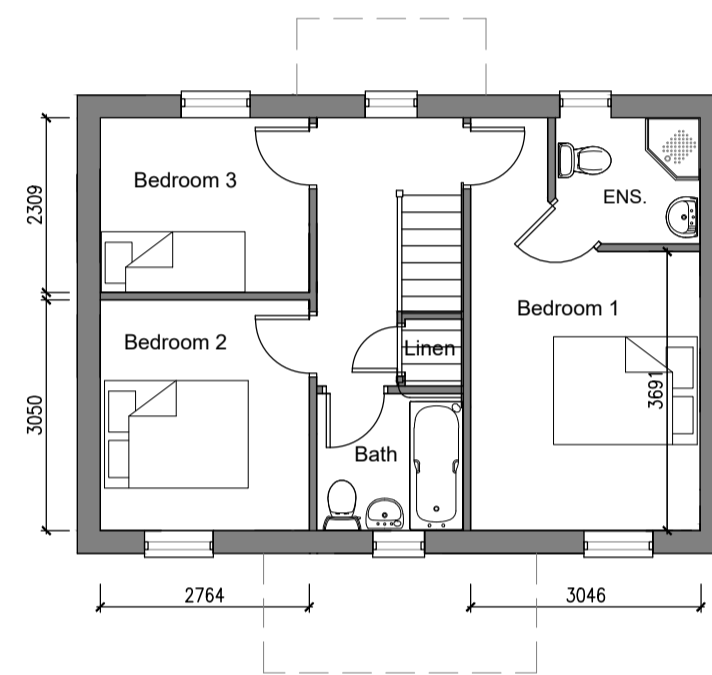
FLOOR PLAN 1:100

PLOTS 1-2,3-4,5-6,13-14,15-16

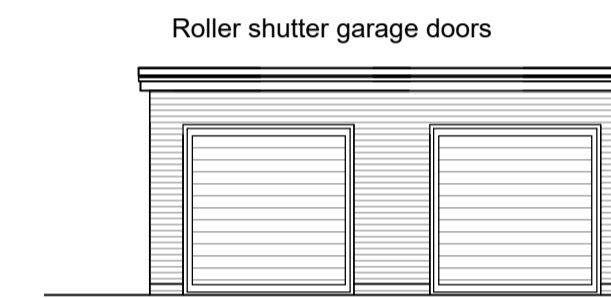
PLOT 4 AND 5(4 HANDED)



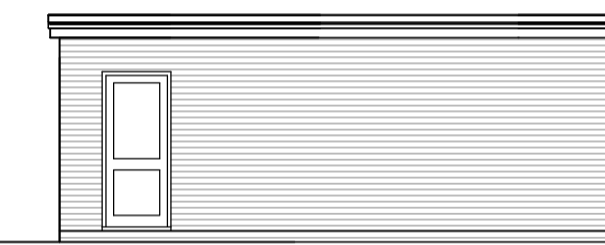
FLOOR PLAN SCALE 1:100 Dwelling Floor Area 91.800m.sq.



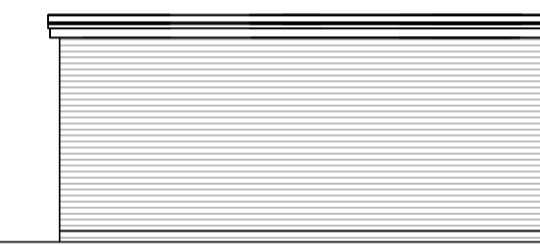
FLOOR PLAN SCALE 1:100



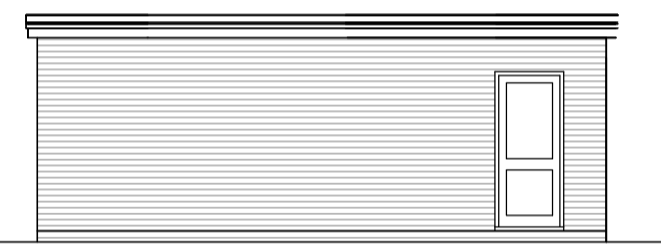
FRONT ELEVATION 1:100



SIDE ELEVATION 1:100



REAR ELEVATION 1:100



SIDE ELEVATION 1:100



FRONT ELEVATION
SCALE 1:100



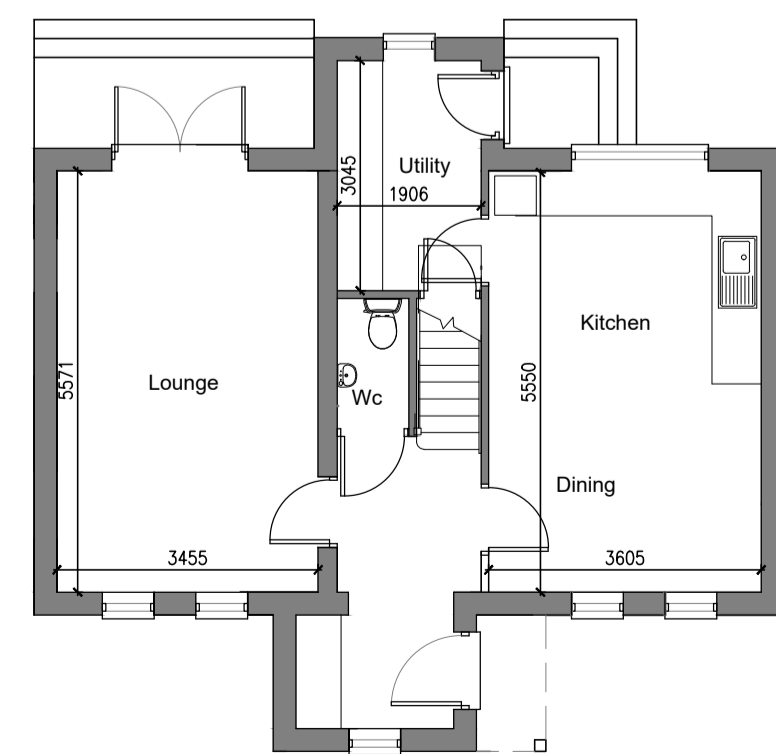
SIDE ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100



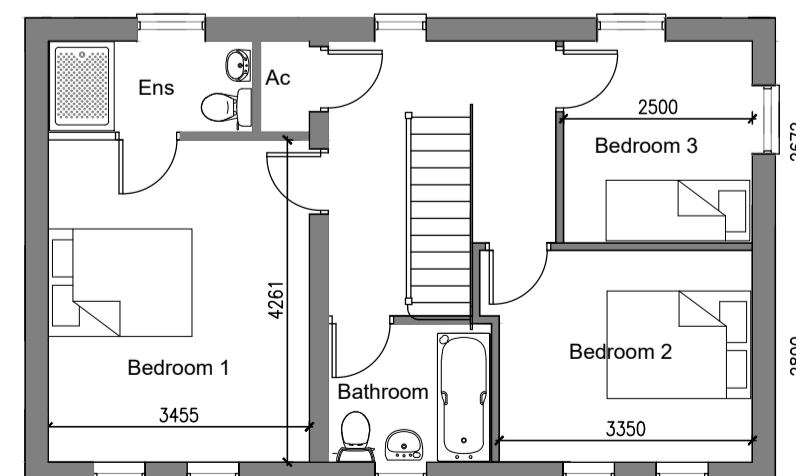
SIDE ELEVATION
SCALE 1:100



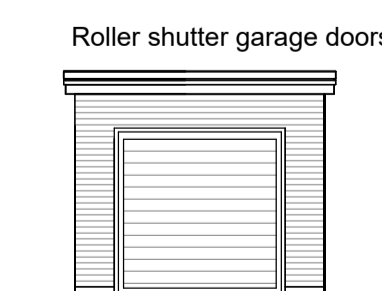
FLOOR PLAN SCALE 1:100 Dwelling Floor Area 110.1m.sq.

PLOT 14,15,16

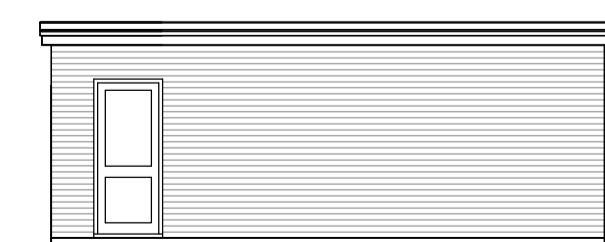
Ensuite window obscure glazed & fitted window restrictor to only open 100mm
Bed 3 & landing rear windows obscure glazed & fixed shut



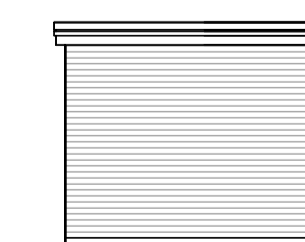
FLOOR PLAN SCALE 1:100 Dwelling Floor Area 110.1m.sq.



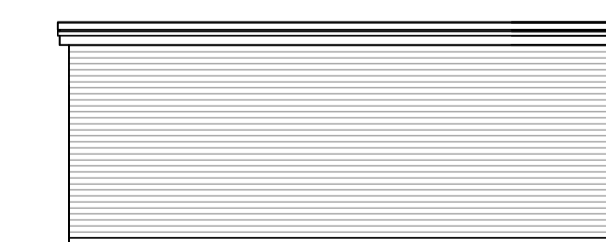
FRONT ELEVATION 1:100



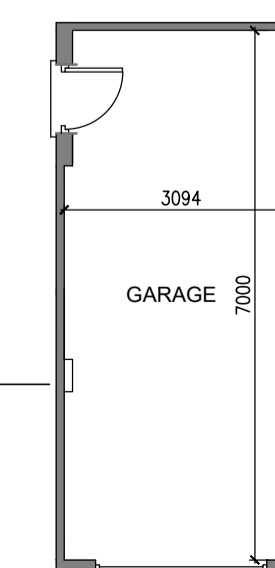
SIDE ELEVATION 1:100



REAR ELEVATION 1:100



SIDE ELEVATION 1:100



D 24/11/2022
C 23/09/2022
B 08/02/2022
REVISIONS



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CLIENT
ST MARY'S ESTATES

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
**134A
RAMNOTH ROAD
WISBECH
CAMBS**

DRAWING
PLANNING

JOB NO.	PAPER SIZE	DATE
6066-PL02d	A1	JULY 2021

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PLOT 8



SIDE ELEVATION
SCALE 1:100

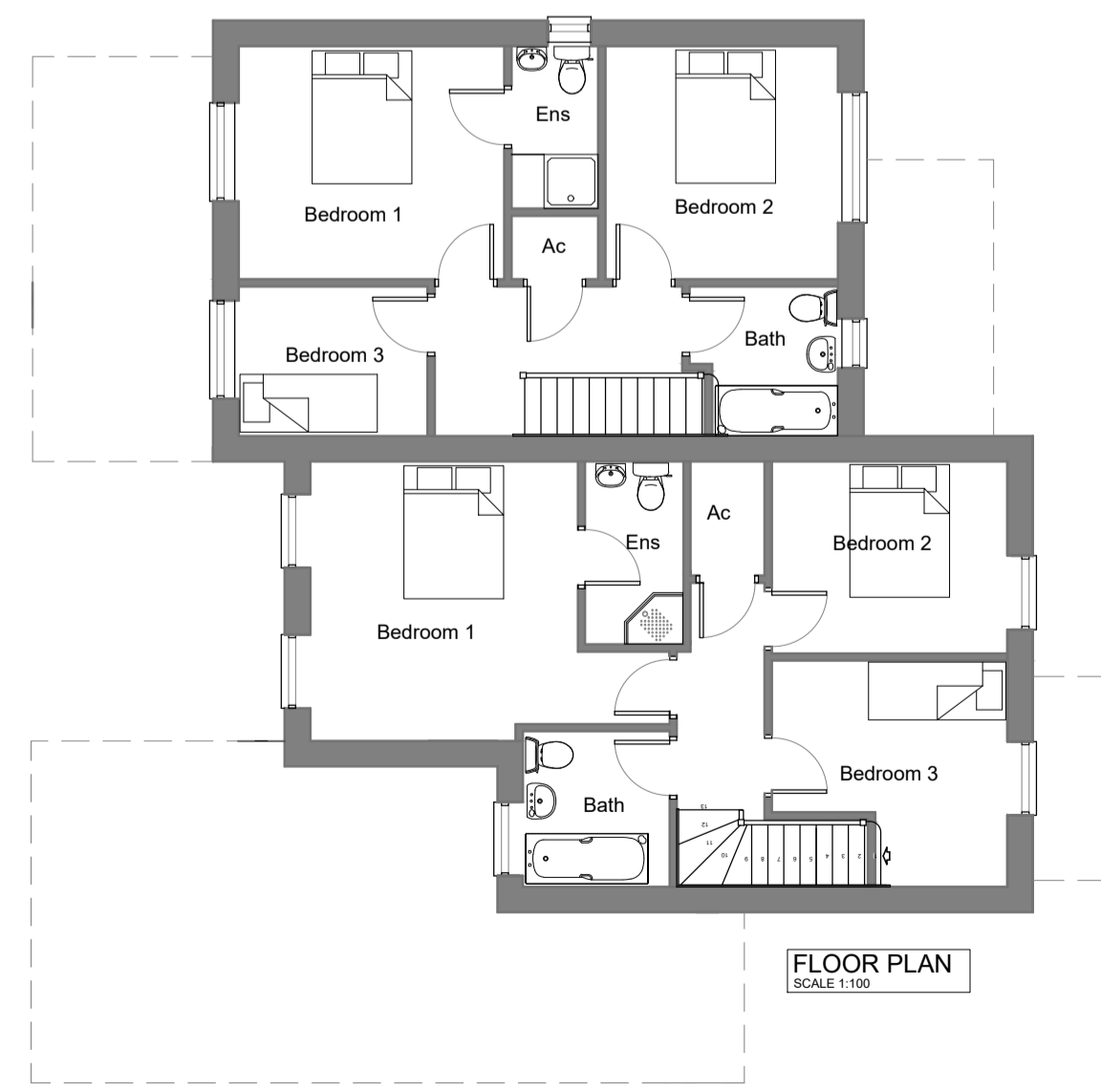
FRONT ELEVATION

SIDE ELEVATION
SCALE 1:100

REAR ELEVATION
SCALE 1:100



FLOOR PLAN
SCALE 1:100



FLOOR PLAN
SCALE 1:100

PLOTS 11-12

A-19/10/2022
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CLIENT

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PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
**134A
RAMNOTH ROAD
WISBECH
CAMBS**

DRAWING
PLANNING

JOB NO.	PAPER SIZE	DATE
6066-PL06A	A1	SEPT 2021

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The Construction (Design and Management) Regulations 2015:
Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already be apparent to a competent contractor.

F/YR22/0337/F

**Applicant: Noble
Nicholas Percival**

**Agent : Mr James Curtis
Grow Design Studio**

**Land South And West Of March Enterprise Park 33, Thorby Avenue, March,
Cambridgeshire**

**Erect 7 x commercial units (Class E), comprising of 1 x block of 6 x units and 1 x
detached unit, with associated parking**

Officer recommendation: Refuse

**Reason for Committee: Referred by Head of Planning on advice of Committee
Chairman**

1 EXECUTIVE SUMMARY

- 1.1 The proposal is seeking permission for two buildings comprising smaller units for purposes within use class E on land at Thorby Avenue, March Trading Estate. This includes uses which are defined in the NPPF as town centre uses. Any combination of uses within class E could be created if an open permission were granted. The NPPF and policy LP6 of the Local Plan and policy TC1 of the March Neighbourhood Plan require both an impact assessment to be submitted and a sequential approach to be taken for main town centre uses that are proposed in an out of centre location. The applicant has failed to provide such information/evidence therefore the proposal is not acceptable in principle.
- 1.2 The proposal could also result in the loss of employment land for Class E(g)/B2 and B8 purposes contrary to policy LP9 of the Local Plan.
- 1.3 The proposed open nature of the potential uses for the two proposed buildings could create a parking demand that is greater than the number of spaces shown on the site layout plan and as required by policy LP15 and Appendix A of the Local Plan. As such the proposal could lead to parking on the road which could impact other road users.
- 1.4 In other respects, the imposition of conditions could deal with the deficit of a surface water drainage strategy and other matters such as materials, designing out crime, cycle storage, landscaping etc where more detail is required.

2 SITE DESCRIPTION

- 2.1 The site is situated within the March Trading Estate to the north of Hostmoor Avenue. The site is located in an established employment area. The site is currently accessed off the west side of Thorby Avenue and contains a building which comprising 10 small units (labelled as existing unit C on the submitted plans), a gravelled parking area and landscape area to the site frontage. The site

is largely surrounded by other plots containing commercial/employment uses/buildings. The parts of the plot to the south and west remain undeveloped.

3 PROPOSAL

- 3.1 The proposed development comprises the construction of two buildings providing a total of 7 new units. The description of development does not specify what the proposed uses might be within Class E of the Use Classes Order, therefore the application is for any of the uses set out in the class which may include retail, financial services, café/restaurant, indoor sport, creche/nursery, medical services as well as employment use for light industry/offices.
- 3.2 The two buildings comprise proposed unit A to the front of the site, broadly in the location of the existing car park and landscaping and unit B to the rear of the site.
- 3.3 Unit A comprises one unit and measures approximately 15.5 metres x 7.5 metres (for the most of its width) x 4 metres high to a flat roof. It is broadly rectangular but has a feature at the entrance whereby the wall kicks out slightly at an angle. The drawings show a mixed cladding of timber, grille/metal and other. The drawings also indicate that this unit will be a food establishment ie a café/restaurant within class E. *(officer note: however, if an open class E permission were to be granted unconditionally, this unit could be used for any use within class E).*
- 3.4 Unit B comprises a building measuring approximately 41 metres x 15 metres x 7.4 metres to its highest part. The roof is asymmetrical dual pitched. There are also 3 external “chimney” type features which extend slightly above the height of the apex of the roof. There are six units within this building – units 3 and 4 each have stairs to a second-floor area which is approximately one third of the floor space of the unit.
- 3.5 The proposed parking strategy plan shows that proposed unit B would have 21 allocated spaces for the 6 units, proposed unit A would have 7 allocated parking spaces and the existing unit C would have 11 parking spaces.
- 3.6 The red line application site boundary extends around the access and the two new units only whilst existing unit C is within a blue line showing that this land is within the ownership/control of the applicant.
- 3.7 Full plans and associated documents for this application can be found at:

[F/YR22/0337/F | Erect 7 x commercial units \(Class E\), comprising of 1 x block of 6 x units and 1 x detached unit, with associated parking | Land South And West Of March Enterprise Park 33 Thorby Avenue March Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/0337/F)

4 SITE PLANNING HISTORY

F/YR07/0147/F – Erection of 21 units comprising block of 5 units, block of 6 units and block of 10 units for B1, B2 and B8 use with trade counter and associated parking – approved 24/07/07

F/YR16/1177/F – Unit C5 – ancillary retail to commercial laundry business – approved 15/02/17

F/YR20/0253/F – Change of use of unit 4 to fitness and kick boxing facility (D2) – approved 15/05/20.

(Officer note: Units 4 and 5 above are within the block of 10 units existing at the site and labelled as Unit C on the current application)

5 CONSULTATIONS

5.1 March Town Council - Recommend approval

5.2 CCC Highway Authority – No objections

5.3 CCC Minerals and Waste – *The site lies within a Sand and Gravel Minerals Safeguarding Area, safeguarded under policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). This policy seeks to ensure that mineral resources of local and/or national importance are not needlessly sterilised. There are a number of exemptions set out in criterion to policy LP5, none of which are relevant in this case. However, it is noted that the site is relatively small and is an infill development located within March Trading Estate as set out in policy LP9 – March, of the Fenland Local Plan. The MWPA considers that as the site is relatively small and is an infill development, complete prior extraction of any mineral is unlikely to be feasible.*

5.4 Cambridgeshire Constabulary – Consider the area to be a low risk of vulnerability to crime at present. No separate information was provided regarding security and crime prevention is the design and access statement. Crime prevention should be considered as an integral part of design. Recommendations made concerning use of full lighting columns to light external areas rather than bollards, Block A cycle stands should be visible from the windows and secured into the ground not bolted down, reposition and cover cycle store proposed for unit B, detailed guidance provided about door, window and shutter design and approved suppliers independently verified by third party testers, possible use of CCTV and recommend fitting a barrier to car park which can be closed overnight as boy racer and car meets are a huge problem on industrial estate car parks.

5.5 Anglian Water – The foul drainage network has capacity to take the anticipated flows from the development. It is noted there is no surface water drainage strategy submitted with the development. AW will need evidence of compliance with the surface water hierarchy and a condition should be imposed requiring submission of a drainage strategy prior to the laying of any hard surfaces.

5.6 FDC Environmental Health – As the proposed development is surrounded by other business uses, there are no objections

5.7 Local Residents/Interested Parties

A comment has been received from a unit holder in unit C who raises concerns questions about access, parking arrangements and proximity to property. He states that he runs very busy martial arts classes – 25 per week with over 150 members visiting from 8.00am to 10.00pm every week. (*Officer note: Unit 4 see site history*)

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)

- 2. Achieving Sustainable Development
- 4. Decision Making
- 6. Building a Strong, Competitive Economy
- 7. Ensuring the Viability of Town Centres
- 12. Achieving Well-Designed Places

National Planning Practice Guidance (NPPG)

National Design Guide 2021

- Context
- Identity
- Built Form
- Movement
- Nature
- Public Spaces
- 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
- LP6 – Employment, Tourism, Community Facilities and Retail
- LP9 – March
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP17 – Community Safety

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy
LP3 – Spatial Strategy for Employment
LP5 – Health and Well-being
LP7 – Design
LP11 – Community Safety
LP15 – Employment
LP16 – Town Centres
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP32 - Flood and Water Management
LP40 – Site Allocations for Non-residential development in March

March Neighbourhood Plan 2017

TC1 – Primary Shopping Frontages
TC2 – Regeneration Sites

The Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

Policy 5: Mineral Safeguarding Areas (MSAs)

8 KEY ISSUES

- **Principle of Development**
- **Design**
- **Access and Parking**
- **Drainage**
- **Other**

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP3 of the Fenland Local Plan 2014, directs the majority of new employment growth to the market towns, of which March is a primary market town.
- 9.2 Policy LP6 sets out that the land required to deliver the necessary employment growth will be provided for in intensification and extensions to established areas of employment and through a master planning approach in the urban extensions to the four market towns. The approximate target for March for the period 2011 to 3031 is 30 hectares. Policy LP6 goes on to state that the Council will seek to retain for high quality employment use land or premises currently or last in employment use for B1/B2/B8 employment purposes, unless it can be demonstrated through a marketing exercise that there is no reasonable prospect of the site being used for these purposes. In addition, for new office only proposals, priority will be given to locations in the centre of market towns, then edge of centre, then out of centre sites.

- 9.3 For retail development, policy LP6 states that the Council embraces a strong “town centre first” message when considering the most appropriate locations for retail and leisure developments in the towns. The town centres in March and Wisbech are at the top of the retail hierarchy. Future retail development will be directed to Primary Shopping Frontages and the Primary Shopping Area and then town/district centre locations. Thereafter, proposals will need to follow the sequential approach set out in the NPPF. Retail development outside of town centres where there is proposed 500 square metres gross of floorspace or more will be required to undertake an impact assessment to ensure the vitality and viability of defined centres is protected and/or enhanced.
- 9.4 Policy LP9 identifies the March Trading Estate (in which the site is located) is a broad location for growth and that it is expected that development in this area will predominantly or entirely relate to business uses.
- 9.5 Policy LP40 in the emerging Local Plan allocates 78.4 hectares at March Trading Estate for employment development. The draft policy in the Draft Local Plan Consultation August 2022 states that development proposals should provide development within use classes B and E. The Planning Policy Team has advised that reference to an open Class E in this draft policy is a mistaken and should be class E(g) which fits with the other employment allocations for March. It is noted that an open Class E allocation at March Trading Estate would conflict with the aims of emerging policy LP16 which generally reinforces the existing policy LP6 in the current local plan whilst recognising the flexibility granted by Class E in the Use Classes Order. The same approach to town centres is reflected in policies TC1 and TC2 of the March Neighbourhood Plan. Policy TC1 identifies the primary shopping frontages in March Town Centre and for out of centre developments requires an impact assessment for proposals with a gross floor area of 500 square metres or more. Policy TC2 is concerned with regenerating a number of sites within March town centre to help improve the attractiveness and heritage of the town centre. It should be re-stated that as the emerging Local Plan is at such an early stage, it carries very little weight.
- 9.6 Class E of the Town and Country Planning (Use Classes) Order has grouped together retail, café/restaurant, professional and financial services, sport and leisure uses, health provision, creche/nursery provision and offices/light industry and research and development uses into the one-use class. This means that existing land and buildings within one of these uses can change use to one of the other uses without needing planning permission, unless such existing uses are controlled by other means e.g. conditions. In this case, new buildings are proposed which the applicants proposed to use for any purpose within Class E. The applicant considers that the change to incorporate Class E into the UCO is a material consideration. However, the NPPF still places the development plan at the heart of decision making and also retains Section 7 to ensure the viability and vitality of town centres. It contains a glossary which identifies which uses are main town centre uses and these include much of the development included in use class E including retail, restaurants, health and fitness centres and offices.
- 9.7 In this instance, the proposed unit A has a floor area of approximately 112.5 square metres. The proposed unit B has a floor area of approximately 660 square metres (including the first floor area of approximately 45 square metres). This combined floor space is well in excess of the 500 square metres set out in Local Plan policy 6 as requiring an impact assessment as well as policy TC1 of the March Neighbourhood Plan and also emerging policy LP16. The applicant

has been given opportunity to reconsider the application for an open Class E development but has declined to do so. It is right, therefore that the local authority must look at every potential scenario for uses or combination of uses that could occur within use class E which includes retail.

- 9.8 Paragraph 87 of the NPPF requires a sequential approach to be undertaken with regard to applications for main town centre uses (defined in the glossary). Main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available in edge of centre locations. Only then should out of centre sites be considered. March Trading Estate is an out of centre location.
- 9.9 Paragraph 90 of the NPPF requires applications for retail and leisure development outside of town centres, which are not in accordance with an up-to-date development plan, to be assessed against an impact assessment which should accompany the application and against locally set and proportionate floorspace thresholds. In this instance, the locally set threshold in the existing local plan, neighbourhood plan and emerging plan is 500 square metres of gross floorspace.
- 9.10 Therefore, the applicant should have considered if any sequentially more favourable sites are available in areas better suited for town centre uses and should have submitted an impact assessment with regard to impact on March Town Centre. Despite requests for this information, none has been submitted. In accordance with paragraphs 90 and 91 of the NPPF, the application should be refused for this reason.
- 9.11 The application is also in conflict with policy LP6 of the Local Plan and TC1 of the March Neighbourhood Plan which requires town centre uses to be located in town centres first and requires developments providing over 500 square metres of floorspace to provide an impact assessment.
- 9.12 Much of the site formed part of the permission granted in 2007 for business units. The existing unit C formed part of this planning permission. The remainder of the units have not been built out. This permission was for B1/B2/B8 uses and therefore a sui generis use as the precise use of each unit was not specified. The site forms part of the March Trading Estate broad location for growth set out in policy LP9 of the Local Plan where it states that development in this area shall be predominantly or entirely related to business uses (at that time this would have been B1/B2/B8 uses although B1 has now been subsumed into use class E). The site is to be allocated for employment development as part of policy LP40.1 in the emerging local plan (noting that the policy on page 127 mistakenly refers to Class E rather than Class E(g)). It is clear that if the site is granted permission for new units that could be used for any purpose within use class E then it is highly likely that the land will be lost to business uses i.e. Class E(g), B2 or B8 for which it is intended.
- 9.13 The application is not accompanied by the required impact assessment and sequential information. As such the proposal is not acceptable as it may harm the vitality and viability of March town centre contrary to policy LP6 of the Local Plan and TC1 of March Neighbourhood Plan and section 7 of the NPPF which seeks to ensure the vitality of town centres. The proposal could also result in the loss of employment land for Class E(g)/B2 and B8 purposes contrary to policy LP9 of the Local Plan.

- 9.14 The site lies within a Sand and Gravel Minerals Safeguarding Area, safeguarded under policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). However given the history on the site and that this sits within a wider area of development it is not considered that this designation would preclude the development of the site.

Design

- 9.15 Policy LP16 of the Local Plan requires that high quality environments will be delivered and protected throughout the district. Criteria (d) requires developments to make a positive contribution to the local distinctiveness and character of the area, enhancing the local setting and responding to the local distinctiveness and character of the area.
- 9.16 The NPPF has in its most recent iteration, placed increased emphasis on good design which means layout as well as design of buildings themselves. Paragraph 130 of the NPPF sets out several criteria to which planning decision should adhere, including safety and crime and disorder as well as design principles around layout, good architecture and landscaping etc.
- 9.17 The submitted plans include “shadowing” which makes the drawings slightly more difficult to interpret. Nevertheless, the application proposes essentially two further box shaped structures split into smaller units. Materials could be conditioned as could information concerning designing out crime as advocated by Cambridgeshire Constabulary. The layout generally reflects the layout approved in 2007.
- 9.18 The site is also surrounded by other industrial units, therefore this proposal sits within that context. As such in terms of design, the proposal would be acceptable subject to conditions.

Access and Parking

- 9.19 Policy LP15 of the Local Plan requires development to be located so it can maximise accessibility and help increase use of non-car modes. It also requires car and cycle parking to be provided in accordance with Appendix A standards.
- 9.20 The Highway Authority has not objected to the proposal in terms of vehicular access.
- 9.21 The car parking standards set out in Appendix A are based on the “old” use classes rather than Class E. As the potential end use of each unit is so open (within Class E) the parking demand could differ greatly between say a shop and a restaurant or a D2 use such as a sports facility.
- 9.22 A shop up to 499 square metres of floorspace requires two spaces plus one space for every 25 metres over 50 square metres. A restaurant requires one space per 5 square metres of bar, dining and function room area and a sports/leisure use requires one space for every 10 square metres of public area.
- 9.23 Unit B would have 21 allocated spaces and Unit A would have 7 spaces. Unit C retains the 11 spaces surrounding that building. If the units were to be used by those uses within use Class E that create a higher parking demand, the proposed parking is likely to be inadequate, leading to visiting members of the public parking on Thorby Avenue. As the applicant has not specified which uses are

proposed within use class E then the local planning authority would be right to assume a worst-case scenario. Even taking a pragmatic approach and assuming a mix of different uses, it appears that the proposed parking is likely to be inadequate. Cycle parking is shown on the submitted parking strategy plan but it is limited in detail. It appears, however, that there is space to provide further cycle parking which could be secured by condition if permission were being recommended for approval.

- 9.24 In terms of sustainable location, the town centre uses would be best served by public transport and provide better options for combined journeys if located in the town centre. It is recognised that there may be some opportunities for combined trips with the surrounding employment uses and the nearby Tesco store.
- 9.25 In conclusion, an open Class E development as proposed is not adequately served by the proposed amount of car parking for the new units and as such is contrary to policy LP15 of the Local Plan and Appendix A.

Drainage

- 9.26 The site is located in flood zone 1 which is the area at least risk of flooding.
- 9.27 Policy LP14 requires that relevant developments are accompanied by a drainage strategy that shows that surface water drainage will be dealt with in a sustainable way. The application form states that SuDS will be used but no further detail is submitted and there is no attenuation shown on the submitted plan. There is an existing drain to the southern border of the site.
- 9.28 Anglian Water has stated the foul drainage system has capacity to take waste water and that any permission must be conditioned to secure a sustainable surface water strategy. Whilst ideally a drainage strategy should have been submitted with the application, it is possible that sustainable drainage could be achieved and therefore, in this instance, would have been subject to a pre-commencement condition had approval been recommended.

Other

- 9.29 Landscaping/Biodiversity – there is little biodiversity on the site. A suitable landscape scheme could address these issues and could be conditioned.
- 9.30 Amenity – the proposal does not impact on any residences as there are none in the vicinity and it will not impact on the amenity of nearby users of other employment sites except indirectly through potential parking on the street if the car park proved to be inadequate which is probable.

10 CONCLUSIONS

- 10.1 The proposal is seeking permission for two buildings comprising smaller units for purposes within use class E on land at Thorby Avenue, March Trading Estate. This includes uses which are defined in the NPPF as town centre uses. Any combination of uses within class E could be created if an open permission were granted. The NPPF and policy LP6 of the Local Plan and policy TC1 of the March Neighbourhood Plan require both an impact assessment to be submitted and a sequential approach to be taken for main town centre uses that are

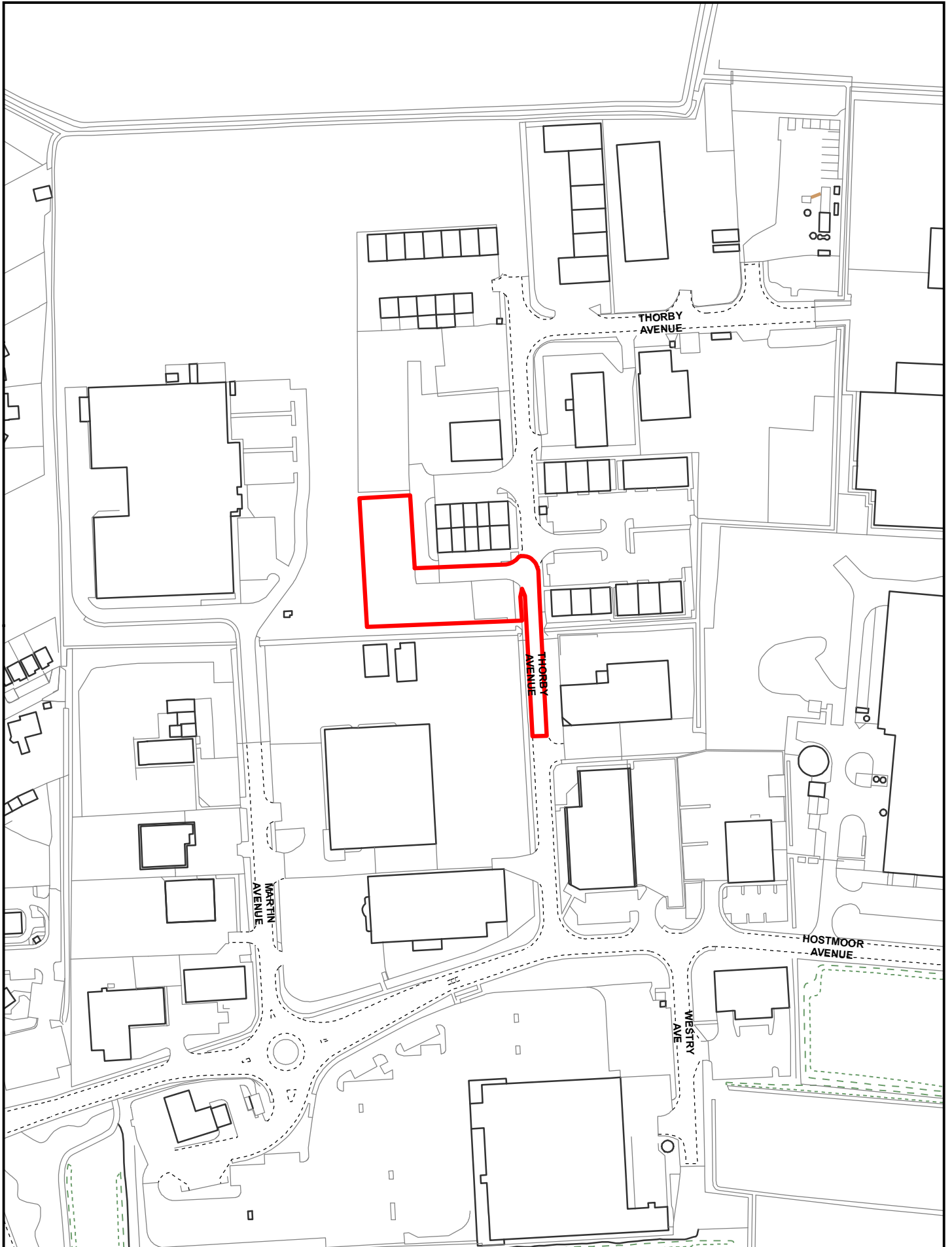
proposed in an out of centre location. The applicant has failed to provide such information/evidence therefore the proposal is not acceptable in principle.

- 10.2 The proposal could also result in the loss of employment land for Class E(g)/B2 and B8 purposes contrary to policy LP9 of the Local Plan.
- 10.3 The proposed open nature of the potential uses for the two proposed buildings could create a parking demand that is greater than the number of spaces shown on the site layout plan and as required by policy LP15 and Appendix A of the Local Plan. As such the proposal could lead to parking on the road which could impact other road users.
- 10.4 In other respects, the imposition of conditions could deal with the deficit of a surface water drainage strategy and other matters such as materials, designing out crime, cycle storage, landscaping etc where more detail is required.

11 RECOMMENDATION

Refuse; for the following reasons:

1.	The application is not accompanied by the required impact assessment and sequential information required for the main town centre uses proposed. As such the proposal is not acceptable as it may harm the vitality of March town centre contrary to policy LP6 of the Local Plan and TC1 of March Neighbourhood Plan and section 7 of the NPPF which seek to ensure the vitality of town centres. The proposal could also result in the loss of employment land for Class E(g)/B2 and B8 purposes contrary to policy LP9 of the Fenland Local Plan 2014.
2.	The proposal would provide for a wide range of uses within use class E for which the exact uses and/or combination of uses within the proposed two new units is unknown. The proposed additional 28 parking spaces could prove inadequate for some of the uses within use class E which would create higher parking demand and could result in parking on the adjacent highway to the detriment of other road users and the occupiers of neighbouring units. As such the proposal is contrary to policy LP15 and Appendix A of the Fenland Local Plan 2014.



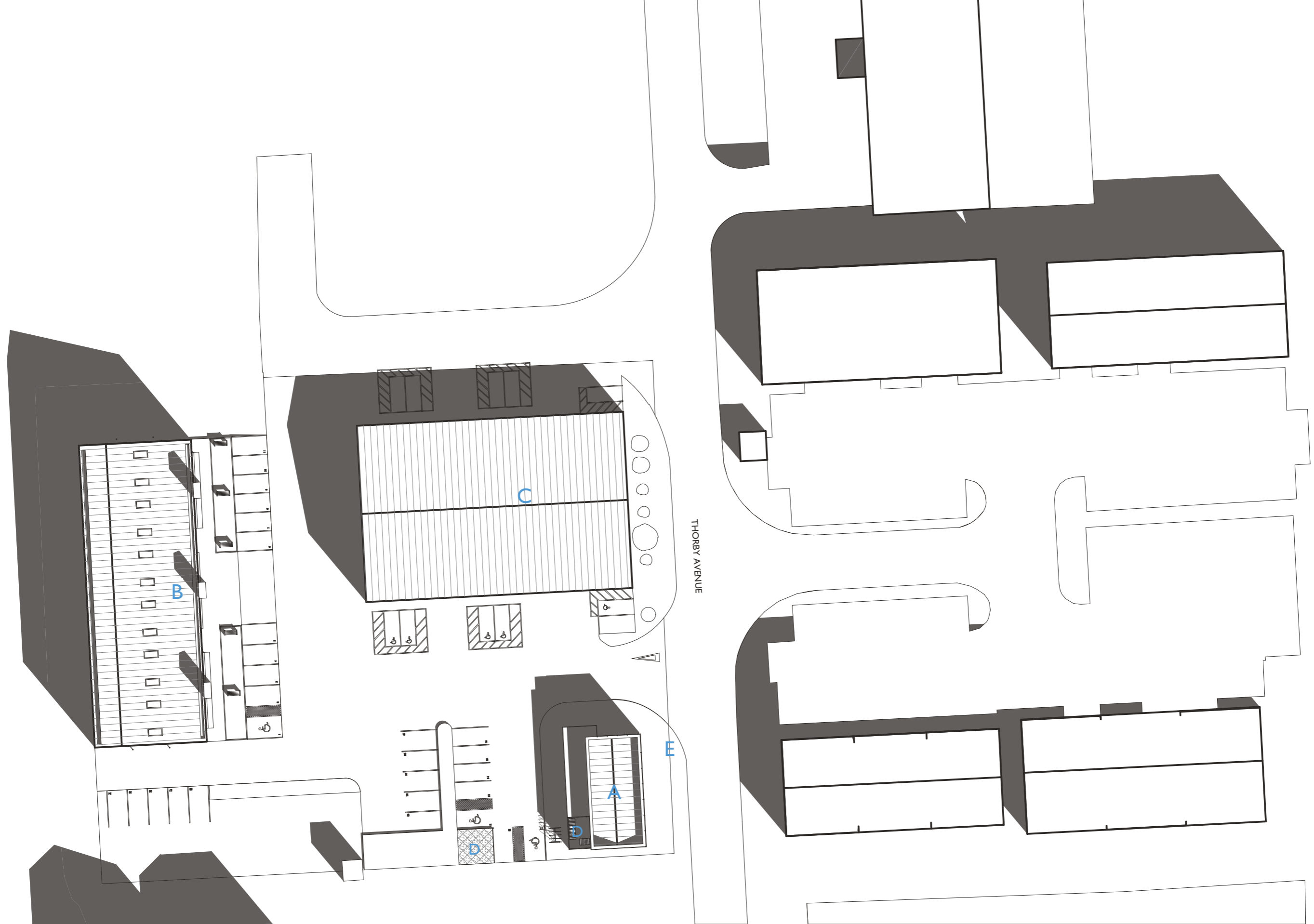
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F/YR22/0337/F

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Project: COMMERCIAL DEVELOPMENT
 Address: March Enterprise Park , Thorby Avenue, PE15 0AZ
 Drawing: Site layout 02
 Client: Habendum Ltd
 Date: 04/05/2022
 Drawn / checked: JC / AJ
 Scale: 1:500 @ A3
 Drawing no / Rev: 0969_A_SC_11b
 Status: SPATIAL

Date
04/05/2022

Change Name
Substation added

RevID
B

Information:

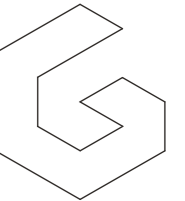


10

- A - Proposed block A
- B - Proposed block B
- C - Existing warehouse
- D - Bin storage area
- E - Totem sign

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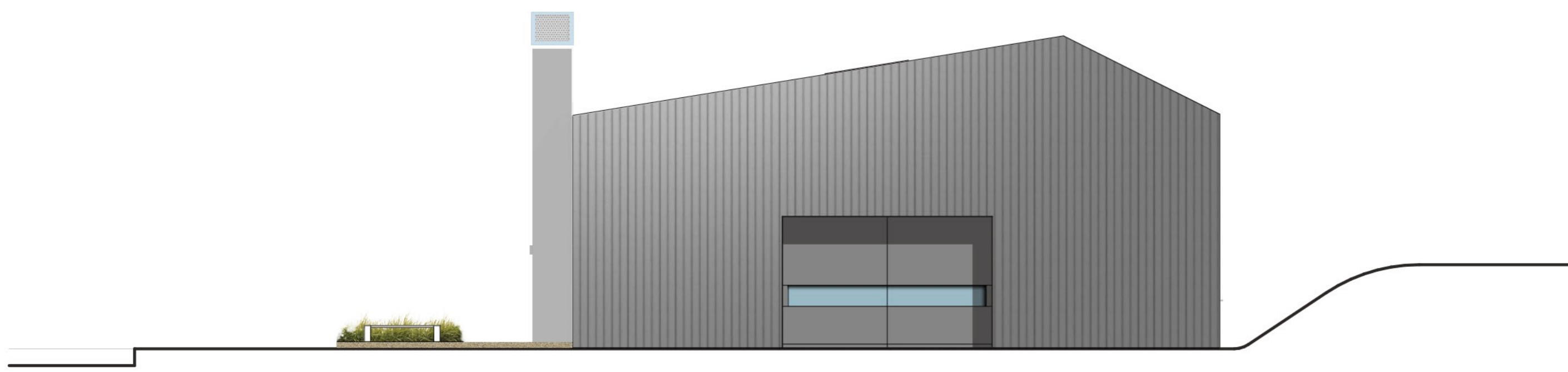
GROW Design studio
 Unit 14 Park Farm
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 Colchester CO5 9SH
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 www.studiogrow.co.uk



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EAST ELEVATION



NORTH ELEVATION

Information -



WEST ELEVATION

Date
17/12/2021

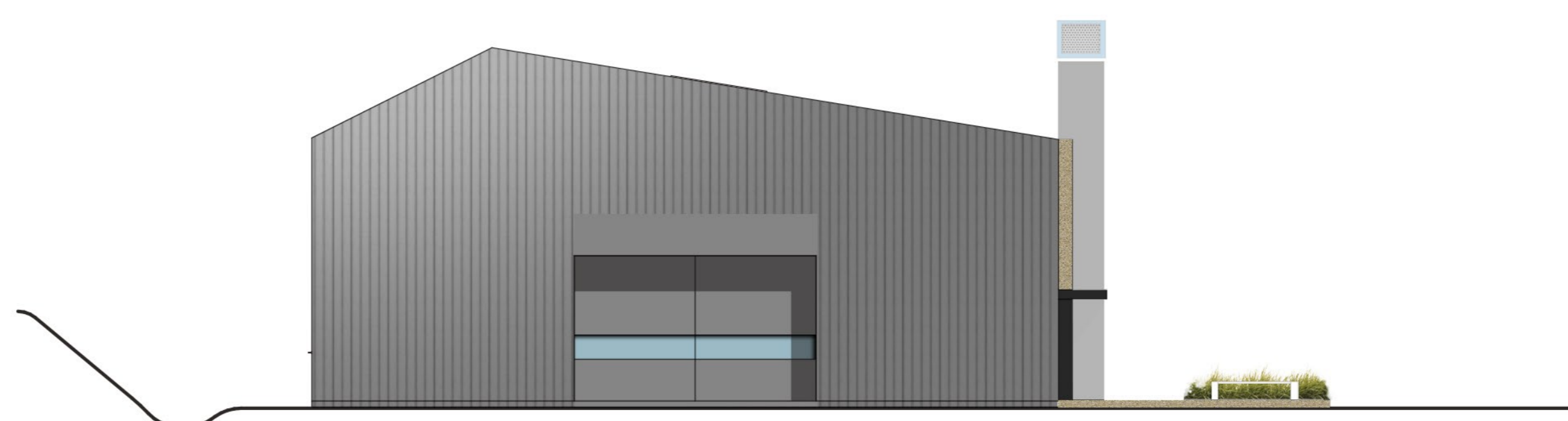
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RevID
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HABENDUM LTD
COMMERCIAL DEVELOPMENT

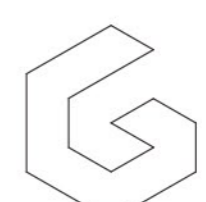
Drawing
Proposed Block B Elevations

Project
March Enterprise Park , Thorby
Avenue, PE15 0AZ

Scale	Date
1:100 @A1	11/02/2022
Drawn by	Checked by
JC	-
Job Number	Status
0969	PLANNING
Drawing No. / Rev	
0969_A_SC_05	



SOUTH ELEVATION

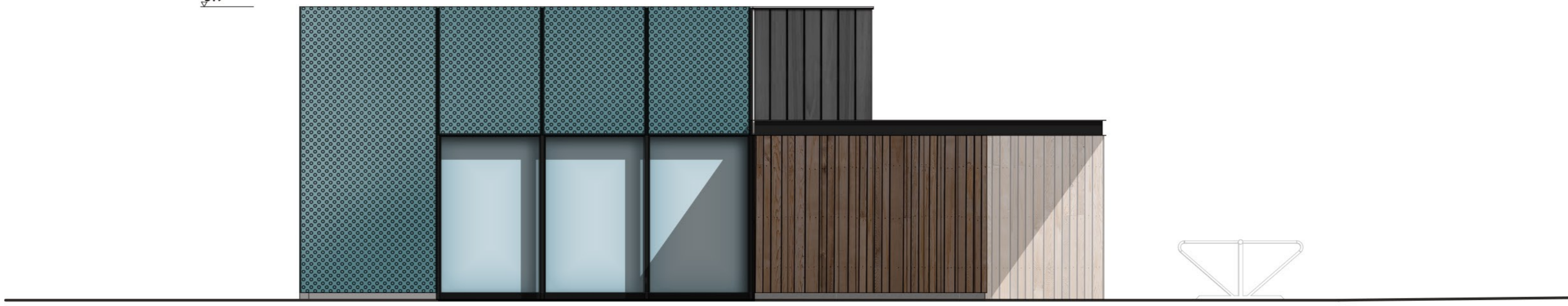


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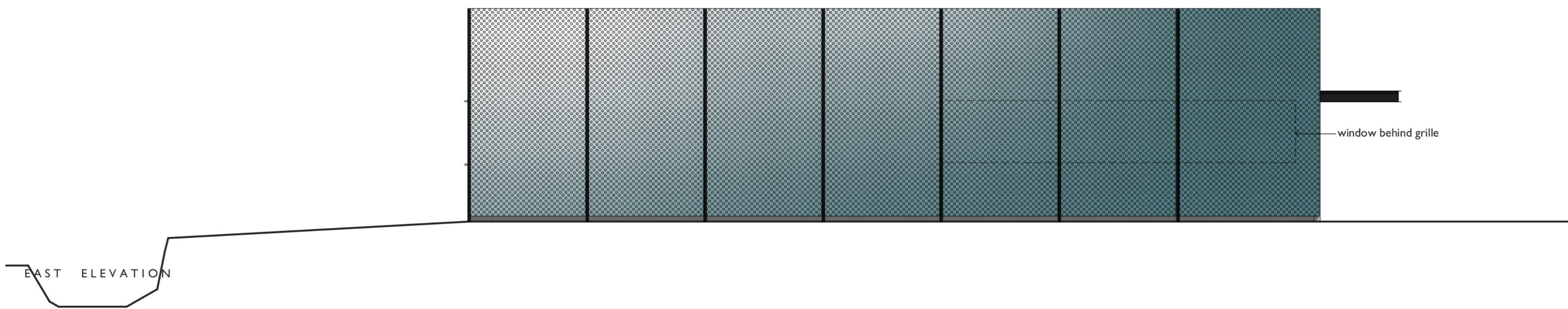
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3.9

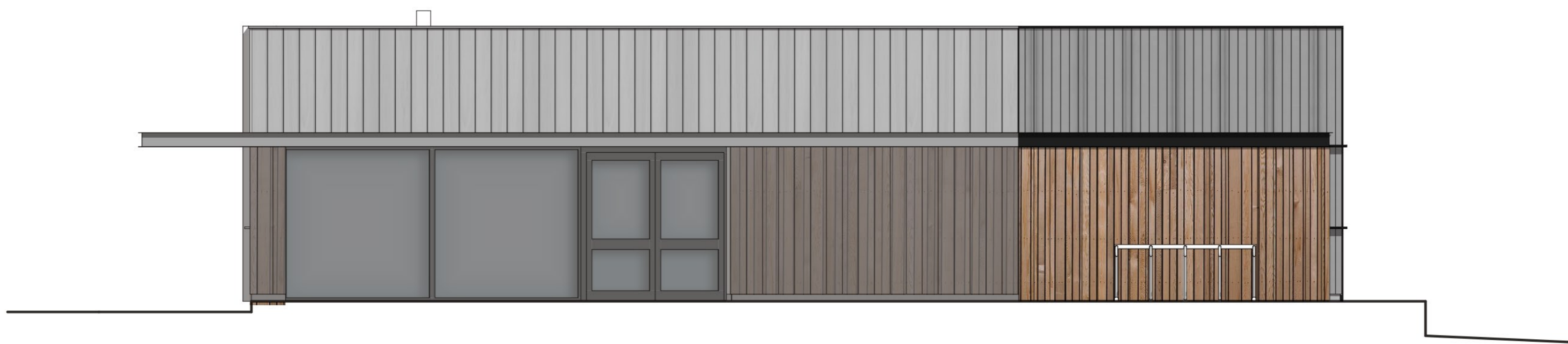


NORTH ELEVATION



EAST ELEVATION

Information - 2



WEST ELEVATION

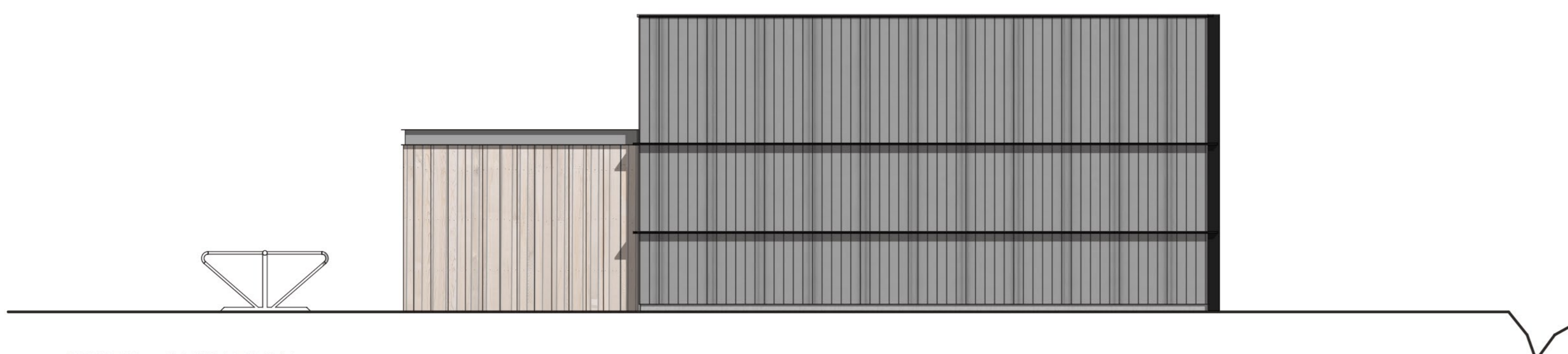
Date 17/12/2021 Change Name RevID A

HABENDUM LTD
COMMERCIAL DEVELOPMENT

Drawing
Proposed Block A Elevations

Project
March Enterprise Park , Thorby
Avenue, PE15 0AZ

Scale 1:50 @A1 Date 11/02/2022
Drawn by JC Checked by -
Job Number 0969 Status PLANNING
Drawing No. / Rev 0969_A_SC_03



SOUTH ELEVATION

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F/YR22/0505/VOC

**Applicant: Mr P Hussey
Millfield Developments Ltd**

**Agent : Mr R Papworth
Morton & Hall Consulting Ltd**

33 Gaul Road, March, Cambridgeshire, PE15 9RQ

Variation of condition 23 (list of approved drawings) of planning permission F/YR18/0947/F (Erection of 7no dwellings comprising of 1 x 2-storey 4-bed; 4 x 2-storey 3-bed and 2 x single-storey 3-bed dwellings) with garages (Plots 3, 6 & 7 only) involving demolition of existing dwelling, outbuildings and boundary wall) - to remove turning head and cherry trees

Officer recommendation: Refuse

Reason for Committee: Town Council comments contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The permission for the substantial layout of this development approved under F/YR18/0947/F required the on-site turning head to be provided which was supported/required by the LHA. There is no justification for its removal by replacement of the approved site plan with drawing 401A submitted with this application. It will lead to increased manoeuvring on Gaul Road by larger vehicles visiting the site due to lack of turning within the site or will lead to difficulty turning and vehicles overrunning private spaces within the development. This will cause increased risk of danger to other road users, especially pedestrians and cyclists and will cause inconvenience also. The proposal results in a diminished quality of development from that approved and will mean that the development functions less well. This is contrary to policy LP15 of the Local Plan and paragraphs 130 and 135 of the NPPF.
- 11.2 If the application were being recommended for approval it would have been subject to conditions requiring adherence to approved details and submission of new landscape proposals including replacement trees.
- 11.3 It appears that the conditions relating to the provision of the turning head and landscaping have not been complied with and therefore enforcement action should be taken to ensure the conditions are complied with.

2 SITE DESCRIPTION

- 2.1 The site comprises an existing residential development of eight dwellings served off a private drive off the north side of Gaul Road, March. This is now a private drive named Magnolia Close. There is an extensive site history, however, the current layout (or the majority of it) was approved under application F/YR18/0947/F which granted permission for 7 dwellings. A further dwelling was added under

application F/YR20/1247/F making eight in total served off the private drive. Gaul Road is unclassified but is one of the main spine roads leading into the centre of March from the A141 bypass to the east.

- 2.2 The site is adjacent to “The Chase” a single-track access route owned and maintained by Fenland District Council which provides access from Gaul Road through to the riverside park to the north and a small number of dwellings accessed off it. To the other side of Gaul Road and slightly further west is a recreation ground. Otherwise, the site is surrounded by residential development.

3 PROPOSAL

- 3.1 The application is for a variation of condition which would replace the approved site plan H5835/01 Rev B listed in the approved plans within condition 18 attached to permission F/YR18/0947/F. The reason for the applicant wishing to replace this plan with submitted drawing H5835/401A is to remove the internal turning head from the scheme. This turning head has not been provided in accordance with conditions 6 and 9 attached to the approved scheme and which required the access, turning and parking to be laid out and constructed and drained in accordance with approved drawings prior to first occupation of the dwellings. The space around the turning head (located adjacent to 2 Magnolia Close) should have been landscaped in accordance with the approved landscape scheme but this has not been undertaken in accordance with conditions 15 and 17 attached to the approved scheme. Therefore, as well as condition 18, the proposal has implications for other conditions attached to the 2018 permission as set out above.
- 3.2 The application also states that cherry trees to the rear of the turning head and adjacent to the boundary with The Chase are to be removed (*Officer note: the site visit revealed the two cherry trees appeared to be dead*)

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

4 SITE PLANNING HISTORY

REF. NO	DESCRIPTION	DECISION	DATE
F/YR19/1002/F	Erect 1 dwelling (single-storey 3-bed)	GRANT	16.01.2020
F/YR19/3091/COND	Details reserved by conditions 12, 14, 15, 16 and 21 of planning permission F/YR18/0947/F (Erection of 7no dwellings comprising of 1 x 2-storey 4-bed; 4 x 2-storey 3-bed and 2 x single-storey 3-bed dwellings) with garages (Plots 3, 6 & 7 only) involving demolition of existing dwelling, outbuildings and boundary wall)	APPROVE	16.10.2019
F/YR19/3047/COND	Details reserved by conditions 8, 12, 14 & 21 of	APPROVE	08.08.2019

	planning permission F/YR18/0947/F (Erection of 7no dwellings comprising of 1 x 2-storey 4-bed; 4 x 2-storey 3-bed and 2 x single-storey 3-bed dwellings) with garages (Plots 3, 6 & 7 only) involving demolition of existing dwelling, outbuildings and boundary wall)		
F/YR19/3024/COND	Details reserved by conditions 2, 4, 8, 12, 14, 21 & 22 of planning permission F/YR18/0947/F (Erection of 7no dwellings comprising of 1 x 2-storey 4-bed; 4 x 2-storey 3-bed and 2 x single-storey 3-bed dwellings) with garages (Plots 3, 6 & 7 only) involving demolition of existing dwelling, outbuildings and boundary wall)	APPROVE	25.04.2019
F/YR19/0113/TRTPO	Fell 1no Hornbeam covered by TPO 03/2014 (5 days' notice)	GRANT	14.03.2019
F/YR18/0947/F	Erection of 7no dwellings comprising of 1 x 2-storey 4-bed; 4 x 2-storey 3-bed and 2 x single-storey 3-bed dwellings) with garages (Plots 3, 6 & 7 only) involving demolition of existing dwelling, outbuildings and boundary wall	GRANT	18.12.2018
F/YR18/0021/F	Erection of 2 x 2-storey 3-bed and 3 x single-storey 2-bed dwellings with garages involving the demolition of existing dwelling and outbuildings	GRANT	02.03.2018

F/YR16/0965/F	Erection of 6 x 2-storey dwellings comprising of 3 x 2-bed and 3 x 3-bed with garages involving demolition of existing dwelling and outbuildings	GRANT	12.10.2017
F/YR16/0277/F	Erection of 6 x dwellings comprising of; 2 x 2-storey 3-bed with detached	WDN	11.07.2016

	garages; 1 x single-storey 2-bed with detached garage and 1 x single-storey 3-bed with attached garage, 1 x single-storey 2-bed with attached garage and 1 x single-storey 2-bed with integral garage involving demolition of existing dwelling and outbuildings		
F/YR15/0387/F	Erection of 6 dwellings comprising of 1 x 2-storey 2-bed; 1 x 2-storey 3-bed; 3 x single-storey 3-bed and 1 x single-storey 2-bed with garages, involving demolition of existing dwelling and outbuildings	WDN	20.07.2015
F/YR14/0776/F	Erection of 5 x 3-bed and 3 x 2-bed single-storey dwellings with garages, involving demolition of existing dwelling and outbuildings	WDN	22.12.2014
F/YR13/0646/RM	Erection of 14no dwellings with garages comprising of 5 x single-storey 2-bed, 3 x single-storey 3-bed, 4 x 2-storey 2-bed and 2 x 2-storey 3-bed with associated landscaping and public open space Land North Of 33 Gaul Road	APPROVE	21.11.2013
F/YR12/0753/RM	Erection of 8 x 3-bed 2-storey dwellings and 5 x 4-bed 2-storey dwellings with detached garages and 2.0m (max height) walls and fences involving the demolition of existing swimming pool and outbuildings Land North Of 33 Gaul Road	APPROVE	10.04.2013

F/YR12/0084/F	Removal of Conditions 7 and 8 of planning permission F/YR08/1051/O (Residential development (0.49 ha) (maximum of 20 dwellings)) relating to provision of footpath link Land North Of 33 Gaul Road	GRANT	20.09.2012
F/YR08/1051/O	Residential development	GRANT	15.07.2011

	(0.49 ha) (maximum of 20 dwellings) Land North Of 33 Gaul Road		
F/YR07/0995/O	Erection of 13 houses involving demolition of existing outbuildings and sheds Land North Of 33 Gaul Road	REFUSE	16.11.2007
F/1257/88/F	Erection of garden wall (to replace hedge) - partly retrospective	PER	15.12.1988

5 CONSULTATIONS

5.1 March Town Council – Recommend approval

5.2 CCC Highway Authority –

First Response – *The change of layout is not acceptable. The removal of the turning head is the issue as there will be nowhere for vehicles to turn. The turning head should remain. Also please include a vehicle tracking for refuse to demonstrate this.*

Further Response to tracking and case officer highlighting approved refuse strategy (see background section below) –

Thank you for submitting the swept path for refuse. However, it is noted that refuse vehicle utilised is a small one. This will have to be confirmed with refuse team this is acceptable.

From highways perspective, the size of the vehicle for the swept path is not suitable. This does not demonstrate large vehicles to access the development. The development will require servicing with various sizes of vehicles. Therefore, the lack of a turning head is not acceptable.

Furthermore, within the swept path analysis submitted, it demonstrates the turning head is clearly tight as the vehicle over rises the grass verge opposite number 3. Should this be accepted the grass verge will be overridden over time

(Case officer note: The submitted vehicle tracking showed manoeuvring to the end of the cul de sac and small turning areas to the front of numbers 3 and 6 Magnolia Close)

Further correspondence was had with the LHA in connection with the FDC approved refuse strategy which shows a refuse vehicle manoeuvring at the junction with Gaul Road in order to enter the site. The LHA states the following in response;

It is unfortunate that (the refuse strategy) is approved but nonetheless I maintain that a turning head is needed. Whilst a refuse vehicle will visit the site once per week, modest sized delivery vehicles (eg parcel delivery, grocery shopping) will visit on a regular basis, I would assume several times a day. The turning heads are also needed to facilitate these deliveries and, in their absence, there would

be an unacceptable level of reversing onto the highway. Furthermore, vehicles would need to reverse long distances on a shared space street, particularly visiting plots 6 and 7 (officer note: likely numbers 3 and 6 on the submitted site plan which are the furthest dwellings from Gaul Road) which would place pedestrians and cyclists at risk. In addition to delivery vehicles, the other large vehicle which could need access is a fire tender. However, this use would be very irregular so unlikely to stand at appeal.

5.3 FDC Environmental Services - *We access Magnolia Close to collect waste and recycling bins. Indemnity is in place being a private drive and we have experienced no issues and the plans for an additional property would have no impact from our waste collection point of view*

5.4 Local Residents/Interested Parties

Objections

Two letters of objection have been received from residents of The Chase and Beck Close which raise the following issues;

- *I am concerned about what will follow as it is clearly a prelude to further development. This is typical of the site history where there have been numerous variations and an incremental increase in growth. It is development by stealth making it difficult for neighbours to respond.*
- *The reasons why the turning head was required under application F/YR18/0947/F remain sound and its removal will create significant highway safety issues both within the site and the adjacent area as the present roadway is too narrow for larger commercial and utility vehicles to turn.*
- *In addition, there is insufficient room for residents' cars on site, some of which park on the communal roadway whilst some parking on Gaul Road opposite the narrow entrance to The Chase*
- *The cherry trees were clearly dead and in a dangerous condition. They were healthy but died after the builders moved on site. They should be replaced with similar trees with necessary clearance from the wall*
- *Demolition of the boundary wall would destroy the excellent visual impact the wall provides to the rear of dwelling*
- *Cherry trees should not be removed.*

Supporters

A neighbour from Gaul Road supports the removal of the turning head and the removal of the trees before they fall down

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)

Design – paragraphs 130 and 135

National Planning Practice Guidance (NPPG)

Fenland Local Plan 2014

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

LP16 – Delivering and Protecting High Quality Environments across the District

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP20: Accessibility and Transport

LP22: Parking Provision

LP27: Trees and Planting

March Neighbourhood Plan 2017

H2 – Windfall Development

8 KEY ISSUES

- **Loss of the turning head/impact on highway safety**
- **Loss of the cherry trees**

9 BACKGROUND

- 9.1 There is extensive history to this site. The permission granted under F/YR18/0947/F which this application seeks to vary, followed previous approvals under F/YR16/0965/F (6 dwellings) and F/YR0021/F (5 dwellings) both of which showed a turning head within the site, similar to that now proposed to be removed. On each occasion the highway authority requested that conditions be imposed concerning highway details, including that the road layout should be constructed as shown on the site plan. The comments of the LHA to application F/YR18/0947/F referred back to previous comments, stating the proposal would be acceptable subject to the imposition of the conditions the LHA had previously set out.
- 9.2 Following this approval in 2018, a further bungalow was added to the site under application F/YR20/1247/F which has been constructed and removed a turning head shown on the approved site plan for F/YR18/0947/F.
- 9.3 Conditions 6, 9 and 12 (relating to the access, parking and turning) and conditions 15 and 17 relating to landscaping are also pertinent as is condition

21 refuse strategy. Conditions 6 and 9 are compliance conditions requiring the provision of the access road, parking and turning in adherence to approved site plan H5835/01B which shows the turning head. The other conditions required submission of further details. C12 (submission of detailed plans of the construction of the access etc.) was discharged under F/YR19/3091/COND. C15, requiring submission of a landscaping scheme was also discharged under this application. The turning head and landscaping should have been provided on site but have not been, therefore at present, there is a breach of control in respect of these elements.

- 9.4 A refuse strategy in the form of drawing H5835-01 and indemnity provision (damage waiver re the bin lorry entering the private access road) and required under C21 of the 2018 permission was also discharged under F/YR19/3091/COND. FDC Environmental Services were happy with the scheme which shows a lorry manoeuvring at the entrance to Gaul Road. There is no evidence that this scheme was seen or commented on at the time by the LHA and the comments made on this current application suggest that this is the case.

10 ASSESSMENT

Loss of turning head/impact on highway safety

- 10.1 The submitted details, including the tracking plans, do not demonstrate that a larger vehicle could turn within the site if the turning head is removed from the scheme. Such vehicles would have to attempt to turn in the areas to the front of Nos. 3 and 6 Magnolia Close, an area suitable for turning of cars. As pointed out by the LHA, vehicles turning here are likely to overrun the private garden areas associated with these properties.
- 10.2 The LHA recommended, and the LPA imposed a compliance condition requiring that all turning heads be provided because it was felt necessary to provide sufficient turning for all vehicles likely to visit the site. However, it is unfortunate that the refuse turning strategy which shows a refuse vehicle manoeuvring within the highway, was approved. Nevertheless, this is not reason to remove the turning head.
- 10.3 Policy LP15 (C) states that development schemes should provide well designed, safe access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors that give easy access to all.
- 10.4 Whilst carrying only limited weight at present, policy LP22 of the emerging Local Plan requires adequate provision to be made for the parking and turning of service vehicles that serve the site.
- 10.5 The application provides no justification as to why the turning head should be removed from the scheme. Whilst it presumably would provide opportunity for a further development plot to be provided, if such plans were proposed they would have to be considered under a separate application. However, the turning head was considered to be necessary to make the development acceptable under the approved and previous schemes. If it were not necessary, then the condition requiring it be provided would not have been imposed. The loss of the turning head is likely to lead to more vehicles manoeuvring on the highway, a concern shared by the LHA. As well as presenting an increased danger to other highway

users, this will also not provide priority to the needs of pedestrians, cyclists and people with impaired mobility who will be inconvenienced due to the fact that the approved turning space within the site is removed and vehicles will be reversing out onto the highway. This is contrary to policy LP15 of the adopted Local Plan.

- 10.6 Paragraph 130 of the NPPF states that decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but for the lifetime of the development. There is an increasing propensity (evident in small residential developments in Fenland) to serve developments from private drives which would not comply with the standards required by the LHA if such accesses were to be adopted by them. Removal of the turning head will result in a private drive that will function much less well than was intended and will be less safe. Paragraph 135 of the NPPF states that LPAs should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes made to the permitted scheme. Quality need not only refer to visual appearance but also how a development functions. This proposal would result in the quality of the approved scheme being diminished.
- 10.7 Therefore, with regard to the removal of the turning head, the application should be refused as it will result in a reduction in highway safety (on Gaul Road and within the site) and a lesser priority to pedestrians and cyclists etc who will be inconvenienced by more manoeuvring on the highway. It is also noted that the site is close to two parks and play areas in a residential area and so this area is likely to be crossing place for young people visiting those parks/play areas. It will also diminish the quality of the approved scheme. No reasons have been provided to justify the removal of the turning head and so there are no material considerations to outweigh determination in accordance with development plan policy and the NPPF.

Loss of cherry trees

- 10.8 With regard to the loss of the cherry trees, this is unfortunate but could be mitigated by imposition of further conditions requiring replacement trees.

Walls

- 10.9 The neighbour at Beck Close has raised concerns about the replacement of a wall with fencing. The plans do not show that the existing walls are to be replaced. The wall to the northern boundary which abuts 3 Beck Close is shown on the drawings. The wall to the southern boundary, abutting The Chase was protected by condition previously, and is shown on the submitted site plan. If approval were being recommended, the existing walls could be retained by imposing a condition.

11 CONCLUSIONS

- 11.1 The permission for the substantial layout of this development approved under F/YR18/0947/F required the on-site turning head to be provided which was supported/required by the LHA. There is no justification for its removal by replacement of the approved site plan with drawing 401A submitted with this application. It will lead to increased manoeuvring on Gaul Road by larger vehicles visiting the site due to lack of turning within the site or will lead to

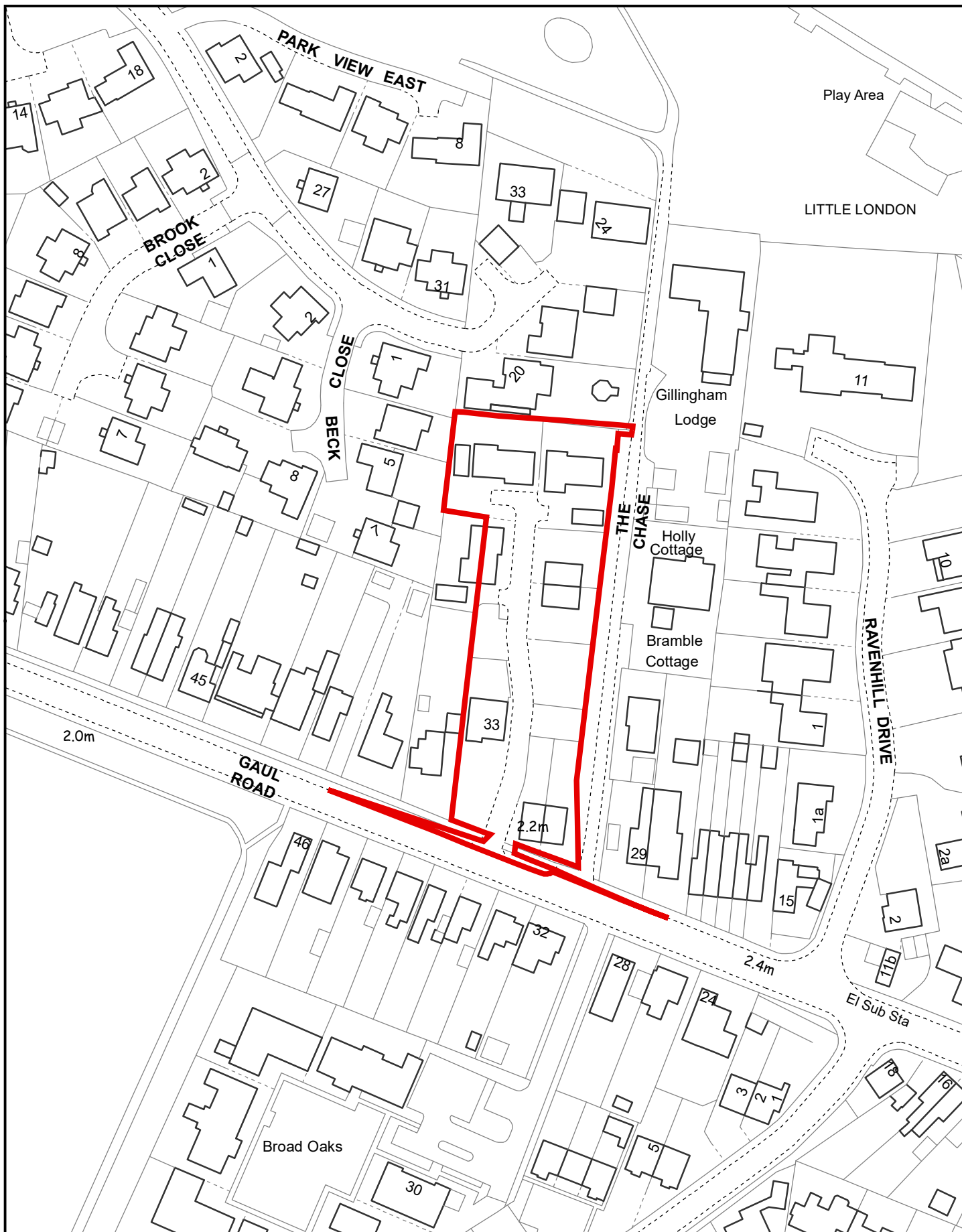
difficulty turning and vehicles overrunning private spaces within the development. This will cause increased risk of danger to other road users, especially pedestrians and cyclists and will cause inconvenience also. The proposal results in a diminished quality of development from that approved and will mean that the development functions less well. This is contrary to policy LP15 of the Local Plan and paragraphs 130 and 135 of the NPPF.

- 11.2 If the application were being recommended for approval it would have been subject to conditions requiring adherence to approved details and submission of new landscape proposals including replacement trees.
- 11.3 It appears that the conditions relating to the provision of the turning head and landscaping have not been complied with and therefore enforcement action should be taken to ensure the conditions are complied with.

12 RECOMMENDATION

Refuse; for the following reason

1.	The proposal would result in the removal of the approved internal vehicle turning head resulting in inadequate turning facilities being provided within the site to accommodate all vehicles servicing the dwellings. This will result in increased reversing and maneuvering on Gaul Road and within the site in areas not adequate for the turning of such vehicles. As a result, there will be an increased risk of danger to other road users and inconvenience/lack of priority to pedestrians, cyclists and visually impaired users. The proposed removal of the turning head also results in a diminished quality of the approved development and will result in a development that functions less well. This is contrary to policy LP15 of the Fenland Local Plan and paragraphs 130 and 135 of the NPPF.
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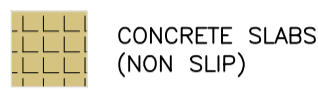
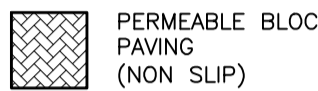





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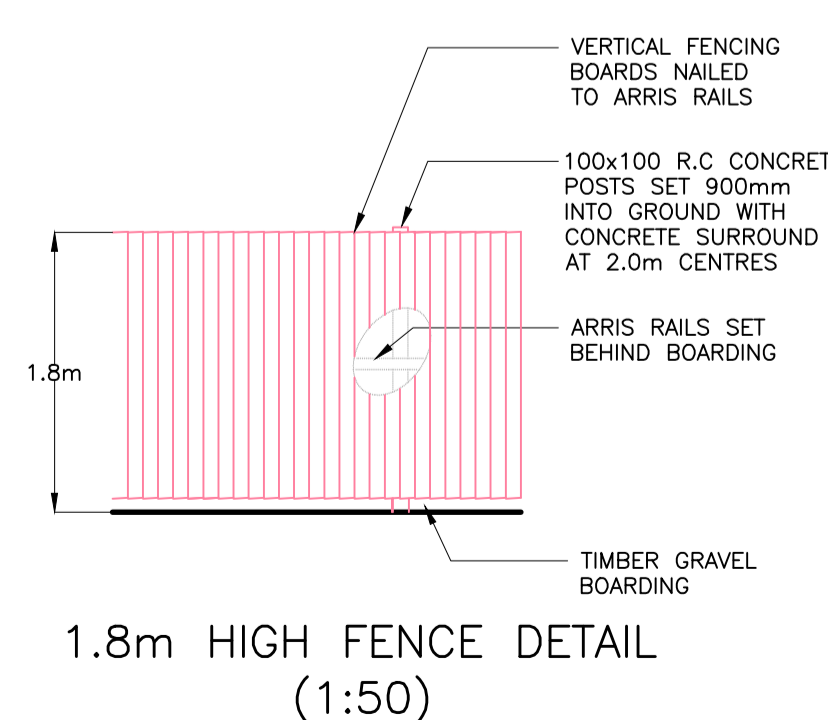
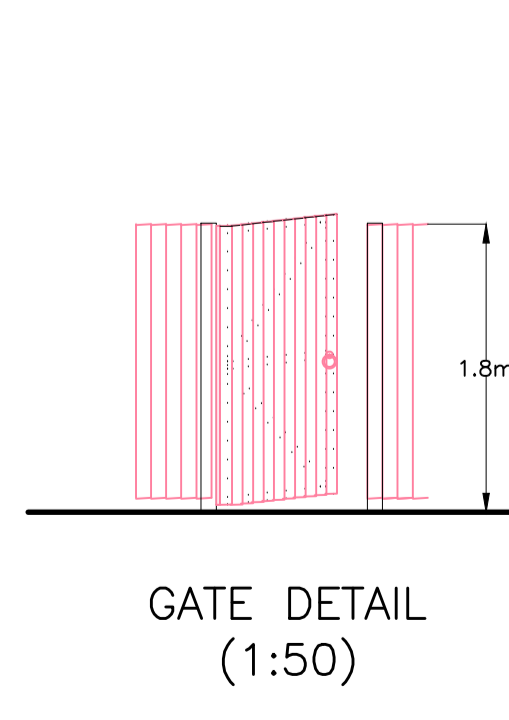
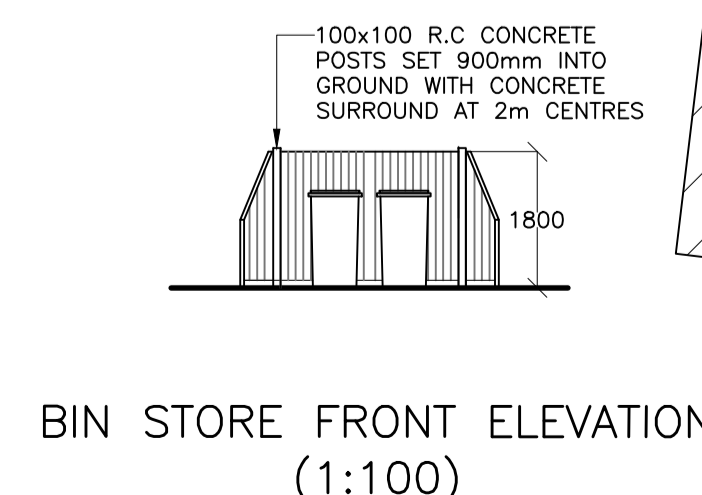
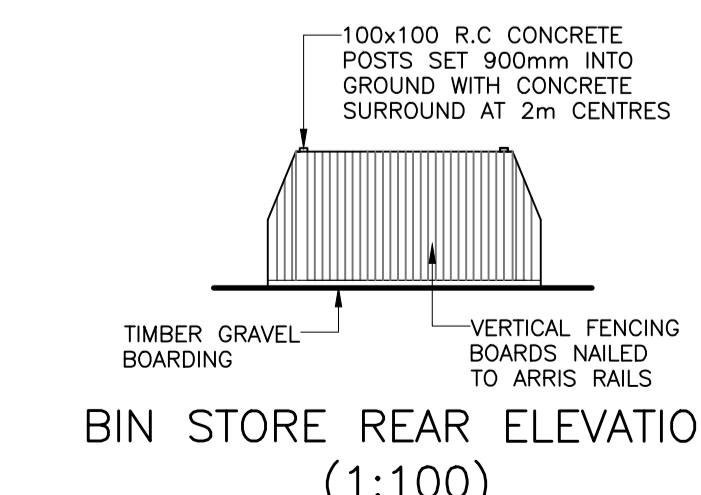
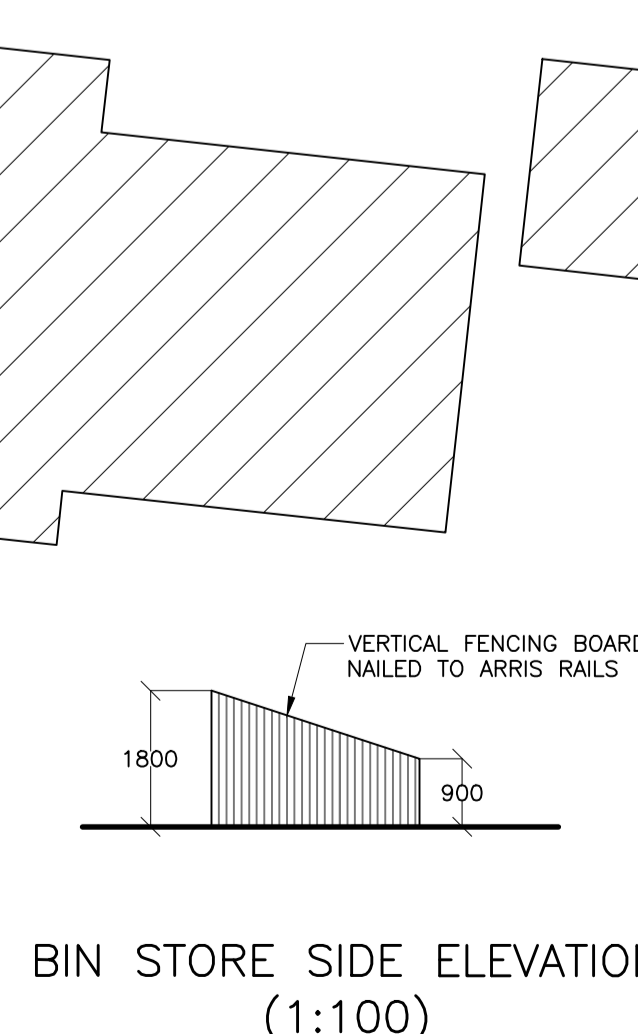
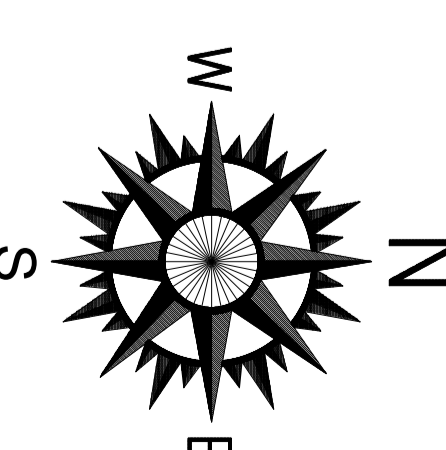


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 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer

PROPERTIES	
PLOT 1	= TWO STOREY 3 BED SEMI DETACHED
PLOT 2	= TWO STOREY 3 BED SEMI DETACHED
PLOT 3	= TWO STOREY 4 BED DETACHED
PLOT 4	= TWO STOREY 3 BED SEMI DETACHED
PLOT 5	= TWO STOREY 3 BED SEMI DETACHED
PLOT 6	= 3 BED DETACHED BUNGALOW
PLOT 7	= 3 BED DETACHED BUNGALOW

LEGEND

-  CONCRETE SLABS (NON SLIP)
-  PERMEABLE BLOCK PAVING (NON SLIP)
-  WASTE BINS
-  GRASS
-  VEGETATION
-  GRAVEL
-  1.8m HIGH GATE



A PLANNERS COMMENTS APR 2022

REVISIONS DATE

MORTON & HALL CONSULTING LIMITED
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Fenland District Council
 Building Design Awards
 Building Excellence in Fenland

CLIENT
 Millfield Development Ltd

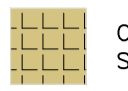
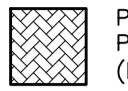
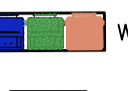
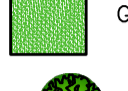



PROJECT
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 March
 Cambs
 PE15 9RQ

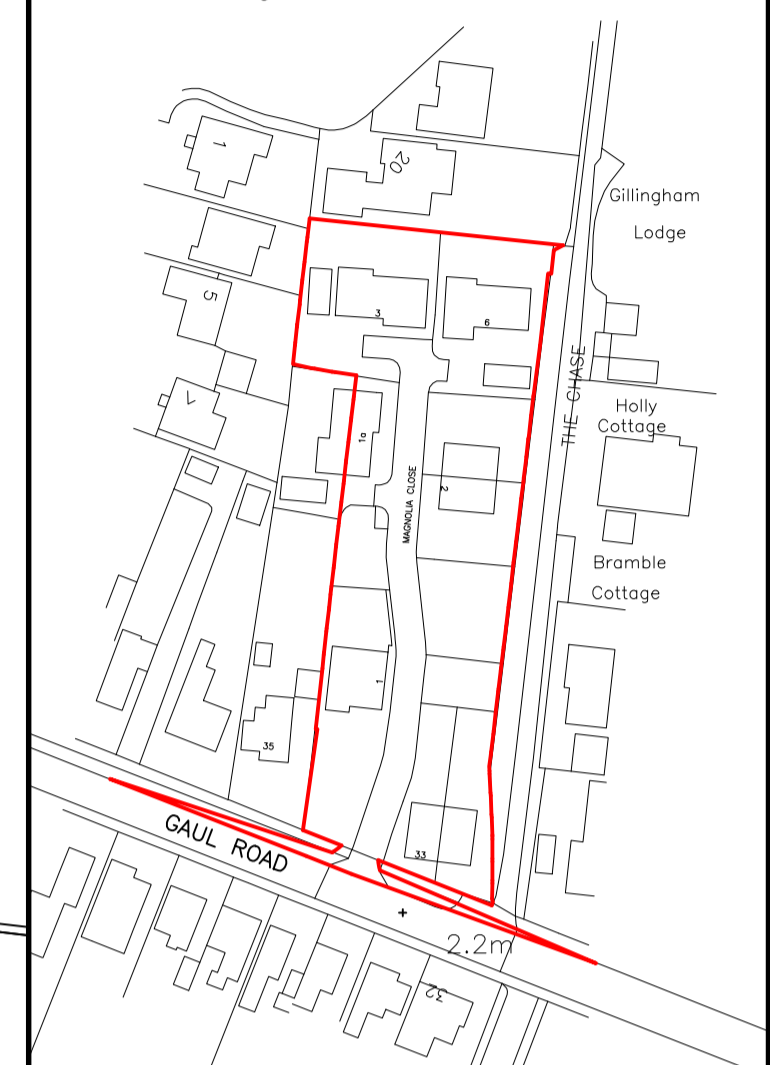
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DRAWN: R.Papworth
 CHECKED:
 DATE: Mar 2022
 SCALE: 1:200

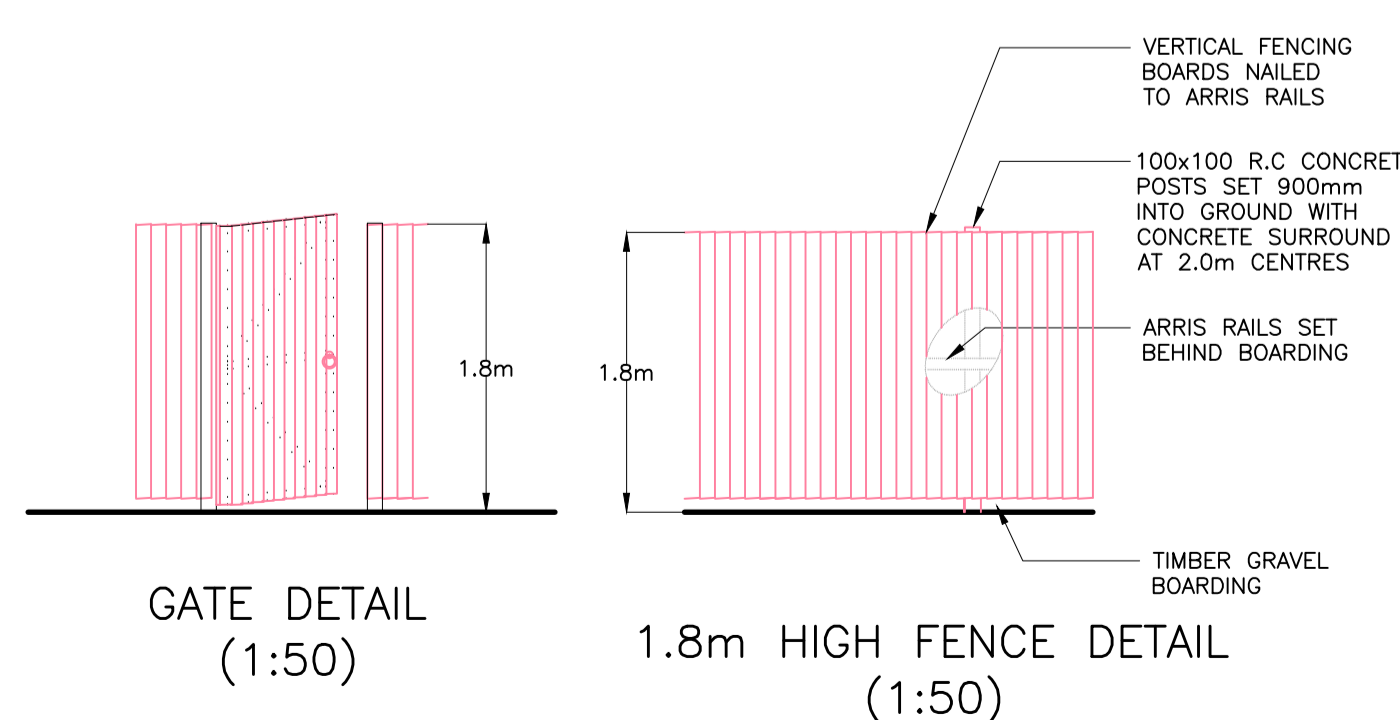
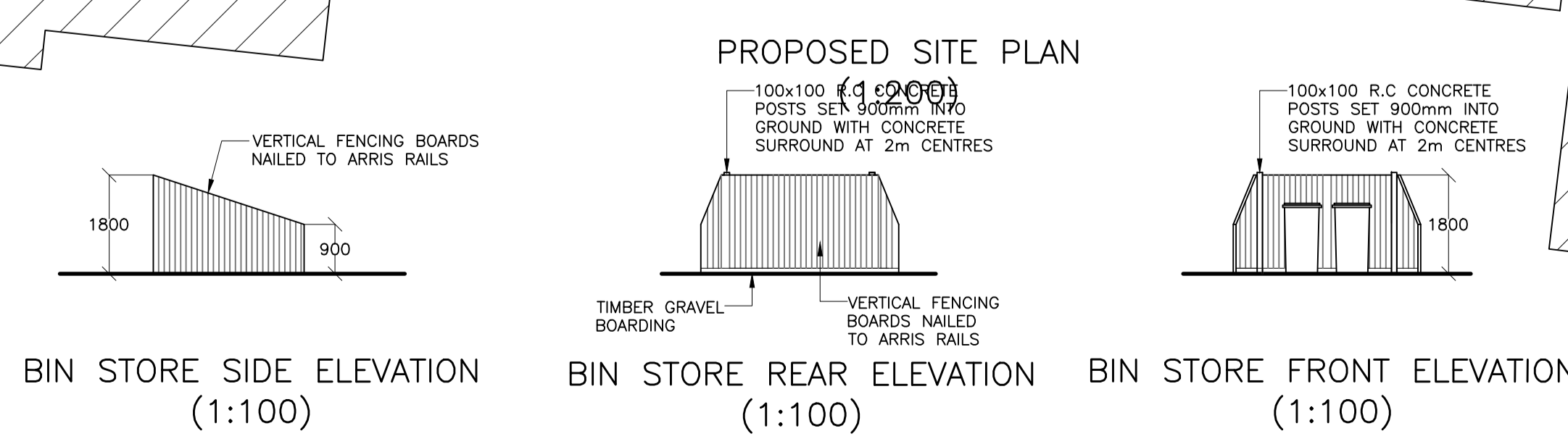
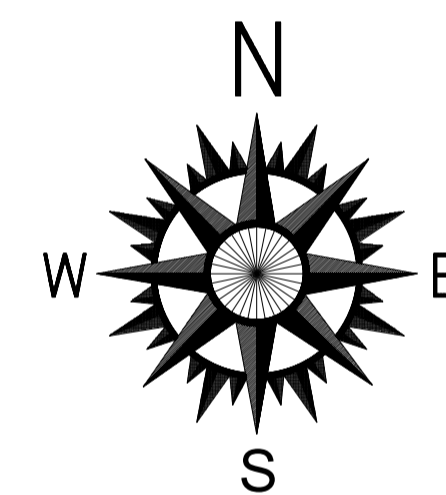
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- LEGEND**
-  CONCRETE BUFF COLOUR SLABS (NON SLIP)
 -  PERMEABLE BLOCK PAVING (NON SLIP)
 -  WASTE BINS
 -  GRASS
 -  VEGETATION
 -  GRAVEL
 -  1.8m HIGH GATE
- 1.8m C.B.F = 1.8m HIGH CLOSE BOARDED FENCE



LOCATION PLAN
(1:1250)
LICENCE NUMBER 100022432



A PLANNERS COMMENTS APR 2022

REVISIONS DATE

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 Building Design Awards
 Building Excellence in Fenland

CLIENT
Millfield Development Ltd

PROJECT
Rear of 33 Gaul Road/
Magnolia Close
March
Cams
PE15 9RQ

TITLE
Proposed Site Plan

DRAWN: R.Papworth
 CHECKED:
 DATE: Mar 2022
 SCALE: As Shown

DATE OF ISSUE:
 DRAWING NUMBER:
 H5835/401a

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F/YR21/1196/F

Applicant: Mr Sewell

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

Land East Of Park House, Gorefield Road, Leverington, Cambridgeshire

Erect 2 x single-storey buildings including the erection of 2.2m high brick wall and gates associated with a building contractors business involving the demolition of an existing workshop building and alterations to the access

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. The application site pertains to an area of land to the east of a grade II* listed building, Park House, (one of only 41 in the entire district) on the north side of Gorefield Road outside the built framework of Leverington. The application site itself falls within the curtilage of the building, and comprises land that at one time was part of the parkland associated with the house.
- 1.2. This application seeks full planning approval for the erection of two buildings, to be used as a store/joinery space warehouse with a separate office building, in association with a building contractors business, facilitated by the demolition of the existing workshop building.
- 1.3. The scheme is considered acceptable with regard to flood risk, residential amenity, ecology, and access/parking subject to the imposition of recommended conditions. However, these matters do not address the material concerns arising with respect to the introduction of a semi-industrial operation within a rural area against Policies LP3 and LP12, resulting in detrimental impacts and harm to the setting of a grade II* listed building and the wider rural character contrary to Policies LP16 and LP18. Whilst it is acknowledged that the application may result in limited economic benefit to an existing business, this is not considered justified in respect of the overall scale and proposed siting of the development and the resultant harm it would cause.
- 1.4. The application does not provide sufficient justification to overcome the fundamental issues in respect of the principle of development, its visual impact, and the resultant harm to a high-grade designated heritage asset, in contravention of the aforementioned policies. As such, this application is recommended for refusal.

2 SITE DESCRIPTION

- 2.1. The application site pertains to an area of land to the east of a grade II* listed building, Park House, on the north side of Gorefield Road outside the built framework of Leverington. The application site itself falls within the curtilage of the building, and comprises land that at one time was part of the parkland associated with the House.
- 2.2. Park House is one of only 41no. grade II* listed buildings in the entire Fenland District. Constructed in circa 1720, it comprises a building of “more than special architectural and historic interest.
- 2.3. The site is currently accessed by a gravel drive off Gorefield Road, which leads centrally to the house before branching to the east to an informal unmade parking/yard area associated with a building contractors business whose trading address is listed as Park House (according to the business website). This area appears to be utilised by employees who appear to leave their private cars before utilising works vans parked at the site overnight to continue their employment away from the site. Upon site inspection, further evidence of miscellaneous equipment associated with a building contractors business, including skips, materials, and machinery were informally positioned within this yard area was apparent. Immediately to the west of this area is an open fronted brick building that also appears to be utilised as storage associated with the building contractors. There does not appear to be any planning records associated with the use of this land or dwelling in respect of a building contractors business, and as such it appears that the use is unauthorised in its current guise.
- 2.4. Beyond this area to the north is an extensive expanse of grassland, bounded by a mature tree belt to the east. Further substantial numbers of mature trees, and a pond are set to the south. These areas to the north and south of the unmade yard, and indeed, the surrounding setting of Park House contribute to the original parkland character of the overall site.

3 PROPOSAL

- 3.1. This application seeks full planning approval for the erection of two buildings, to be used as a store/joinery space warehouse with a separate office building, in association with the building contractors business, facilitated by the demolition of the existing workshop building.
- 3.2. The office building is proposed to be set to the west of the site, is intended to occupy a footprint of approximately 10.2m wide by 14.4m deep, and will include a gable roofline reaching a maximum height of 5.6m to the ridge and 2.5m to the eaves. It is intended to comprise a lobby, office space, separate meeting room, waiting area/kitchen, storeroom and WCs.
- 3.3. The store building is proposed to be set to the east of the site, and will occupy a footprint of approximately 12.4m wide by 35.3m deep, and will include a gable roofline reaching a maximum height of 6.4m to the ridge and 4.5m to the eaves. It is intended to comprise a store area with separate joinery space, facilitated by 3 roller shutter doors to its west side. The

existing storage building is proposed to be demolished once the new store building is erected.

- 3.4. In addition, it is proposed to enclose the compound through the erection of a 2.2m high wall to the northwest corner, with gates erected between the proposed buildings.
- 3.5. The existing access is also proposed to be upgraded to approximately 5m wide, with a tarmac apron to Gorefield road, and the erection of brick piers and gates at the entrance to the site.
- 3.6. 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 pertinent planning history.

5 CONSULTATIONS

5.1. Conservation Officer (FDC) – original comments received 23.11.2021

1. *This application concerns works within the setting of Park House, grade II* listed building in Leverington, including the erection of 2 x single storey buildings (one storage building and one office) and the erection of 2.2m high brick wall and gates for the building contractor compound. At the present time there are 651 listed buildings within Fenland and only 41 of them are grade II*. Only 5.8% of nationally listed buildings fall into this category and these are particularly important buildings of more than special interest.*
2. *Consideration is given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.*
3. *Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021, specifically, paragraphs 195, 197, 199, 200, and 202. The following comments are made:*
4. *Due regard is given to relevant planning history. There is no planning history on the application site itself. There is an application F/0226/87/F for Park House itself, relating to alterations and re-roofing and an application (F/YR11/0258/F and F/YR11/0259/LB for the conversion of the adjacent listed barns to residential dwellings with garages and most recently, F/YR19/0976/F for the formation of a new access and driveway to the adjacent barns.*
5. *A heritage statement has been submitted with the application. The information is insufficient to comply with paragraph 194 of the NPPF and policy LP18 of the 2014 local plan, as it does not correctly assess the*

contribution the setting makes to the significance of Park House and incorrectly states that the development site is outside the curtilage of the listed building, yet it sits within land under the same ownership, not separated by any clear means, and therefore is clearly within the curtilage of the building. Furthermore, the references to paragraph numbers do not relate to the most recent edition of the NPPF.

6. The application is objected to. The following comments are made:

- i. Park House is of circa 1720 with a possibly slightly earlier range at the rear and the list description details the architectural and historic interest of the house. However, a house also sits within its setting and the NPPF defines the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'. The setting of Park House, should therefore be defined and the contribution it makes to the significance of the asset, assessed. It should be noted that a list description is not an assessment of significance, but simply a description, primarily for the purposes of identification.*
- ii. Map research shows that the immediate setting of Park House has altered slightly overtime. The property dates from the early 18th century, and the earliest OS map available online (surveyed 1886, published 1887 at six inch to the mile scale) clearly shows the principal house, associated barns (separately listed), with the historic lake, parkland trees, pathways to the east of the property and a central entrance driveway/path to the front of the house, with a clearly aligned avenue of trees to the rear, with other hedges, banks of trees and ditches, all once forming the immediate setting of the house in a wider landscape setting of enclosed fields. The map may also indicate a parkland wall running to from the corner of the foremost barn, in front of the house and round to the north. Two gate piers topped by ball finials survive to the front elevation attached to a low-level brick wall which also survives and continues a short way to the east of the property, terminating at a bend towards the north (and incorporating a small garden building). By the 1900 OS map (six inch, published 1903) much of that landscape design has disappeared (including the avenue of trees) and by 1925, the wider driveway to the front is formed, replacing the narrow linear path previously indicated, but the size and form of the parkland remains. This would seem to coincide with two fairly short tenures of ownership, with one purchase in 1889 and another in 1919. Further loss of trees occurred into the middle of the 20th century, but it is clear from the historic map regression, that until the sale of the barns, Park House sat in an unchanging rural landscape, being surrounded by open agriculture and informal 'gardens', or parkland in association with its barns and outbuildings.*
- iii. That setting has been eroded by the subdivision of the land and sale of the barns, and their subsequent conversion to residential use, which of*

necessity results in increased hard-standing, garages, bins and cars – all of which contribute towards an impact on the setting of a listed building and therefore on its significance, but Park House retains an open landscape to the front, sides and rear and the historic relationship with the barns can still be read and understood.

- iv. Historic England Guidance on setting (Historic Environment Good Practice Advice in Planning Note 3 (2nd Ed.0) that the policy objectives in the NPPF and the PPG establish the twin roles of setting: it can contribute to the significance of an asset, and it can allow that asset to be appreciated, and that consideration of the contribution of setting to the significance of heritage assets will almost always include consideration of views, but also how views enable the appreciation of the significance of an assets, as well as how views can be related to the appreciation of the wider landscape. In this case, the wider landscape plays a part how the significance of Park House is appreciated, because it places it in its historic landscape context – that of a big house, in its (once designed, but now eroded) park land, which in turn sits in the context of its wider rural landscape. The one would have been designed to visually blend, imperceptibly to the other. These views are currently understood from the road (particularly in winter), as well as from within the site.*
- v. Settings of heritage assets change over time. Understanding this history of change (as described above) helps determine how further development is likely to affect the contribution made by setting to the significance of the asset. Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance, and to a large extent, this is true of Park House. The immediate and surrounding landscapes are relatively unchanged, bar the loss of parkland features and details.*
- vi. Cumulative change however, where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, means that consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. In this case, given the impact on setting from the division of the barns from the ownership of the house, and the associated development arising from their conversion (harm which would have been outweighed by the benefit of bringing vacant buildings back into viable use) the current proposal would result in a further cumulative change which would detract from the current setting.*
- vii. Consideration must also be given to other factors which effect the experience and setting of an asset, such as noise, vibration, dust, mud, busyness, bustle, movement, scents and smells, permeability, patterns of movement, land use, and the impact these can have on a sense of tranquility, light pollution, a sense of either enclosure or openness (depending on the current context of a site), seclusion, privacy, and rarity of comparable survivals of setting (a significant factor given the lack of registered parks and gardens in Fenland, the limited*

*understanding of surviving or partially surviving designed 18th century park lands associated with manor houses of the 'middling sort' and consequently the vulnerability of these sites to development). All of these factors must be considered when assessing the contribution a setting makes to significance, and therefore how that setting (and consequently significance) might be impacted by a proposed development. **It is within this context that this proposal is considered.***

- 7. The proposed development consists of an office building and a store building. The office building is proposed to be 10m x 14m and with a ridge height of 5.6m to the ridge. It is proposed to consist of a large kitchen/waiting area with room for two sofas and a 6-place dining table, a large office, meeting room, store, two w/cs and lobby area.*
- 8. The western wall of the office is proposed to form a boundary to the remaining 'private' area of garden to the house, with a purpose-built wall extending from its north-west corner some distance but without any apparent termination point, such as a pillar and finial, or return to form a walled garden for instance. Furthermore, the wall appears to have square niches at regular intervals, which are not a feature which appear elsewhere in the surviving sections of garden wall.*
- 9. The store building is proposed to be 12m wide x 35m long with a ridge height of 6.3m. The scale and massing of both these buildings is vast, and neither will be screened sufficiently by the brick wall to lessen their visual impact when experienced from within the setting and curtilage of Park House.*
- 10. It is apparent from site photographs that the associated impacts of carrying out commercial works on this site are already affecting the setting of Park House, with large areas of hard standing (resulting in the loss of natural grass and part of the former 'parkland'), numerous cars, storage of materials, machinery and skips (movement, pollution, noise, mud and dust, potential for smells), all serve to negatively impact on the setting of the listed building. The removal of these materials and machinery into a storage building will not necessarily lessen all elements of their impact on the setting of the listed building, and the store building itself will result in a sense of enclosure to the immediate setting and curtilage of Park House, that is uncharacteristic of the site.*
- 11. No explanation has been put forward as to the requirement for the proposed scale of these buildings, or why the office facilities could not, for instance be incorporated into the store. The scale of these buildings is far from 'modest' as put forward by the heritage statement. Public access or lack thereof, is not a factor in determining the impact of a proposal on a listed building as the contribution of setting to significance does not depend on public rights or ability to access it. Therefore, views from the public realm are only one consideration in this case. The buildings will be experienced both from within the immediate curtilage of the listed building (having altered the characteristic of that setting from open grass and former historic parkland, to one of a commercial, semi-industrial yard) and*

from the wider setting, with the store building in particular, competing with the dominance of Park House and again changing the wider perception of Park House within its landscape.

12. *Given that the proposal does not result in the demolition of or any direct harm to the fabric of the listed building itself, the proposal must result in less than substantial harm to its significance and the proposed scheme must therefore be weighed against the public benefits of the proposal. It is put forward by the heritage statement that there are economic benefits to this development, but it does not make clear what those economic benefits are, or how those economic benefits from an existing business with an existing base of works are dependent on the erection of these buildings, at this scale in this location.*
13. *The application does not adequately assess the contribution of the setting to the significance of the listed building (a historic parkland serving a principal manor house, within a wider agricultural landscape, which bar the loss of some designed features, survives relatively intact), and therefore does not correctly assess the impact of the development on that significance and does not clearly indicate that there is a level of public benefit (in addition to ...an existing business) that would outweigh that harm.*
14. *I therefore recommend this application for refusal.*

**5.2. Conservation Officer (FDC) – reconsultation comments received
28.03.2022**

1. *These comments are made in respect of a reconsultation to the above application and are in addition to comments previously made and does not supersede them. Those comments dated 23rd November 2021 assess the significance of the asset affected, including that contributed by its setting, and assesses the impact of the development within that setting on significance in accordance with para 195 of the NPPF and should be referred to now.*
2. *Consideration is given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.*
3. *Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021, specifically, paragraphs 195, 197,199, 200, and 202. The following comments are made:*
4. *A heritage statement has been submitted with the application. Unfortunately, the document still does not adequately assess the contribution the setting makes to the significance of Park House and incorrectly repeats that the development site is outside the curtilage of the listed building. This application relates to curtilage land affecting the setting of the principal dwelling. For the avoidance of doubt, it should be clarified that Park House is a designated heritage asset, not 'in*

accordance with the NPPF' as stated in the heritage statement, but by the Secretary of State and is a designation in law, rather than policy. Finally, the revised heritage statement still references incorrect paragraph numbers of the NPPF and not those of the current 2021 edition.

5. The application is objected to. The following comments are made:

- i. *The revised scheme now indicates substantial brick piers, walls and wrought iron style gates to the main, widened access leading to Park House. No assessment of the impact of these on the significance of Park House has been put forward in the heritage statement, nor any explanation or justification for their presence. They serve to introduce an urban grandeur, and imposing closed off entrance to the site, which currently benefits from an open and welcoming access with the façade of Park House, clearly visible within its rural setting, displaying its 'face' to the locality. These gates would erode that character and visibility. There is no assessment as to why gates are required in this location, especially as gates to the proposed builder's yard are also indicated between the two proposed buildings.*
- ii. *No reduction in the scale of the proposed buildings has been considered, and no justification as to the perceived requirement for such scale has been satisfactorily put forward to provide a public benefit that would outweigh the harm to the setting and significance of the principal dwelling.*
- iii. *It is acknowledged that the current owners are working proactively in the maintenance of grade II* listed Park House and that they have sought the advice of the conservation team in this respect. Such owners are welcome and valued. It is also acknowledged that they are seeking to form a base for their viable business that fits with family life.*
- iv. *However, it does not necessarily follow that the setting of a listed building is an appropriate site for such a business. Where there is harm to the significance of a listed building – and it is assessed that the impact of this proposal amounts to less than substantial harm (an assessment concurred with by the heritage statement) arising from the visual impact of the barns, the change in the experience of the site from a rural setting to a semi-industrial yard, with all associated noise and movement, and the introduction of the gates – this harm must be weighed against public benefits arising from the proposal.*
- v. *Public benefits would include bringing a heritage asset into its optimum viable use. Both the listed house and barns are already in optimum viable use, and there can therefore be no further benefit to these assets arising from this proposal. Great weight must be given to the conservation of an asset, and any use must not only be viable for the owner but for the future conservation of the asset, in accordance with policy guidance.*

- vi. *The outbuildings, if consented, may provide a convenient and viable place of business for the owner, but will result in long-term if not permanent structures, and could possibly detract from the salability of the site in future, should the family and business wish to move on. This may therefore conflict with the aim of securing the future conservation of the asset.*
 - vii. *The conversion and subdivision of the barns formerly associated with Park House does not equate to a justification for the erection of two buildings on such a scale, so wholly out of keeping with the character of the site. Rather it serves to illustrate the harm caused by their sale separate to that of the principal dwelling (albeit and acceptable and justified harm according to law and policy).*
 - viii. *The economic benefits of the business, already exist. They will not arise from this proposal and cannot therefore amount to a public benefit to be weighed against the harm resulting from the scheme.*
 - ix. *Therefore, in strict heritage terms, when assessed against policy and with due regard to the law, it is not felt that there is sufficient public benefit arising from the proposal to outweigh the harm of the proposal.*
 - x. *It follows that the applicants must further illustrate public benefit, justify the requirement for scale and size and/or reduce the harmful impact of the proposal in order to mitigate the concerns raised on heritage grounds.*
15. *I therefore recommend this application for refusal.*
16. *Should the scheme be approved in its current form, conditions should be attached to agree all external materials, maintain for the life of the business any planting required for screening and potentially to ensure the landscape is returned to its former condition if the business ever ceases to operate on site.*

**5.3. Conservation Consultant (East Cambs District Council) –
reconsultation comments received 11.11.2022**

None of the additional information addresses the fundamental conflictidentified in 2021: that the introduction of industrial buildings of this scale in this location is irreconcilable with heritage protection objectives. The planning balance is for others to determine but the proposal entails harm to the setting of Park House, a high grade heritage asset.

**5.4. Cambridgeshire County Council Highways Authority – original
comments received 10.11.2021 (Updated 16.11.2021)**

General location

The site is located remote from a village or town on an unlit rural road, with the likelihood that all trips to the site will be by private motor transport. FDC should consider the location of the site from a general sustainability point of view.

Furthermore, I am concerned that the proposals will result in an increase in turning and stopping movements on an unlit rural road, where the national speed limit applies with an increased risk of accidents.

Access

The access that will serve an office building and B8 development is unacceptable. The width is approximately 3m so unsuitable for two vehicles to pass. Were vehicles to attempt to pass close to the access with Gorefield Road this would lead to conflicts during a turning movement as well as potentially reverse movements off the site. The existing radii of the access with Gorefield Road is sub-standard. This will make turns in and out of the site by HGVs dangerous with the likelihood of vehicles consuming both carriageways of Gorefield Road.

The plans note that there is dense vegetation and trees on both sides of the access and the supporting statement mentions that visibility is good. Although the plans are not showing visibility splays, visibility has been checked on site and is acceptable.

Parking

A gravel parking area is shown but I would recommend that details are provided to show how both cars and HGVs can be accommodated and can adequately turn within the site. The level of parking provision would be expected to meet FDC parking standards.

Based on the above, I object to the proposals.

5.5. Cambridgeshire County Council Highways Authority – reconsultation comments received 23.03.2022

Access

The updated plans have an increase to the access. The width is approximately 5m which is suitable for 2 vehicles to pass. The plans note that there is dense vegetation and trees on both sides of the access and the supporting statement mentions that visibility is good. Although the plans are not showing visibility splays, visibility has been checked on site and is acceptable.

Parking

A gravel parking area is shown but Highways would recommend that details are provided to show how both cars and HGVs can be accommodated and can adequately turn within the site. The level of parking provision would be expected to meet FDC parking standards.

Gate

In the updated plans, there is now a gate approximately 5m from the highway. Private accesses serving multiple dwellings shall be ungated to maintain unfettered access to shared turning and servicing provision.

5.6. **Cambridgeshire County Council Highways Authority – reconsultation comments received 17.11.2022**

General location

The site is located remote from a village or town on an unlit rural road, with the likelihood that all trips to the site will be by private motor transport. FDC should consider the location of the site from a general sustainability point of view.

Furthermore, I am concerned that the proposals will result in an increase in turning and stopping movements on an unlit rural road, where the national speed limit applies with an increased risk of accidents.

Access

The access that will serve an office building and B8 development is unacceptable. The width is approximately 3m so unsuitable for two vehicles to pass. Were vehicles to attempt to pass close to the access with Gorefield Road this would lead to conflicts during a turning movement as well as potentially reverse movements off the site. Please demonstrate of the plan the updated width to ensure 2 vehicles can pass.

The existing radii of the access with Gorefield Road is sub-standard. This will make turns in and out of the site by HGVs dangerous with the likelihood of vehicles consuming both carriageways of Gorefield Road. The radii appear to be the same. Please demonstrate by way of tracking how HGVs will use the access. This is to ensure that the access proposed is suitable for HGV movements.

The plans note that there is dense vegetation and trees on both sides of the access and the supporting statement mentions that visibility is good. Although the plans are not showing visibility splays, visibility has been checked on site and is acceptable.

Parking

A gravel parking area is shown but I would recommend that details are provided to show how both cars and HGVs can be accommodated and can adequately turn within the site. The level of parking provision would be expected to meet FDC parking standards. The updated plans show the previous indicated gravel parking area has parking bays and adequate tracking turning. This is acceptable.

5.7. **Wildlife Officer – original comments received 29.11.2021**

Recommendation:

The application scheme is acceptable but only if conditions are imposed.

Compliance Condition(s):

- 1. Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.*

Reason: To ensure that the proposal remains in line with the Fenland Local Plan.

2. *No removal of nest on building, hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared or building disturbed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.*

Reason: Protected species are a material concern for Local Planning Authorities as per the National Planning Policy Framework and Fenland Local Policy. The disturbance of protected species may be an infraction as described within the Wildlife and Countryside Act 1981.

3. *No external lighting shall be erected that is directed towards the woodland to the east, any lighting installed on the outside of the building in any direction will be baffled in downward direction and follow all guidance within the Guidance Note 8 Bats and artificial lighting (Bat Conservation Trust and ILP, 2018).*

No lighting shall be placed where it could disturb protected species such as bats or nesting birds.

All external lighting shall be installed in accordance with the specifications and locations set out in the guidance, and these shall be maintained thereafter in accordance with the guidance. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To protect the quality of the neighbouring woodland for biodiversity in line with LP19 of the Fenlands local plan.

Assessment/Comment:

The site is entirely grazed agricultural grassland with little to no biodiversity interest unless proven otherwise. The only real concern from a biodiversity perspective is the woodland immediately to the east of the proposed site. While it is unlikely that the construction of this proposal will negatively impact the woodland the ongoing operations on the site, especially relating to lighting may cause negative impact without appropriate mitigation.

A guidance note on how to minimise the potential negative impact of lighting on bats and other protected species has been produced by the Bat Conservation Trust and ILP (<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>). This guidance should be followed when designing any external lighting on the building.

The conditions recommended above aim to protect the potential ecological constraints that are present and ensure that the proposed development will result in a no net loss of biodiversity as a minimum.

It is highly recommended that some native flora is planted as part of this application. Additional trees along the eastern site of the building would be particularly beneficial.

5.8. **Wildlife Officer – reconsultation comments received 13.12.2022**

Recommendation:

The application scheme is acceptable but only if conditions are imposed.

In addition to the conditions imposed previously due to the redesign, additional condition(s) are required.

Pre-commencement Condition(s):

- *Notwithstanding the submitted details, no development shall take place until a scheme for the soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:*
 - *Planting plans to all public areas, retained hedge and trees, species, numbers, size and density of planting;*
 - *Placement, type and number of trees in order to at least replace and account for the loss of the trees the new design will create plus 100% to account for the age of the trees ; and*
 - *Boundary treatments.*

Development shall be carried out in accordance with the submitted details

Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

- *The development hereby permitted shall not be occupied until at least 3 bird boxes and 2 bat boxes have been suitably designed into the scheme in accordance with best practice methodology as set out by the Royal Society for the Protection for Birds and Bat Conservation Trust, evidence of the inclusion of these boxes should be provided to the Local Planning Authority.*

Reason: to secure the long-term protection of the nesting bird potential.

Informative(s):

- *No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.*

Assessment/Comment:

Previously the scheme did not involve the removal of vegetation with any significance to biodiversity. Now the new design will result in the significant loss of trees. An on site survey was completed by myself on the 27th of October which established that none of the trees being removed have any significant bat roosting interest. However none of the trees should be removed during the bird nesting period.

5.9. Environment & Health Services (FDC)

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

I note that the entrance points to the storage unit are on the west elevation, therefore I would recommend that lighting installed on the west façade of the storage unit is angled sufficiently not to impact on the amenities of neighbouring residential properties.

5.10. Anglian Water Services Ltd

We have no objection subject to the following condition:

Condition:

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

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

5.11. Environment Agency

We have reviewed the above application and it is considered that there are no Agency related issues in respect of this application and therefore we have no comment to make.

5.12. Leverington Parish Council

Council observation: Council's only concern is the use of barbed wire adjacent to Gorefield Road.

5.13. Local Residents/Interested Parties

9 letters of support received for the scheme from 5 address points within Gorefield and Leverington. Four of the received letters were direct duplications (comprising two separate pairs), but each were signed by different residents.

Reasons for support included:

- Will support an existing business to flourish;
- Improved site security;

- Improved overall appearance with storage contained within the building(s);
- No concerns with the volume of traffic or the suitability of the access;
- Design is appropriate for the requirement and setting;
- Suitable screening to avoid impacts to the street scene;
- Sufficiently distanced from Park House to not cause impact;
- Creation/retention of jobs; and
- Will be of benefit to the community.

6 STATUTORY DUTY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).
- 6.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

7 POLICY FRAMEWORK

7.1. National Planning Policy Framework (NPPF) July 2021

Para 47 – Applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise;

Para 81 – Planning decisions should help create the conditions in which businesses can invest, expand and adapt.

Para 84(a) – Planning decisions should enable the sustainable growth and expansion of all types of business, through conversion of existing buildings or well-designed new buildings

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.

Para 126 – Good design is a key aspect of sustainable development;

Para 130(c) – Planning policies and decision should ensure developments are sympathetic to local character and history;

Para 174 – Planning decisions should contribute to and enhance the natural and local environment

Section 16 – Conserving and enhancing the historic environment

7.2. National Planning Practice Guidance (NPPG)

7.3. National Design Guide 2019

C1 – Understand and relate well to the site, its local and wider context

I1 – Respond to existing local character and identity

H1 – Healthy, comfortable and safe internal and external environment

H2 – Well-related to external amenity and public spaces

L1 – Well managed and maintained

7.4. **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP6 – Employment, Tourism, Community Facilities and Retail
LP12 – Rural Area Development Policy
LP14 – Responding to Climate Change and Managing the Risk of Flooding
LP15 – Facilitating the Creation of a More Sustainable Transport Network
LP16 – Delivering and Protecting High Quality Environments
LP18 – The Historic Environment
LP19 – The Natural Environment

7.5. **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy
LP3 – Spatial Strategy for Employment Development
LP7 – Design
LP15 – Employment
LP18 – Development in the Countryside
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP23 – Historic Environment
LP24 – Natural Environment
LP28 – Landscape
LP32 – Flood and Water Management

8 **KEY ISSUES**

- **Principle of development**
- **Visual amenity and impact on heritage assets**
- **Parking and access**
- **Impact on residential amenity**
- **Ecology**
- **Flood risk**

9 **ASSESSMENT**

Principle of development

- 9.1. The application site is located on land associated with the Grade II* listed Park House, approximately 200m west of the built framework of Leverington and set within an area of sporadic residential development. As such the site is considered to fall within an 'Elsewhere' location, as set out within the Settlement Hierarchy in Policy LP3. Development in 'Elsewhere' locations will be restricted to that which is *demonstrably essential* to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. This proposal is for a building contractors

business, which does not fall within the aforementioned categories. As such, the proposal is considered contrary to Policy LP3.

LP6/LP12 Considerations

- 9.2. Policy LP6 identifies that employment proposals will be assessed against a number of selection criteria these include site suitability (location, physical constraints, impacts), spatial fit, accessibility, availability and deliverability. LP6 further identifies that *'the rural economy will be supported by allowing appropriate proposals that meet the criteria as set out in Policy LP12'*.
- 9.3. Policy LP12 Part A states that proposals for development will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Proposals are required to meet the applicable policies in respect of the Settlement Hierarchy (LP3) as well as other criteria including that the site is in or adjacent to the developed footprint of the settlement (which does not include individual buildings or groups of buildings that are clearly detached from the continuous built form of the settlement), it would not have an adverse impact on the character and appearance of the surrounding countryside; and the site retains and respects ecological or heritage features.
- 9.4. It is clear that the site falls outside the built form of Leverington and therefore fails to achieve the initial requirement of Policy LP12 in that the proposal is contrary to Policy LP3. Notwithstanding, consideration should be paid to the relevant criteria of Policy LP12 part A, to qualify the principle of the proposed development in this location.
- 9.5. The site is positioned on land associated with Park House, that, alongside earlier barns and outbuildings that have since been subdivided from the host dwelling, sits within a group of buildings disassociated from the continuous built form of Leverington. Thus, development on this site would not meet the requirement of LP12 Part A that requires development to be in or adjacent to the developed footprint of the settlement.
- 9.6. The proposal seeks to introduce a semi-industrial development into land associated with Park House that will enclose and erode the open character of the former parkland site, resulting in a detrimental impact to the character and appearance of the area, contrary to further criteria of LP12 Part A. This matter is discussed in more detail below.
- 9.7. Finally, and perhaps most importantly, the proposed development will result in harm to the 'more than special' designated heritage asset of Park House, a grade II* listed building (further discussed below). Thus, the proposal cannot be considered to respect this important local heritage feature.
- 9.8. Thus, the requirements relating to Policy LP3 and of LP12 Part A have not been met and as such the principle of development of the site is not supported as the proposal constitutes unsustainable and arguably harmful development in a rural location adjacent to a high grade heritage asset. There are no material considerations brought forth that would justify the scale and siting of the scheme at the application site.

- 9.9. The DAS justifies the site for the proposed development by stating that “*a large amount of land is required to accommodate the business, the scale of which cannot be found elsewhere within the core settlement of Leverington as defined by Policy LP12.*” However, the main focus of Local Plan Policy LP6 is to create or retain employment land around the four main market towns of Wisbech, March, Chatteris and Whittlesey, focusing on the appropriate provision of land for industrial, office and warehousing uses in sustainable locations to meet the needs of businesses.
- 9.10. Notwithstanding, the submission did not include any evidence that alternative sites within the settlement of Leverington, or more preferably in one of the four main market towns elsewhere in the district, had been considered or discounted (with reasons) to support its non-compliance with the wider aims of Policy LP6 or the NPPF.
- 9.11. Therefore, whilst it is acknowledged that the proposed development may offer benefit in terms of economic growth of an existing business (albeit seemingly operating within an unauthorised location currently) with limited increase to local employment levels, this does not outweigh the fundamental issues in respect of the unacceptable principle of such a development in this location in respect of Policies LP3, LP6 and LP12 as considered above.

Visual amenity and impact on heritage assets

- 9.12. Policy LP16 refers to development making a positive impact to local distinctiveness and the character of the area and amongst other things should not have an adverse impact on landscape character. It is also a core planning principle in the NPPF that recognises the intrinsic value of the countryside; therefore, consideration needs to be given to any harm caused.
- 9.13. In addition, consideration must be given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building *or its setting* or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the requirements of Section 16 of the NPPF, and Policy LP18 of the Fenland Local Plan.
- 9.14. The application site was once part of the parkland associated with the building and still retains a significant parkland character comprising grassland with open views to the north, a substantial tree belt to the west and further trees and water bodies to the south. To the west stands the host dwelling, Park House, a grade II* listed building.
- 9.15. The current use of the land is as surface level parking and an informal storage area associated with the building contractor’s business. The proposal seeks to erect two large semi-industrial buildings along with the erection of a 2.2m high wall to form a compound with parking/turning areas, and substantial gates to the entrance of the site off Gorefield Road.
- 9.16. The proposed office and separate storage buildings, whilst technically single storey, will reach approximate heights of 5.6m and 6.4m respectively and will comprise significant footprints – with the overall width of the development at

approximately 32m, enclosed by the erection of 2.2m walling. The buildings themselves are intended to be constructed of materials conducive to rural outbuildings, utilising timber cladding, metal corrugated roofing and some brickwork.

- 9.17. Whilst it is accepted that the main area of development will be set back from Gorefield Road by approximately 58m and will be, in part, screened by the existing vegetation to the south of the site, the proposal will result in a significant scale of enclosed semi-industrial development within an area that currently contributes to the overall setting of Park House through its vegetation, openness and tranquillity; notwithstanding its specific design.
- 9.18. The advice of the Council's conservation advisors is that the introduction of industrial buildings of this scale in this location is irreconcilable with heritage protection objectives. The proposal is considered, owing to its siting being wholly out of keeping with the character of the area, to result in harm to the setting of Park House, the public benefits of which would not outweigh this harm.
- 9.19. In addition, the site currently benefits from an open and welcoming access with the façade of Park House, clearly visible within its rural setting, displaying its 'face' to the locality. The proposal to include substantial brick piers, walls and wrought iron style gates to the main access leading to Park House, will serve, primarily to introduce an urban grandeur, and result in an imposing closed off entrance to the site. These gates would erode the existing open character and visibility of Park House within the street scene. The application offers no justification as to why these main gates are required in this location, especially as a sliding gate is indicated further along the access, with yet a further gate proposed between the two intended buildings as entrance to the enclosed compound.
- 9.20. Ultimately, the detrimental visual impact of the proposed development cumulatively along with the resultant harm to the setting of the high grade heritage asset of Park House, is a matter more attributed to the inappropriate siting of semi-industrial development in this location (which bolsters the concern of the unacceptable principle of development discussed above), as opposed to matters that could be resolved through the design of the scheme.
- 9.21. Therefore, the proposal is considered unacceptable in respect of Policy LP16 & LP18 of the Fenland Local Plan.

Parking and access

- 9.22. The scheme proposes alterations to the existing site access and the creation of additional parking/turning areas to serve the proposed development. The existing gravel access, off Gorefield Road, is currently approximately 3.3m wide and serves Park House before branching to the west and east to serve the remainder of the site. The main access drive is proposed to be widened to approximately 5m, with a tarmac apron to a set of main entryway gates set approximately 10m beyond the highway edge. Beyond this to the east, the access is proposed to incorporate a further sliding gate as entrance to the parking area to the south side of the proposed buildings. A further gate

will be set within a 2.2m high wall between the buildings to a rear compound with a further parking area.

- 9.23. According to the required parking standards for specific developments, set out within Policy LP15, the proposed buildings should provide parking as follows:

	Required parking (in respect of floor area)
Office building	4 spaces
Storage building	10 spaces
Total parking requirement	14 spaces

The submitted plans suggest a total of 16 parking spaces to be provided, including 1 accessible space and 2 EV charging spaces. As such, the proposed parking provision will be acceptable in respect of the intended development. In addition, the plans offer vehicle tracking plans to suggest that most vehicles will have sufficient space within the site to ensure entry/exit in a forward gear.

- 9.24. The existing access is insufficient in width to allow for two-way vehicle movements, however the proposal does include widening of the access to 5m, which should allow sufficient room for standard sized vehicles to pass. However, the proposed use of the site to facilitate a building contractors business and the size of vehicles that are likely to visit the site, such as rigid vehicles or HGVs should be considered. It does appear, however, that the proposed widened access is likely to be of sufficient width to accommodate these types of vehicles. In respect of the suitability of the turning arrangements, concern was raised by CCC Highways (LHA) in their most recent consultation response in respect of HGV movements within the site, requesting that a tracking plan for such vehicles was submitted for further consideration. This was put to the applicant, however a revised plan was not put forward by the applicant for consideration. The applicant rebutted the LHA comments as follows:

Access – It is very unlikely that two vehicles will need to pass at the access. The only people coming and going will be office staff, who will be arriving and leaving together at the same time each day. Any other visits will be scheduled deliveries or appointments.

HGVs will not be required to use the access as these do not attend the site.

The submitted transport statement appears to corroborate these claims.

- 9.25. The LHA comments also resolved that the existing access visibility is likely to be acceptable.
- 9.26. Matters with respect to the sustainability and suitability of the site for its intended use were raised by the LHA, stating:

The site is located remote from a village or town on an unlit rural road, with the likelihood that all trips to the site will be by private motor transport. FDC should consider the location of the site from a general sustainability point of view.

Furthermore, I am concerned that the proposals will result in an increase in turning and stopping movements on an unlit rural road, where the national speed limit applies with an increased risk of accidents.

These concerns clearly are raised with respect to the principle of such a development within this location (which again bolters the concerns in respect of such matters as discussed above), however specific objections in respect of highway safety were not put forward by the LHA. Therefore, given the technical details in respect of access width, visibility and parking arrangements have been satisfactorily addressed, it is considered unreasonable to justify a refusal of the scheme on the basis of highway safety in this case.

Impact on residential amenity

- 9.27. The nearest dwellings to the application site are within the cluster of dwellings to the west of the site, including those within Park House who stand to be most impacted. The proposed development will be situated approximately 29m east of Park House, with the nearest building being that of the proposed office. The proposed storage/workshop building will be set approximately 49m away.
- 9.28. The proposed separation will result in limited impacts in respect of overlooking, overshadowing or overbearing to nearby residential development. Furthermore, consultations with the FDC Environmental Health team suggest that the proposal is unlikely to result in unacceptable amenity impact in respect of air quality or noise nuisance. Conditions were recommended in respect of the position and angle of any external lighting proposed to limit light pollution.
- 9.29. Thus, it is considered that the proposal is acceptable in respect of Policies LP2 and LP16 owing to its limited impact to residential amenity, subject to conditions.

Ecology

- 9.30. The site benefits from a significant number of mature trees, nearby water bodies and vegetation, which all contribute to local wildlife habitats and contribute to the intrinsic character of the site. The proposals will see the removal of some trees to facilitate the development, and the demolition of an existing storage building.
- 9.31. Consultations with the PCC Wildlife Officer in respect of the scheme resulted in no objections, subject to the imposition of conditions to protect the potential ecological constraints that are present and ensure that the proposed development will result in a no net loss of biodiversity as a minimum, and to ensure the development complies with Policy LP19.

Flood risk

- 9.32. Part of the existing access and the southern fringes of the application site are located within Flood Zone 2, however the predominate development area is situated within Flood Zone 1. Issues of surface water drainage will be subject to building control regulations. As such, the proposal results in no issues to reconcile with respect to Policy LP14.

10 CONCLUSIONS

- 10.1. The scheme is considered acceptable with regard to flood risk, residential amenity, ecology, and access/parking subject to the imposition of conditions. However, these matters do not address the material concerns arising with respect to the introduction of a semi-industrial operation within a rural area against Policies LP3 and LP12, resulting in detrimental impacts and harm to the setting of a grade II* listed building and the wider rural character contrary to Policies LP16 and LP18. Whilst it is acknowledged that the application may result in limited economic benefit to an existing business, this improvement is not considered justified in respect of the overall scale and proposed siting of the development and the resultant harm it would cause, merely appearing as a proposal of convenience as opposed to a functional need.
- 10.2. The application includes insufficient evidence to overcome the fundamental issues in respect of the principle of development, its visual impact, and the resultant harm to a high-grade designated heritage asset and these issues cannot be overcome through design changes or other mitigation measures. As such, this application is recommended for refusal.

11 RECOMMENDATION

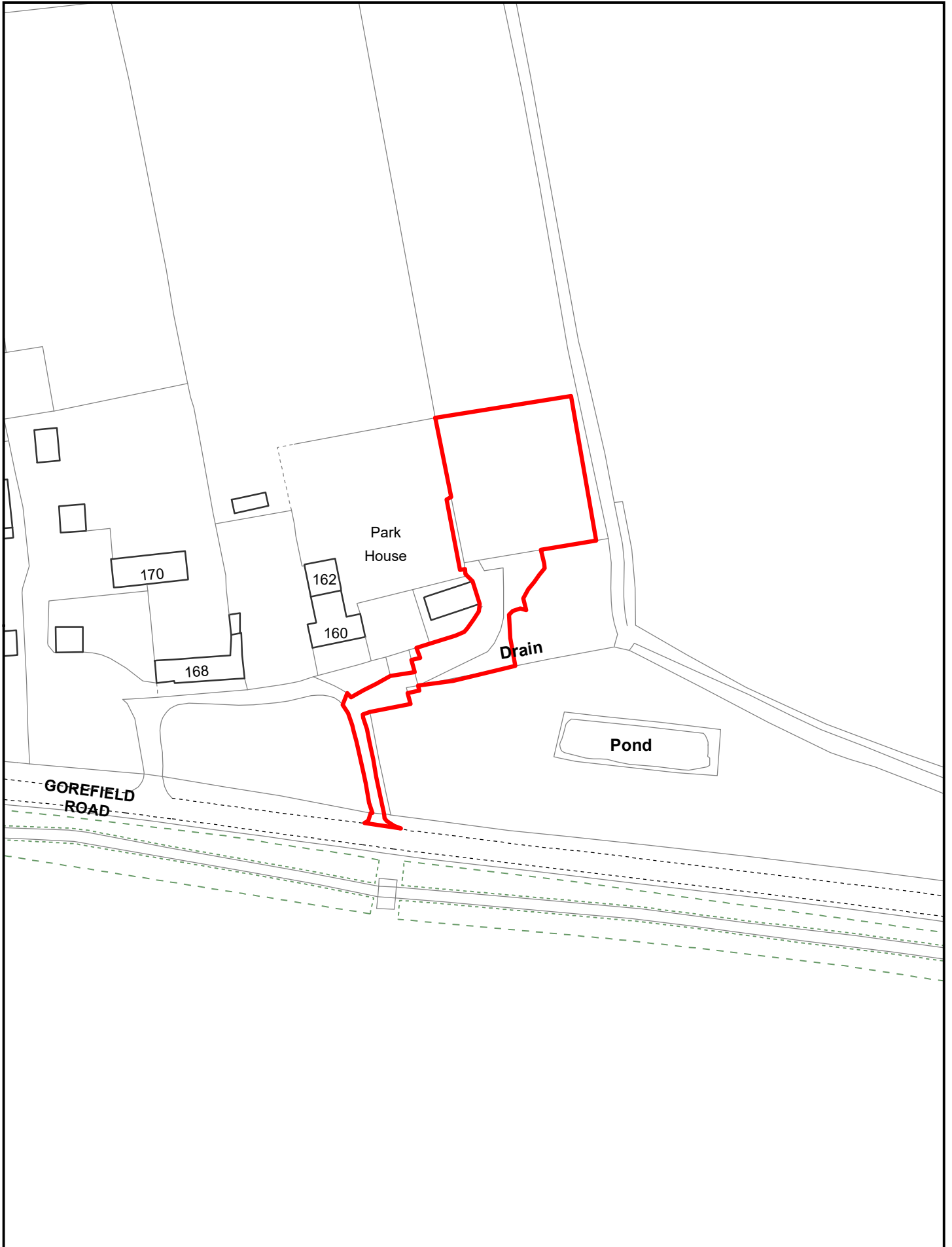
Refuse, for the following reasons;

Reasons

1	Policy LP3 of the Fenland Local Plan 2014 supports development in the open countryside ("Elsewhere") where it is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. The proposal has not demonstrated that the development is essential for any of the operations as identified in LP3 and therefore would result in a semi-industrial development in an unsustainable location. The development therefore does not comply with the requirements of Policy LP3.
2	Policy LP6 seeks to support the rural economy by allowing proposals that meet the criteria of as set out in Policy LP12. Policy LP12 Part A states that proposals for development will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Proposals are required to meet the applicable policies in respect of the Settlement Hierarchy (LP3) as well as other criteria including that the site is in or adjacent to the

	<p>developed footprint of the settlement; it would not have an adverse impact on the character and appearance of the surrounding countryside; and the site retains and respects ecological or heritage features.</p> <p>By virtue of the location of the site, away from the built form of Leverington, the resultant detrimental impact on the openness of the rural character, and the harm caused by the introduction of semi-industrial development within the setting of a grade II* listed building, the proposal is in contravention of the aforementioned policies and cannot be supported.</p>
3	<p>Policy LP16 (d) of the Fenland Local Plan (2014) and Policy DM3 of Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area, enhancing its setting, responding to and improving the character of the local environment, reinforcing local identity and not adversely impacting in design or scale terms on the street scene, settlement pattern or landscape character of the surrounding area.</p> <p>The proposal is for the construction of a two large scale semi-industrial buildings to create a building contractors compound along with associated walls and gates, located on currently open land that contributes to the setting and character of the adjacent grade II* listed building and the rural character of the area generally. Such a proposal in this position would increasingly urbanise this area by virtue of the introduction of an incongruous semi-industrial use into an otherwise rural residential setting and would detrimentally impact the countryside setting by enclosing a spacious area of former parkland, resulting in erosion of the overall character of the area. The proposal would therefore be contrary to the requirements of Policy LP16 (d) of the Fenland Local Plan (2014) and Policy DM3 of Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document (2014).</p>
4	<p>Policy LP18 of the Local Plan requires that development proposals describe and assess the significance of any heritage asset, identify the impact of proposed works on its character and provide justification for those works, especially if they would harm the setting of the asset. Furthermore, paragraph 200 of the NPPF states Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. By virtue of the harm caused by the</p>

	<p>introduction of an inappropriate semi-industrial development within land that contributes to the overall setting of a grade II* listed building and the lack of sufficient justification relating to public benefits that may outweigh this harm, the proposal is therefore in contravention of the aforementioned Policies and should be refused.</p>
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F/YR21/1196/F

Scale = 1:1,250



General Notes
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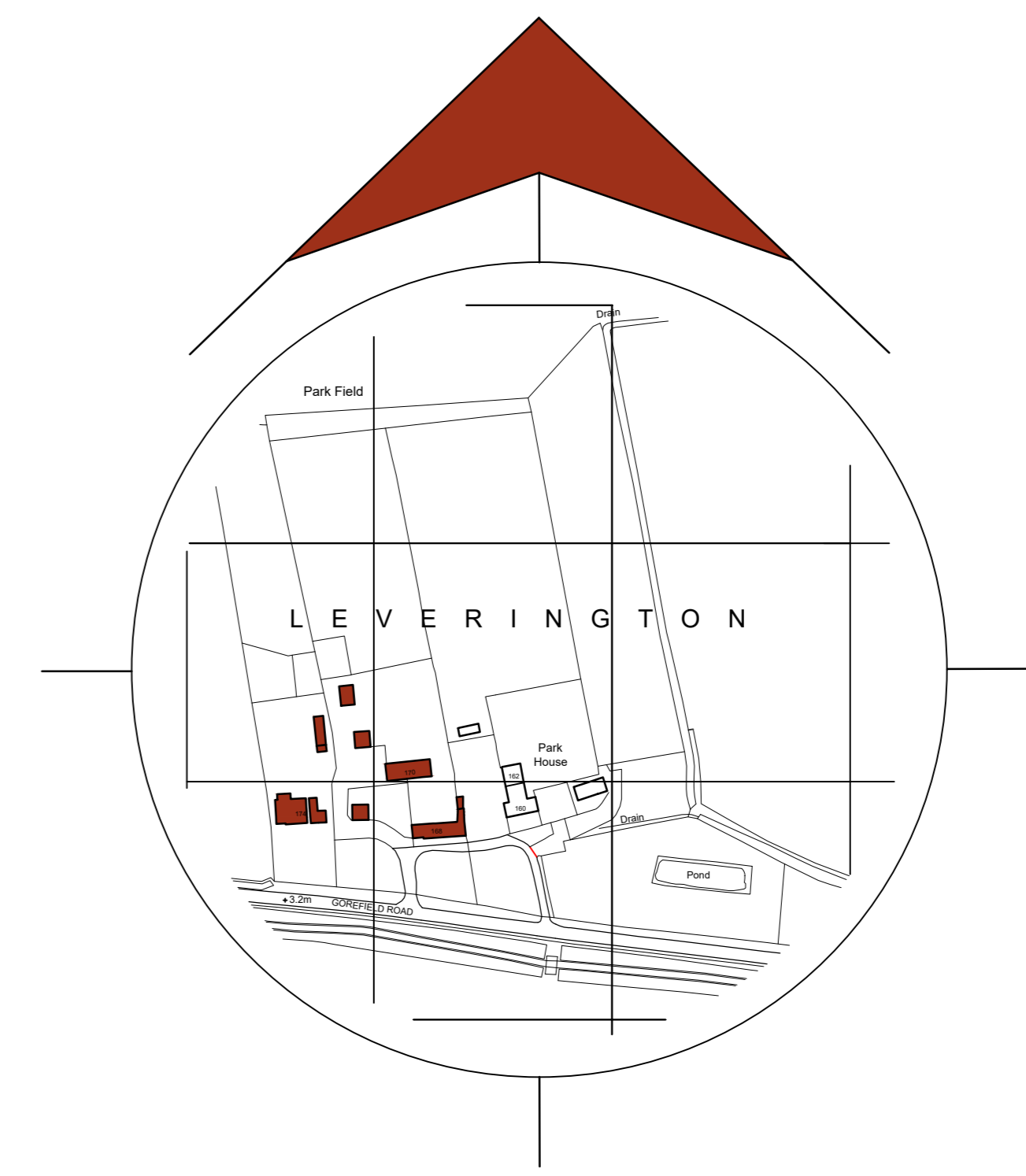
C01 Overhead Cable / Telegraph Pole



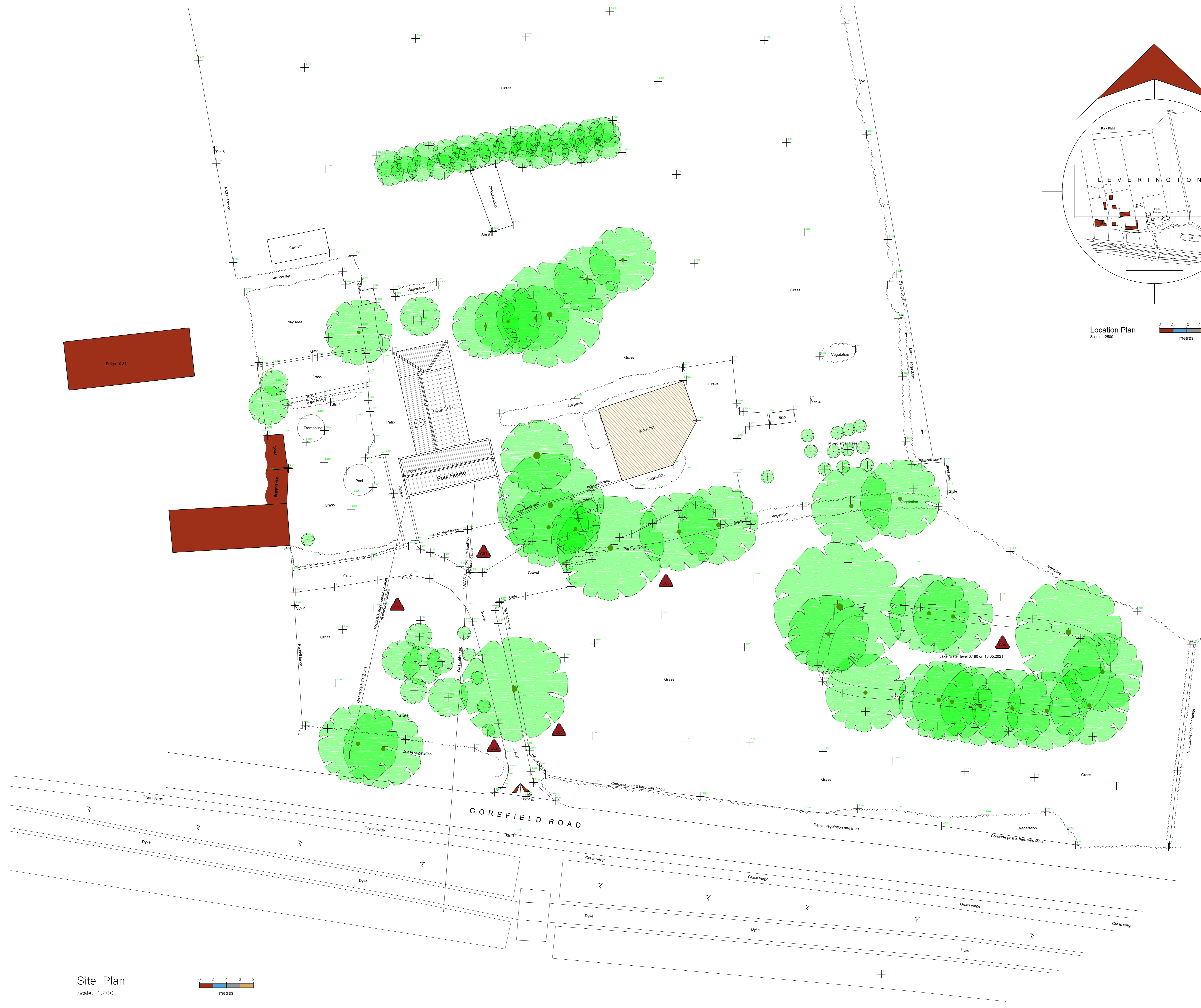
C02 Tree Canopy



C03 Pond



Location Plan
 Scale 1:2500
 0 25 50 75 100 metres



SITE PLAN KEY

- Existing building - pitched roof
- Indicates approximate position of on-surveyed buildings on site
- Indicates approximate position of on-surveyed buildings taken from OS-map
- Existing site access
- Existing site levels
- Existing trees
- Existing hedging

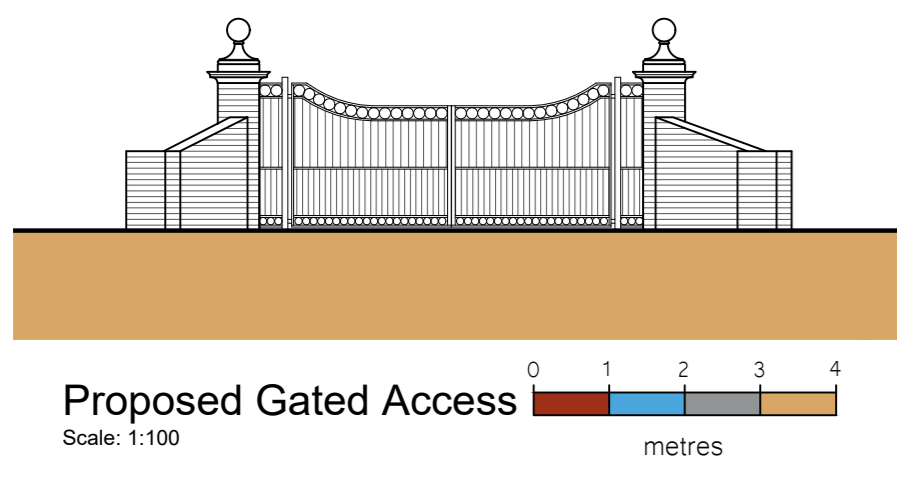
Revisions	
A	Sept 2022 Changes Following Internal Meetings

AS EXISTING

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Proposed Builder	Store & Office	May 2021	Drawn by CW
For: Mr. Sewell	Checked by GE		
Drawn: TFE	Checked: AD		
Site Plan & Location Plan	Revision A		

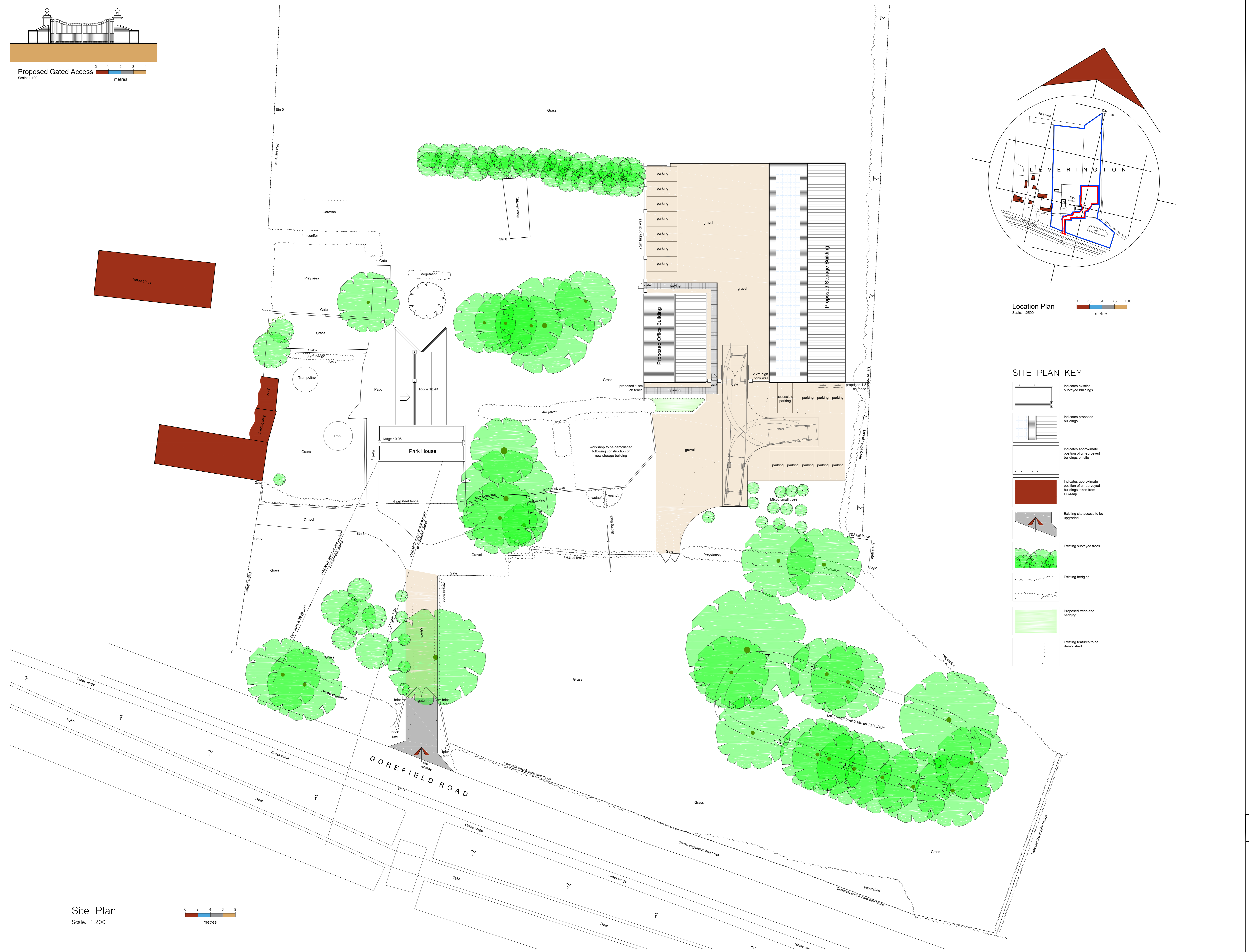
Site Plan
 Scale: 1:200
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SITE PLAN KEY

- Indicates existing surveyed buildings
- Indicates proposed buildings
- Indicates approximate position of unsurveyed buildings on site
- Indicates approximate position of unsurveyed buildings taken from OS-Map
- Existing site access to be upgraded
- Existing surveyed trees
- Existing hedging
- Proposed trees and hedging
- Existing features to be demolished

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Revisions		
A	Mar 2022	Changes Following Planning Comments
B	Apr 2022	Changes Following Planning Comments
C	Sept 2022	Changes Following Internal Meetings
D	Sept 2022	Removal Of Existing Workshop

FOR APPROVAL

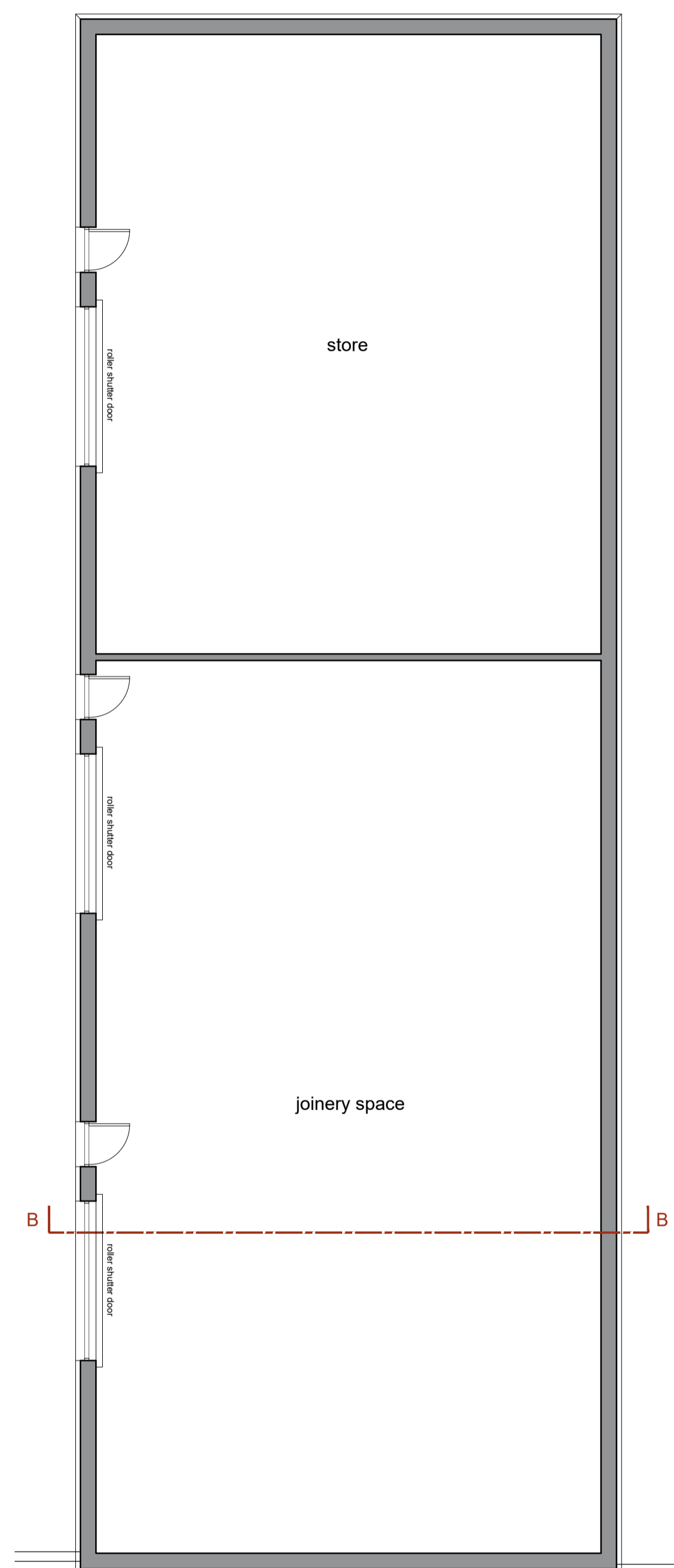
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 t: 01545 450534 e: info@swannedwards.co.uk w: www.swannedwards.co.uk

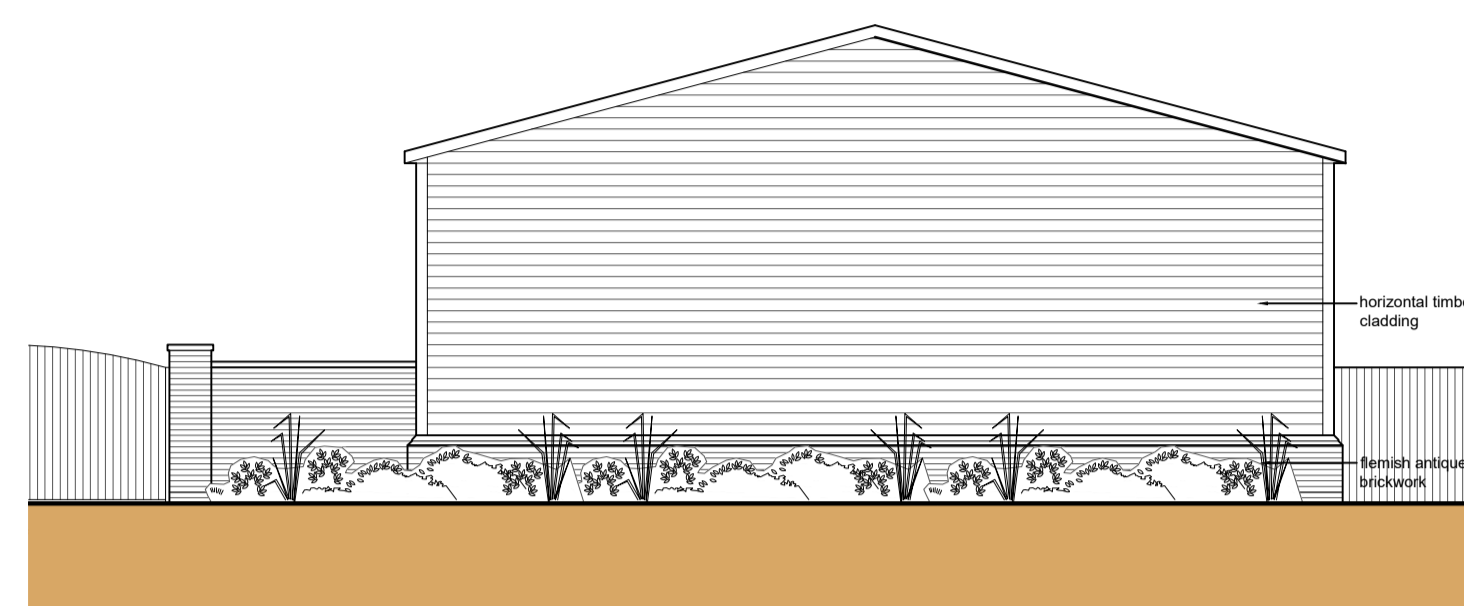
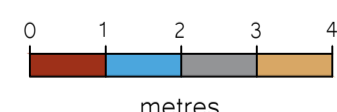
Job Title Proposed Builder Store & Office Park House, Gorefield Road Leverington For: Mr. Sewell	Drawn by JRB Checked by GE
Drawing Title Planning Drawing Site & Location Plan	Sheet Size A0 Revision D
Date July 2021	Job No. SE-1636
Drawn by JRB	Checked by GE
Job No. SE-1636	Revision D
Drawing Title Planning Drawing Site & Location Plan	Sheet Size A0 Revision D

Site Plan
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metres

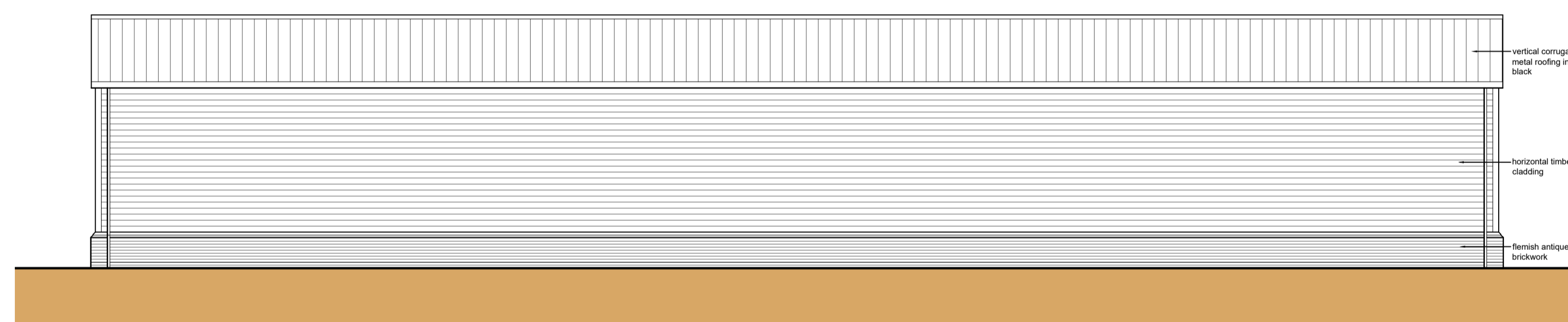
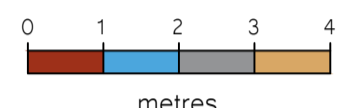
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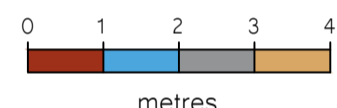
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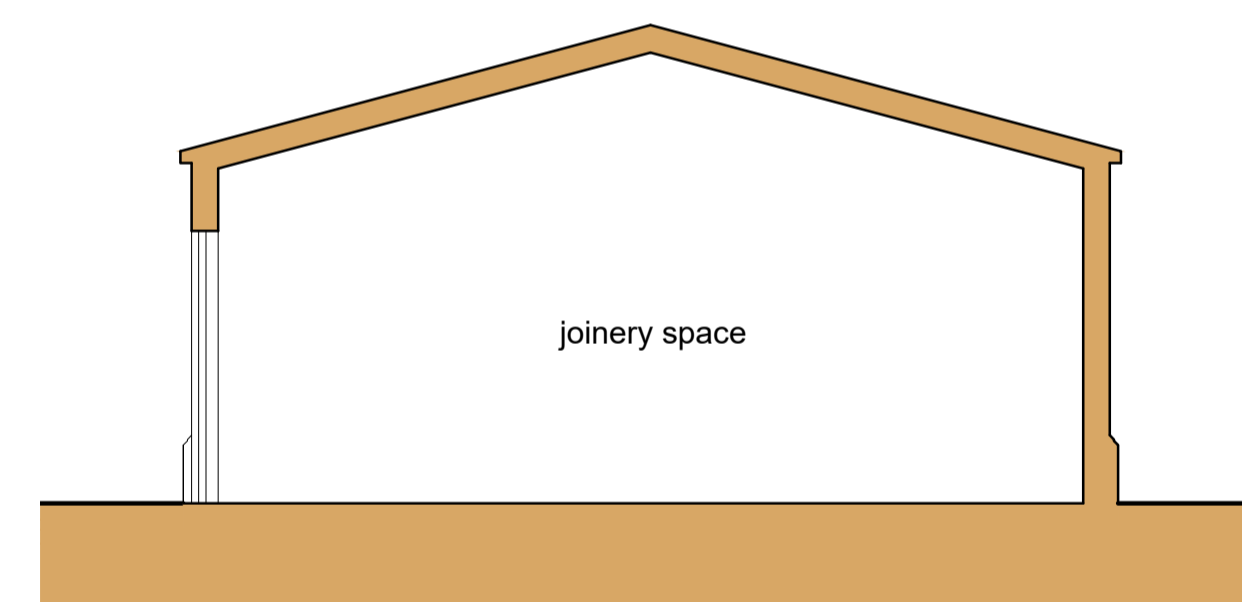
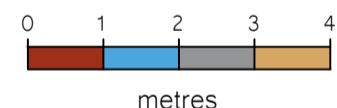
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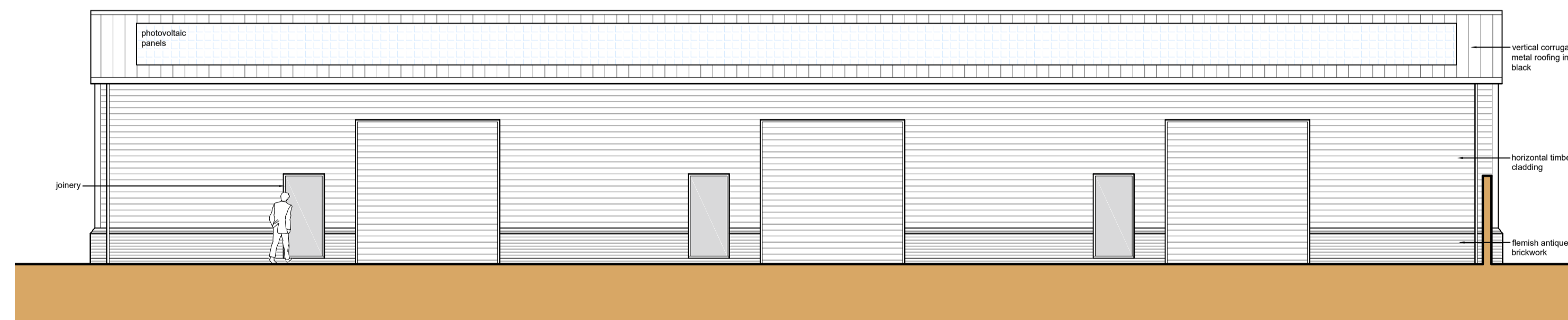
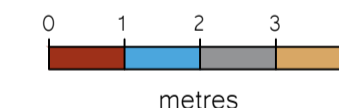
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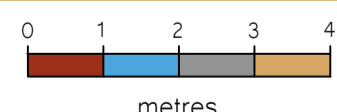
Rear Elevation (N)
Scale: 1:100



Section B-B
Scale: 1:100



Side Elevation (W)
Scale: 1:100



Revisions		
A	Oct 2021	Changes Following Planning Comments
B	Mar 2022	Changes Following Planning Comments
C	Sept 2022	Changes Following Internal Meetings

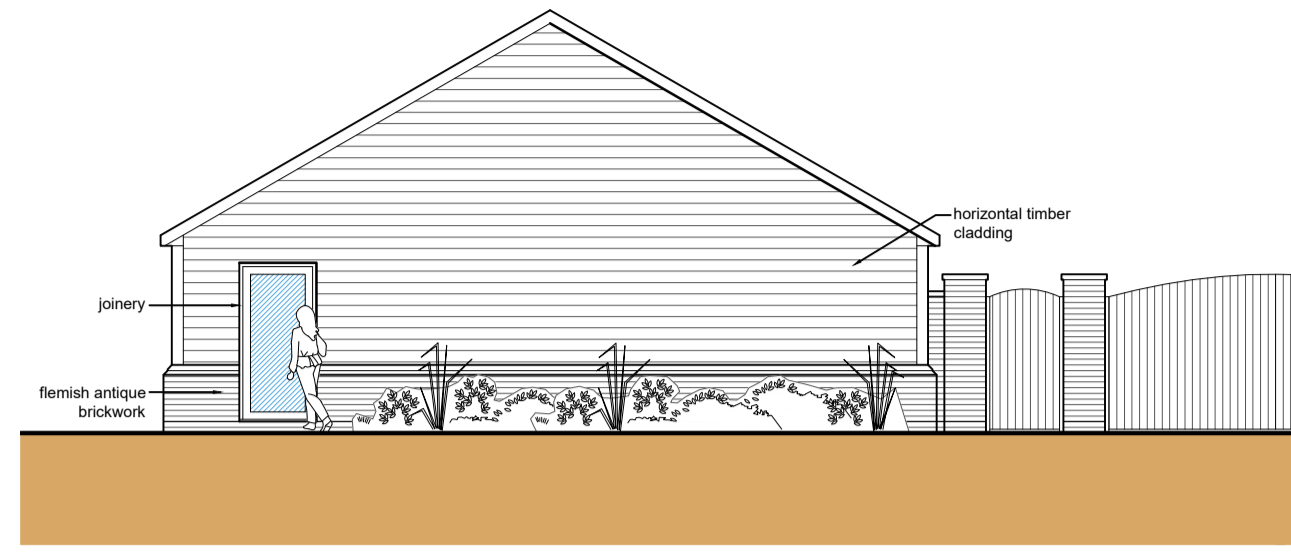
Status
FOR APPROVAL

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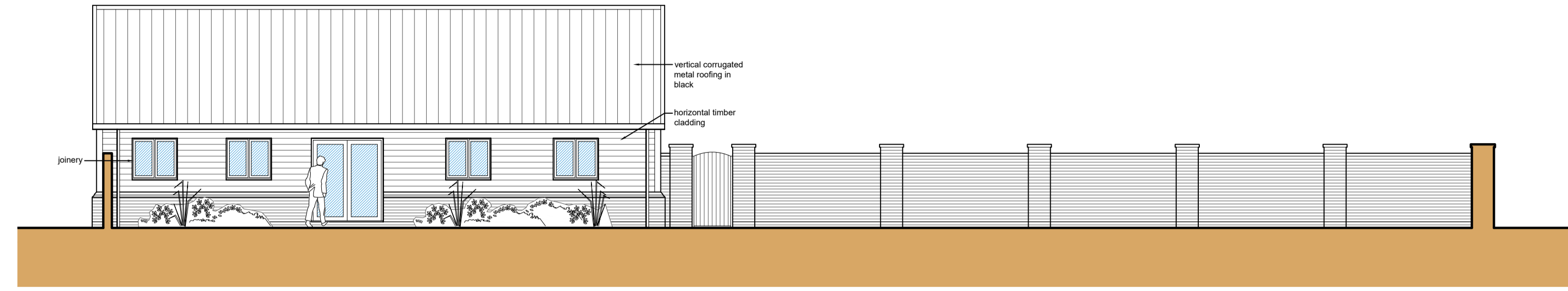
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t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Proposed Builder Store & Office Park House, Gorefield Road Leverington For: Mr Sewell	Job Title	Date	Drawn by
		July 2021	JRB
Drawing Title Planning Drawing Store Floor Plan, Elevations & Section	Checked by	Job No.	Sheet Size
	GE	SE-1636	A1
	Dwg No.	Revision	
	PP1101	C	

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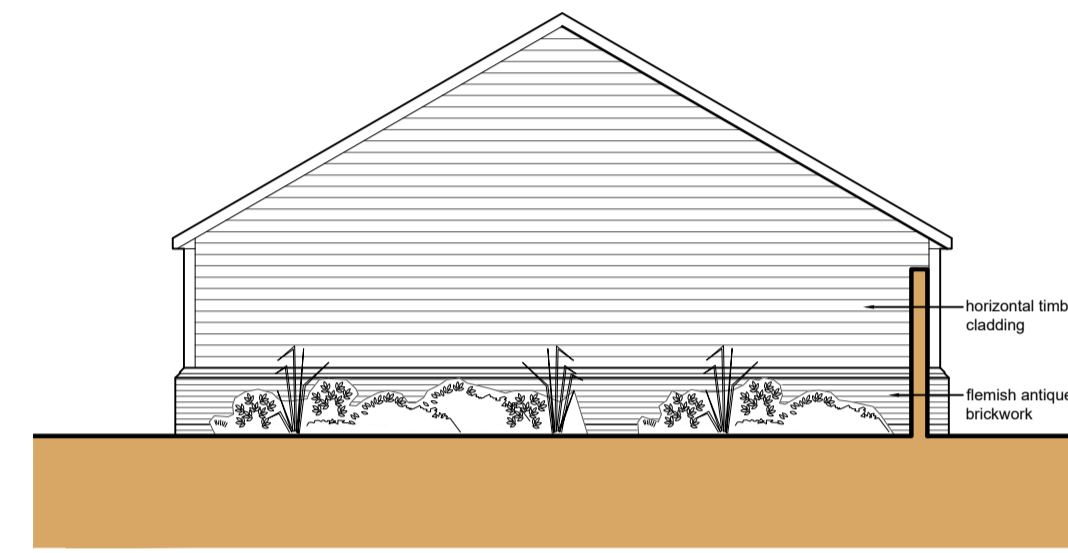
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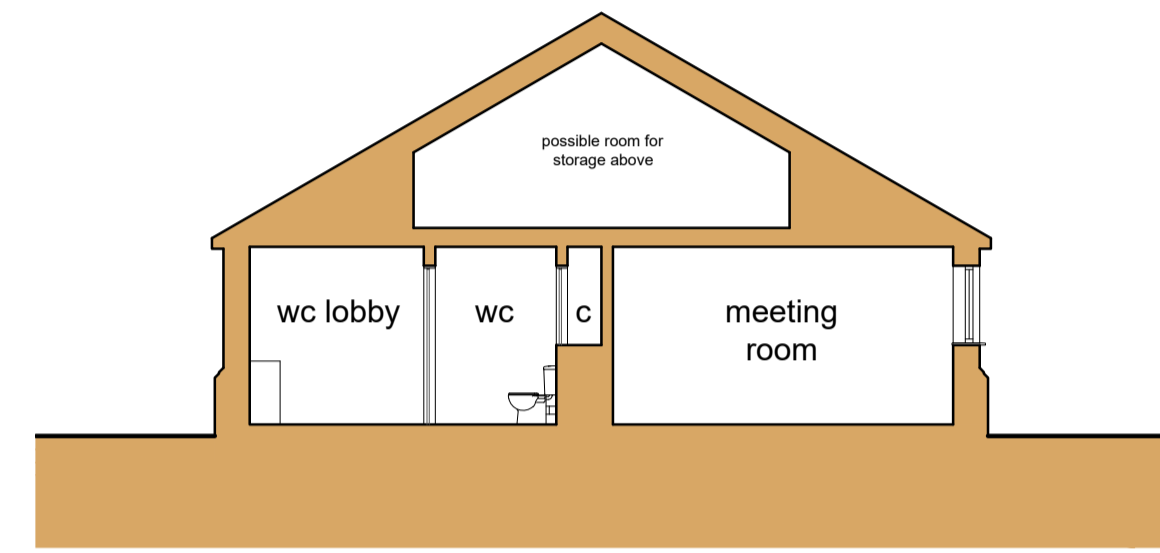
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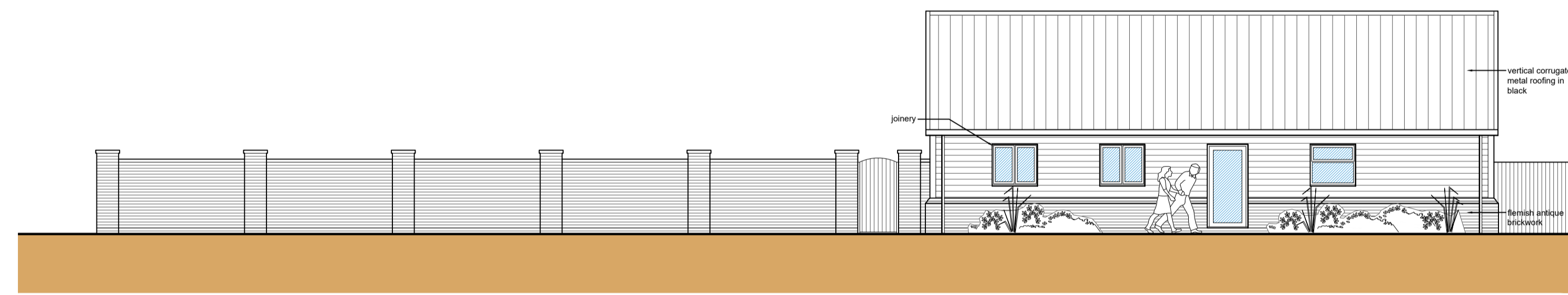
Office Floor Plan
 Scale: 1:100
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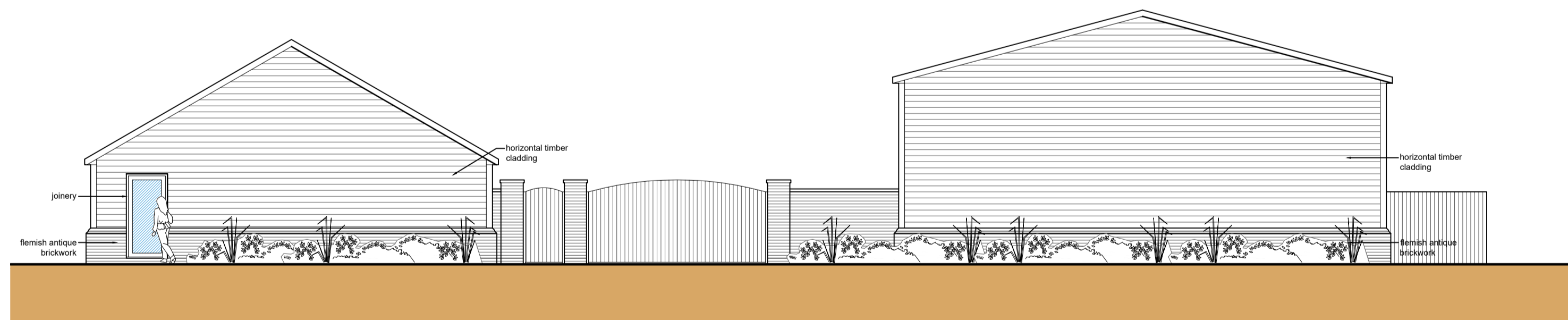
Rear Elevation (N)
 Scale: 1:100
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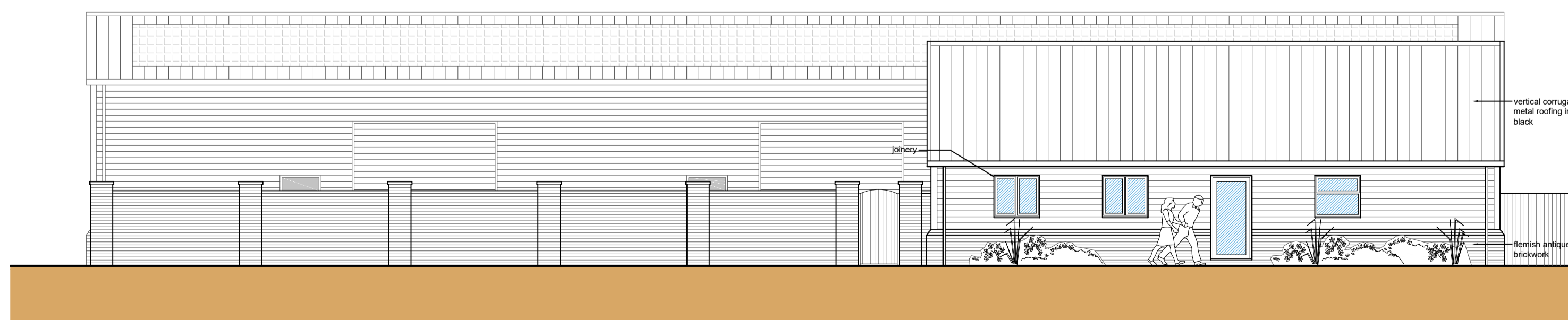
Section A-A
 Scale: 1:100
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Side Elevation (W)
 Scale: 1:100
 0 1 2 3 4 metres



View From Entrance
 Scale: 1:100
 0 1 2 3 4 metres



View From Park House
 Scale: 1:100
 0 1 2 3 4 metres

Revisions		
A	Oct 2021	Changes Following Planning Comments
B	Mar 2022	Changes Following Planning Comments
C	Apr 2022	Changes Following Planning Comments
D	Sept 2022	Changes Following Internal Comments

Status **FOR APPROVAL**

SWANN EDWARDS
 ARCHITECTURE

Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
 t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Proposed Builder Store & Office Park House, Gorefield Road Leverington For: Mr Sewell	Job Title	Date	Drawn by
		July 2021	JRB
	Checked by		GE
Drawing Title Planning Drawing Office Floor Plan, Elevations & Section	Job No.	Sheet Size	
	SE-1636	A1	
	Dwg No.	Revision	
PP1100	D		

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F/YR22/0988/O

Applicant: Mrs Perman

Agent: Mr G Boreham
Morton & Hall Consulting Ltd

Land West Of 121, West End, March, Cambridgeshire

Erect 1 x dwelling involving the removal of existing shed (outline application with all matters reserved)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1. EXECUTIVE SUMMARY

- | |
|--|
| <p>1.1. This application seeks outline planning permission for the erection of a dwelling on garden land attributed to 121 West End, located in the built framework of March. The application is made with all matters reserved for later approval, and consequently the only issue for consideration at this time is whether or not the principle of development is acceptable in this location.</p> <p>1.2. Policy LP16 supports the principle of development subject to the significance of, and the likely impact on, the amenity of neighbouring properties and users in its design and appearance. Policy LP2 seeks to ensure that development does not result in harm to the amenity of the area or the environment in general.</p> <p>1.3. The site is of a particularly constrained in its width, particularly when viewed from West End itself and a proposed 2-storey dwelling on the site would likely appear 'shoe-horned' into the site, resulting in overdevelopment and an incongruity within the street scene. Matters relating to the specific appearance, layout and scale to be committed at Reserved Matters stage; yet, the overall design of the dwelling would likely not outweigh the resulting overdevelopment of the site.</p> <p>1.4. In addition, the site is currently utilised as side garden attributed to No.121 which adds to the overall cottage character of the host dwelling and the quintessential charm of West End more widely. As such, development of a proposed dwelling on this land would result in detrimental impacts to the overall visual amenity of the area and result in erosion of the intrinsic character of West End.</p> <p>1.1. Thus, the development would result in a detrimental impact on the streetscene and the character of the area, in contravention of Policies LP2 and LP16. Accordingly, the application is recommended for refusal.</p> |
|--|

2. SITE DESCRIPTION

- 2.1. The application site is an area of garden land associated with No.121 West End, within the built framework of March. Located within flood zones 1 and 3, the 288m² (0.028ha approx.) site predominately comprises mature vegetation with a significant number of trees bounding the western side and interspersed within the remainder of the garden to the south. To the north and east, the site is bounded to West End and the driveway of No.121 by a 1.2m tall hedge. To the centre of the site is a timber outbuilding, that is due to be removed as part of the proposals. The River Nene (Old Course) forms the southern boundary of the site, with existing access by way of a deck platform.
- 2.2. The host dwelling is a semi-detached 2-storey cottage in painted white brick with concrete tile roof and white uPVC fenestration, with substantial single storey extensions to the rear, and a single gable roofed garage to the west side.

3. PROPOSAL

- 3.1. The proposal is an outline planning application for the construction of a single dwelling on the land, with all matters reserved for later approval. The submitted illustrative drawing submitted shows a detached 2-storey dwelling, with a parking and turning area to front and garden space to rear, separated from the retained garden of No.121 by 1.2m post and rail fencing.
- 3.2. 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 pertinent planning history.

5. CONSULTATIONS

- 5.1. **March Town Council** – *Recommendation: Approval*

- 5.2. **Environment & Health Services (FDC)**

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposals.

This service would however welcome a condition on construction working times due to the close proximity to existing noise sensitive receptors, with the following considered reasonable:

No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

- 5.3. **Wildlife Officer**

The application scheme is acceptable but only if conditions are imposed.

Post-Commencement Condition(s)

The development shall only be carried out in accordance with the recommendations for mitigation and compensation set out in the Preliminary Ecological Appraisal (Hillier Ecology, September 2022) which details the methods for the creation of the following ecological enhancements:

- *Bird and bat boxes;*
- *External lighting*

unless otherwise approved in writing by the local planning authority or varied by a European Protected Species license subsequently issued by Natural England. Other ecological enhancements are recommended however those above are the only ones required to be implemented. I would however encourage the applicant to install all of the recommended enhancements described.

Informative

Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.

Assessment/Comment

It is highly encouraged that the applicant plants new species rich hedges along the fence lines of the new development. It is of particular importance is preventing any new lighting of the river. As such the restriction on External Lighting will have to be quite strict to ensure to new negative impacts. No flood lighting of the back garden will be accepted. Only small motion activated lights would be suitable.

5.4. Cambridgeshire County Council Highways Authority

Highways have no objections to the above application. Subject to this the future reserved matters application to provide access details and car parking and turning arrangements that meets FDC parking standards.

Please note, the access should be sealed and to be drained away from the highway in a bound material for a minimum of 5m back from the existing footway. The vehicular access shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification. Surface water from private roads/ driveways areas must not discharge onto the public highway, and appropriate intervention must be provided.

5.5. Environment Agency

We have reviewed the above application and it is considered that there are no Agency related issues in respect of this application and therefore we have no comment to make.

5.6. Local Residents/Interested Parties

Two letters of objection have been received from two neighbouring address points in the immediate vicinity of the site on West End itself. Reasons for objection included:

- Would set a precedent for other garden development along West End;

- Increased vehicular traffic resulting in increased vehicle and pedestrian conflict along the narrow access, and degradation of the surface of West End;
- Proximity of the proposed dwelling to neighbouring dwelling causing issues during construction; and
- Issues with Access/Parking during construction and post development.

Nine letters of support from five address points within March (the nearest being 2no. letters from Gilbert Row, West End, with a further 2no. from Nene Parade, 2no. from Elwyndene Road, 2no. from Scargells Yard, and 1no. from Cherrywood Avenue)

Reasons for support were cited as:

- Infill plot
- In keeping with the area;
- A need for more homes in the area;
- Will increase natural surveillance in the area; and
- A lovely setting for a new home.

Others cited no reasons for support, merely stating they had no objections to the proposal.

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) July 2021

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.

7.2. National Planning Practice Guidance (NPPG)

Determining planning applications

7.3. National Design Guide 2019

Context

Identity

Built Form

Homes and Buildings

7.4. Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
LP14 – Responding to Climate Change and Managing the Risk of Flooding
LP15 – Facilitating the Creation of a More Sustainable Transport Network
LP16 – Delivering and Protecting High Quality Environments
LP19 – The Natural Environment

8.5. **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy
LP2 – Spatial Strategy for the Location of Residential Development
LP7 – Design
LP8 – Amenity Provision
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP24 – Natural Environment
LP32 – Flood and Water Management

8.6. **March Neighbourhood Plan 2017**

H2 – Windfall Development

8.7. **Supplementary Planning Documents/Guidance**

Cambridgeshire Flood and Water SPD (2016)

8. **KEY ISSUES**

- **Principle of Development**
- **Impact on Character and Amenity**
- **Access and Parking**
- **Residential Amenity**
- **Natural Environment**
- **Flood risk**

9. **ASSESSMENT**

Principle of Development

- 10.1. The application site is located within the built framework of March, which is identified within the Settlement Hierarchy as a 'Market Town', where, according to Policy LP3, the majority of the district's new housing should take place. Accordingly, there is a presumption in favour of development within this location. Notwithstanding, the point of general principle is subject to broader planning policy and other material considerations which are discussed in more detail below.

Impact on Character and Amenity

- 10.2. Policy LP16 supports the principle of development subject to the significance of, and the likely impact on, the amenity of neighbouring properties and users in its design and appearance. Policy LP2 seeks to ensure that development does not result in harm to the amenity of the area or the environment in general.
- 10.3. The existing site, as garden land associated with the dwelling at No.121, is generally constrained in its width and area. The overall site is approximately 288m² (0.028ha) in size, with an angled shape with a minimum width of approximately 7.4m at the northern boundary, splaying to a maximum of approximately 10.5m at the southern boundary. As such, the site is particularly constrained in its width, particularly when viewed from West End itself. West End has a distinct character and feel, with development along the southern side being broadly characterised by properties with gaps between them, even if there are outbuildings within the gaps. There are few, if any, similar examples of such cramped development as would be created by this proposal.
- 10.4. Thus, development of a 2-storey dwelling on this site will therefore result in overdevelopment, given the proposed scale of the dwelling and the corresponding width of the site, with the dwelling appearing 'shoe-horned' into the space and appearing incongruous within the existing streetscene.
- 10.5. The indicative plans submitted with this proposal show a standard 2-storey detached dwelling on the site, with no redeeming features in terms of its design character. Matters relating to the specific appearance, layout and scale to be committed at Reserved Matters stage; yet, the overall design of the dwelling would likely not outweigh the resulting overdevelopment of the site and character impacts.
- 10.6. Thus, given the above it is considered that the proposal would negatively impact the street scene and character of the area, in contravention of Policy LP16 and LP2.

Access and Parking

- 10.7. Within the vicinity of the site, West End is a single-track roadway with limited width or passing places, which could be considered unsustainable for additional residential development. However, the road currently serves existing residential dwellings with vehicular access, and the proposal includes the creation of only one additional dwelling. It is considered that, on balance, this quantum of proposed additional development will not significantly increase vehicle movements along the lane to render the lane inappropriate or unsustainable as a result of the scheme.
- 10.8. With respect to parking, the indicative site plans submitted suggest that there would likely be sufficient car parking and turning availability within the frontage of the proposed dwelling.
- 10.9. Consultations with the Highways Authority offered no objection to the scheme, stating that specific details will form part of the future Reserved Matters application and as such is considered acceptable at this Outline stage.

Residential Amenity

- 10.10. Indicative drawings with the application suggest that the proposed dwelling is intended to be a 2-storey, 3-bedroom dwelling. The proposed dwelling is shown to be set back from the highway and as such could have a suitable relationship with dwellings opposite. However, owing to the set back and the intended required angle of the new dwelling due to the site constraints, outlook towards the east from the proposed front windows may be restricted by the presence of the 2-storey host dwelling forward of the proposed dwelling.
- 10.11. Again, as a result of the position of the dwelling and the constraints of the site, the east and west flank walls would likely be in close proximity to the respective site boundaries, this could result in poor outlook from the intended windows to these sides. However, indicative plans suggest that these windows are not likely to be primary windows serving primary habitable rooms and as such the limited outlook is considered, on balance, acceptable. Given the uses of the rooms to which these windows will serve, there will be limited impacts to neighbouring amenity with respect to any overlooking from these openings.
- 10.12. To the south, the rear elevation is indicatively shown to be further back than the rear elevations of the adjacent dwellings, and as such views from these windows will be limited to areas of the adjacent rear gardens away from the dwellings themselves, limiting impacts to neighbouring privacy.
- 10.13. In addition, there could be limited impacts of overshadowing to neighbouring dwellings as a result of the proposal. However, light ingress into the proposed dwelling, particularly to its north, east and west sides, may be limited owing to the orientation of the plot and the proximity and scale of adjacent development.
- 10.14. Notwithstanding the above, specific matters in respect of residential amenity will be subject to further consideration at Reserved Matters stage.

Natural Environment

- 10.15. Matters relating to landscaping are to be committed at Reserved Matters stage. However, it is necessary to consider any implications to the surrounding natural environment as a result of the scheme.
- 10.16. The submitted plans depict the removal of a number of trees within the site, and the demolition of an existing outbuilding, which can provide habitat for wildlife and protected species. In addition, the site location adjacent to the River Nene is pertinent given the potential for wider ecological implications. Policy LP19 seeks to ensure developments safeguard the biodiversity and habitat value of the environment.
- 10.17. The application was supported by a Preliminary Ecological Appraisal (PEA) report, which concluded that there was no evidence of bats or nesting birds within the site and limited wider ecological implications from the proposed development. The report provided recommendations for mitigation, including

the installation of bat and bird boxes, hedgehog nests and the removal of trees to be undertaken outside of nesting season.

- 10.18. Consultation with the PCC Ecology Officer concluded that the proposals were acceptable in accordance with Policy LP19, subject to the inclusion of conditions relating to the recommendations outlined within the PEA.

Flood risk

- 10.19. The site is located partly in flood zone 1, with the southern part of the site in flood zone 3, attributed to the nearby watercourse. The indicative site plans suggest that the proposed dwelling will be situated entirely within flood zone 1, and as such there is no requirement to consider the sequential test.
- 10.20. Consultations with the Environment Agency and Middle Level Commissioners Drainage Board resulted in no comment made in respect of the scheme, and in light of the fact that the use is established on site, it is considered reasonable to determine that this part of the proposal is acceptable in terms of flood risk.
- 10.21. Issues of surface water disposal will be considered under Building Regulations.
- 10.22. As such, there are no issues to address with regard to Policy LP14.

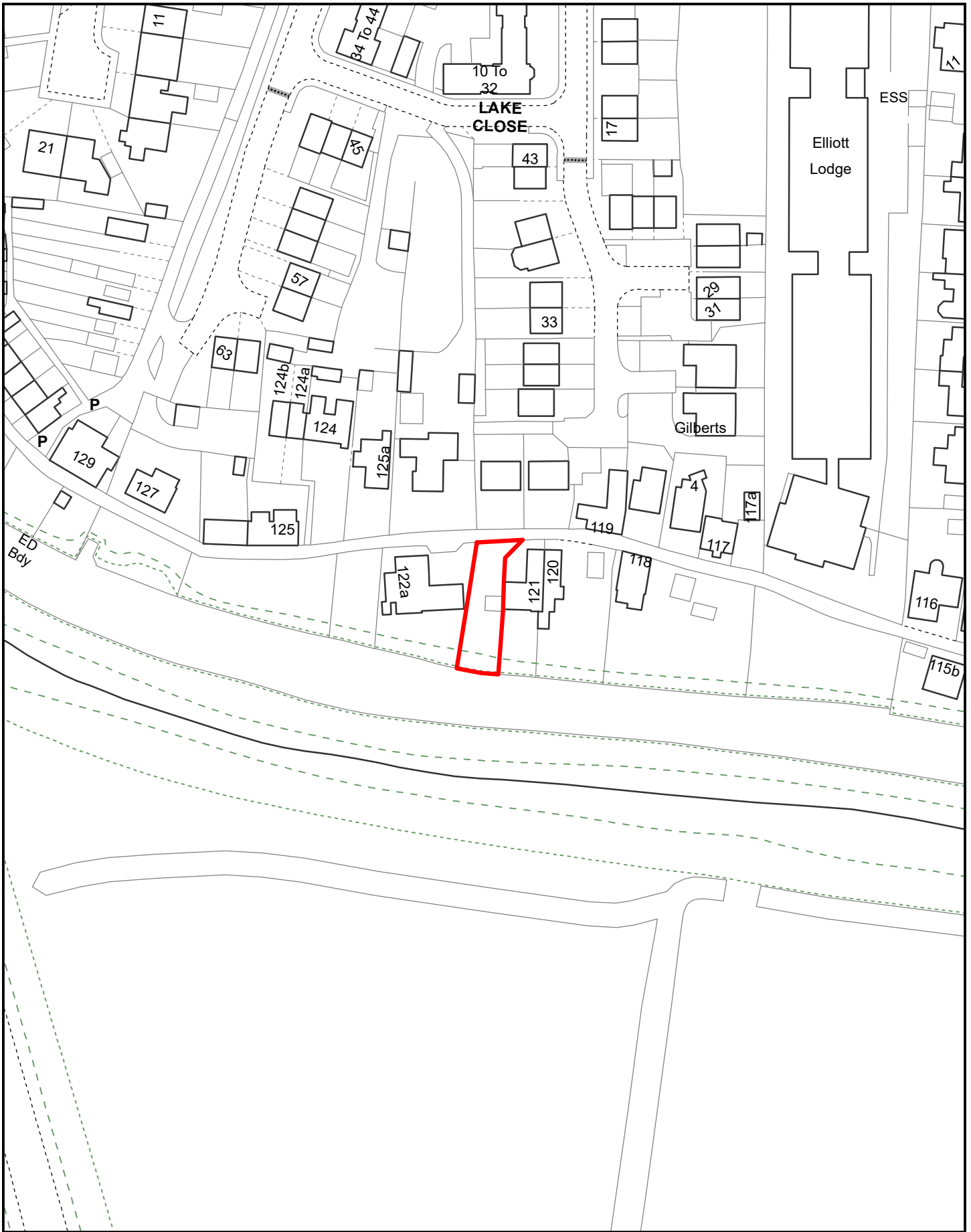
10. CONCLUSION

- 11.1. Notwithstanding any issues that could be resolved through submission of a detailed Reserved Matters application, there are fundamental locational issues that would render the development unacceptable owing to matters of overdevelopment within a constrained site. In addition, the erection of a 2-storey dwelling, made possible by the loss of an area of high visual amenity that contributes to the intrinsic character of this part of West End, would have a resultant negative impact on the streetscene and the character of the area, in contravention of Policies LP2 and LP16. Accordingly, the application is recommended for refusal.

11. RECOMMENDATION

Refuse, for the following reason;

1	Policy LP2 seeks to ensure that development does not result in harm to the amenity of the area or the environment in general. Policy LP16 (d) of the Fenland Local Plan (2014) and Policy DM3 of Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area. Development on this land would be to the detriment of the character and appearance of the area through overdevelopment on a constrained site, resulting in a 'crammed' form of development eroding the intrinsic character of the area and potentially creating precedent for further such cramped development. As such, the proposal is contrary to the requirements of Policies LP2, LP16(d) and DM3 (2014).
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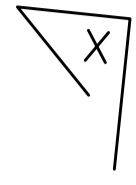
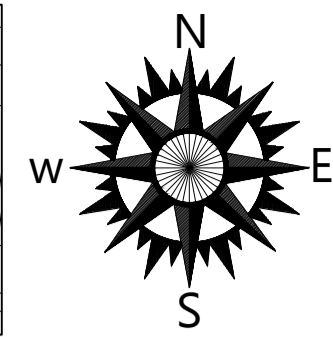
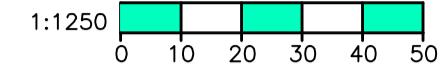
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LOCATION PLAN
(1:1250)
METERS



- SLAB PAVING
- PERMEABLE BLOCK PAVING (NON SLIP)
- GRASS
- TARMAC
- GRAVEL
- EXISTING DWELLINGS
- PAVEMENT
- WHEELIE BINS
- HEDGING
- VEGETATION

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All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
All finishes, insulation and damp-proofing to architect's details

LP = LAMP POST

A	PLANNERS COMMENTS	AUG 2022
	REVISIONS	DATE

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CONSULTING STRUCTURAL ENGINEERS

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Fenland District Council Building Design Awards winner
Building Excellence in Fenland

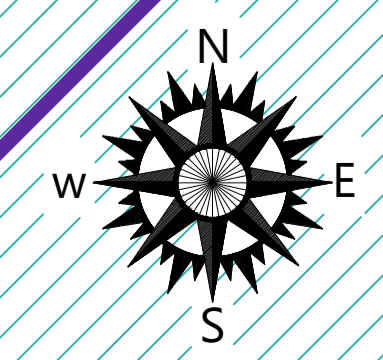
CLIENT
Mrs B Perman

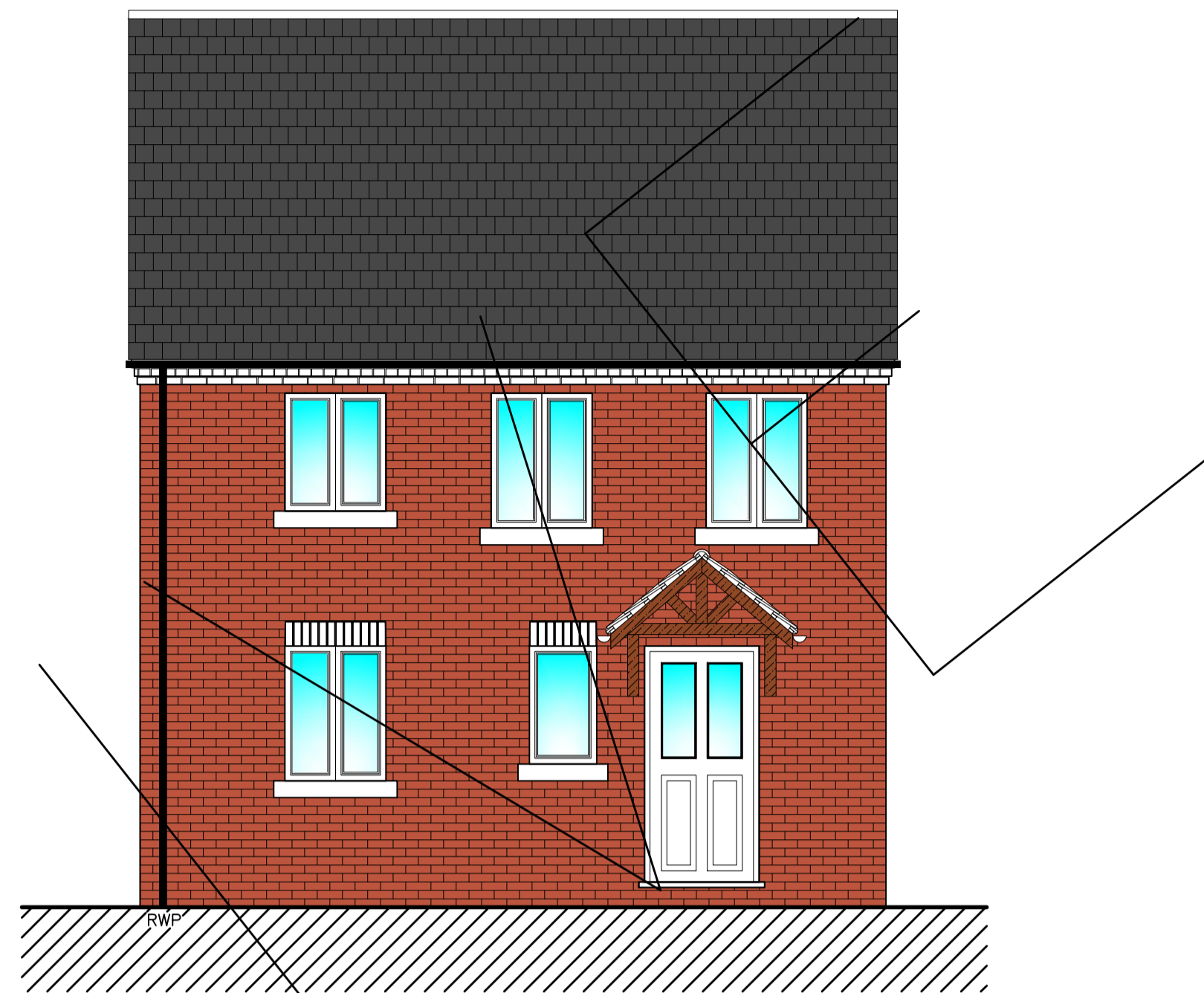
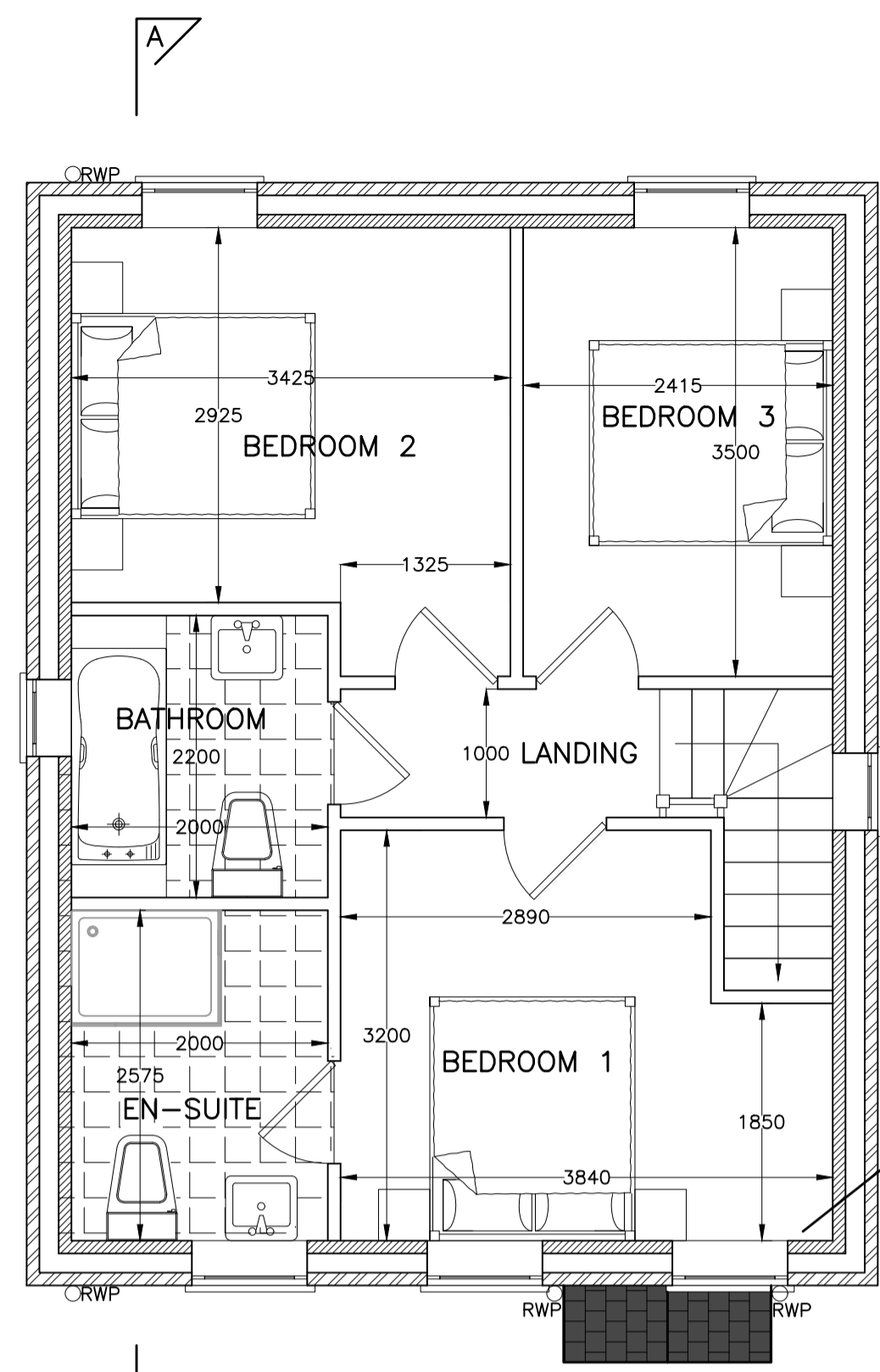
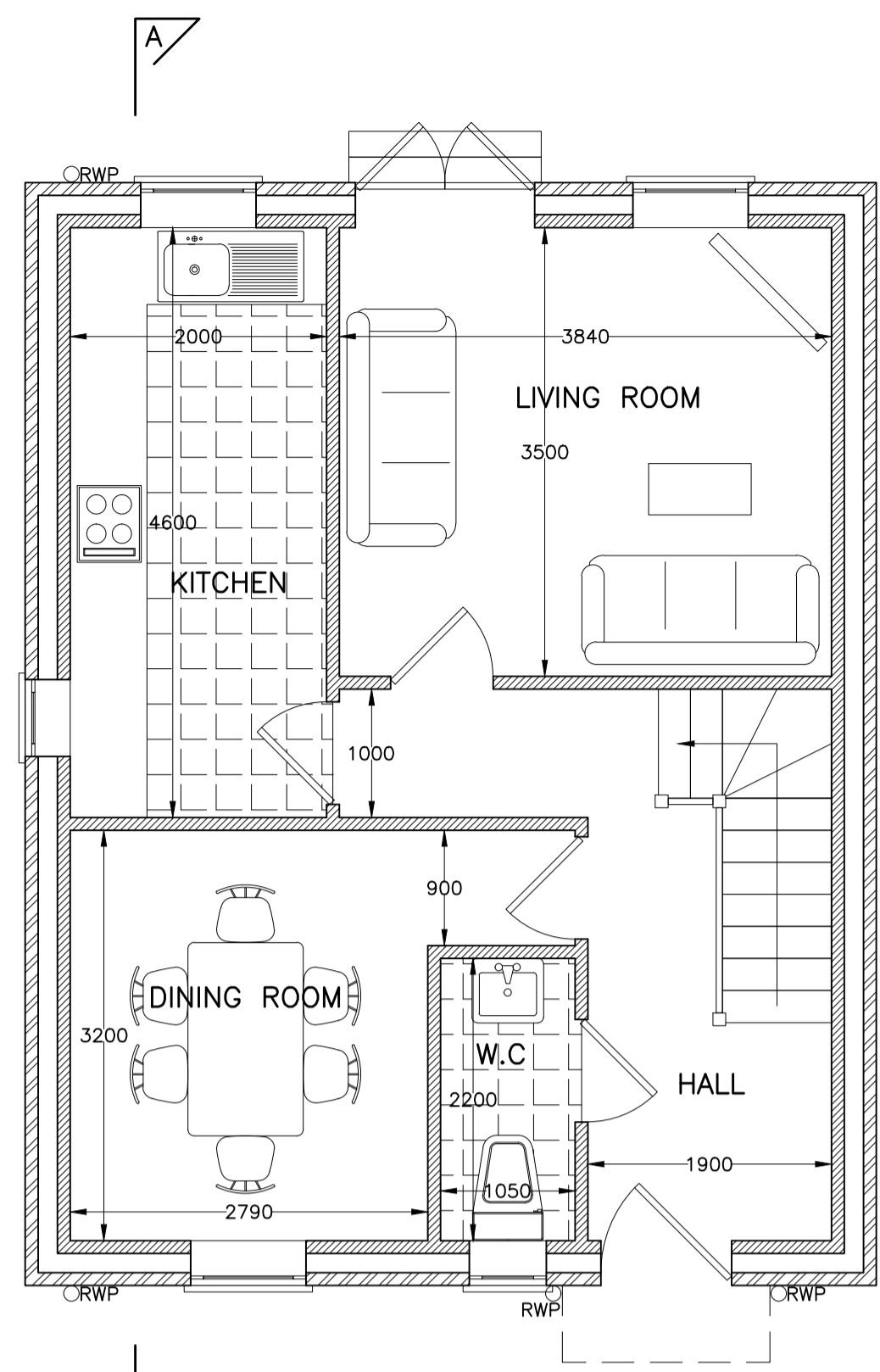
PROJECT
121 West End, March
Cambridgeshire
PE15 8DE

TITLE
Existing Site Plan

DRAWN G.Bohram	DATE OF ISSUE
CHECKED	
DATE July 2022	DRAWING NUMBER H8445/01
SCALE As Shown	

EXISTING SITE PLAN
(1:100)

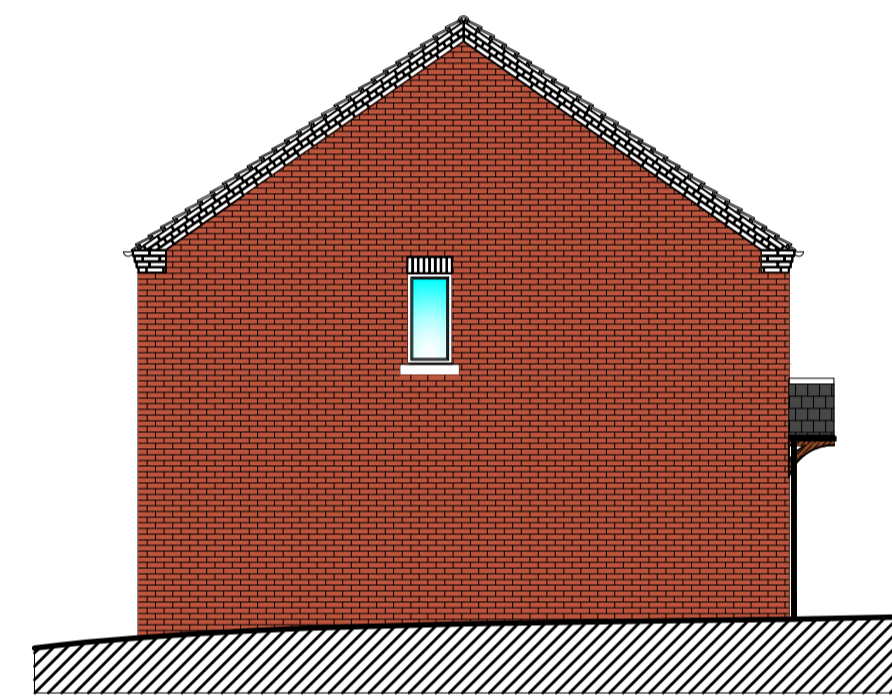
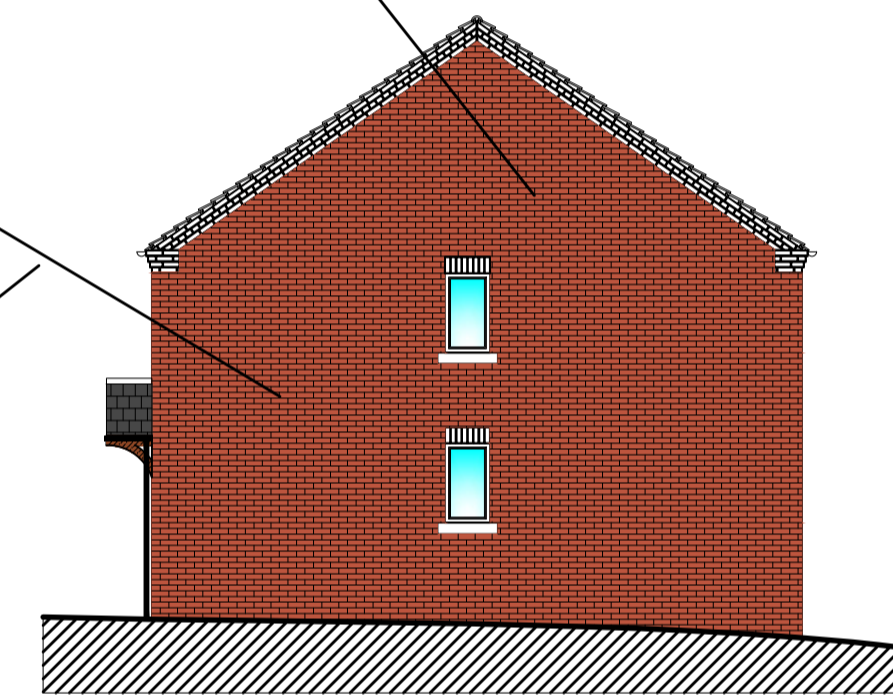
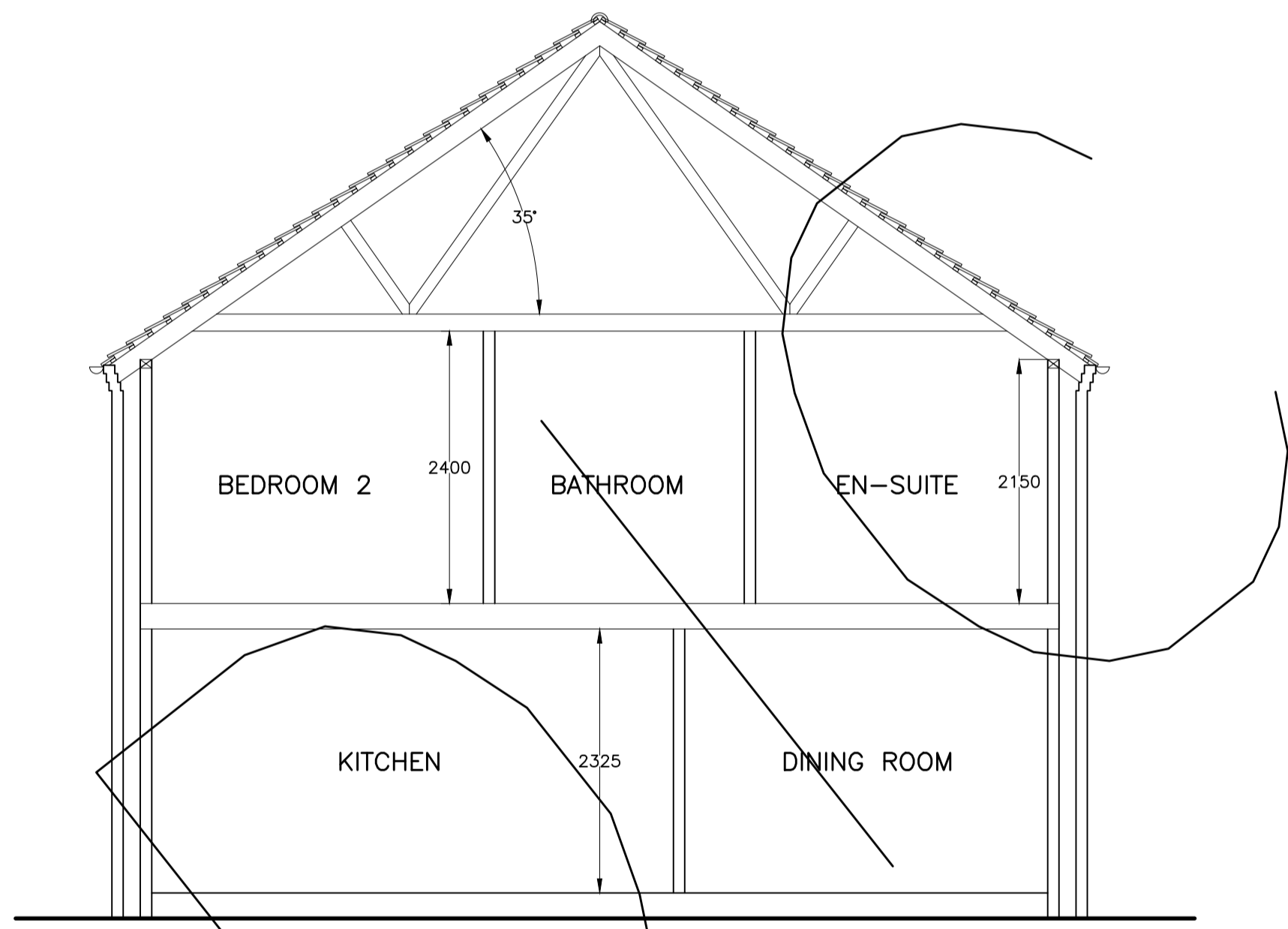




PROPOSED GROUND FLOOR PLAN (1:50)

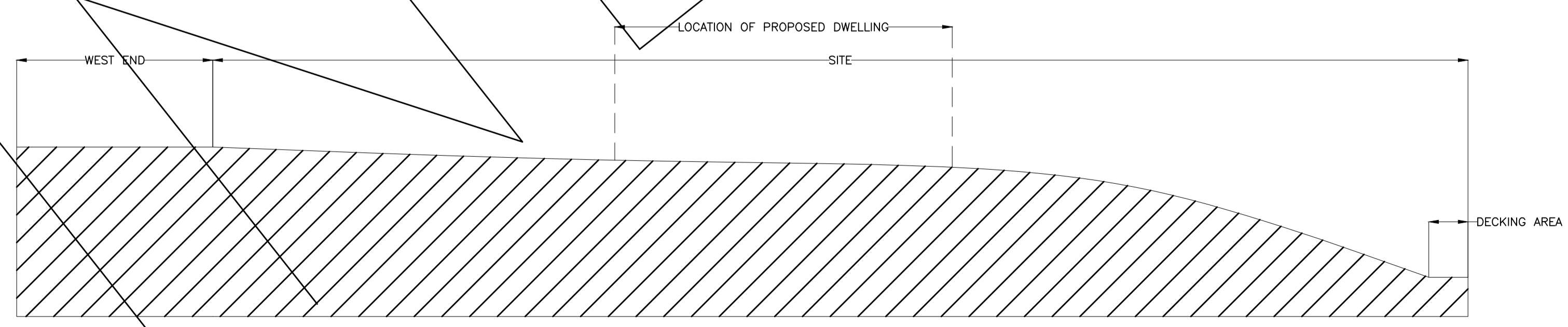
PROPOSED FIRST FLOOR PLAN (1:50)

PROPOSED FRONT ELEVATION (1:50)

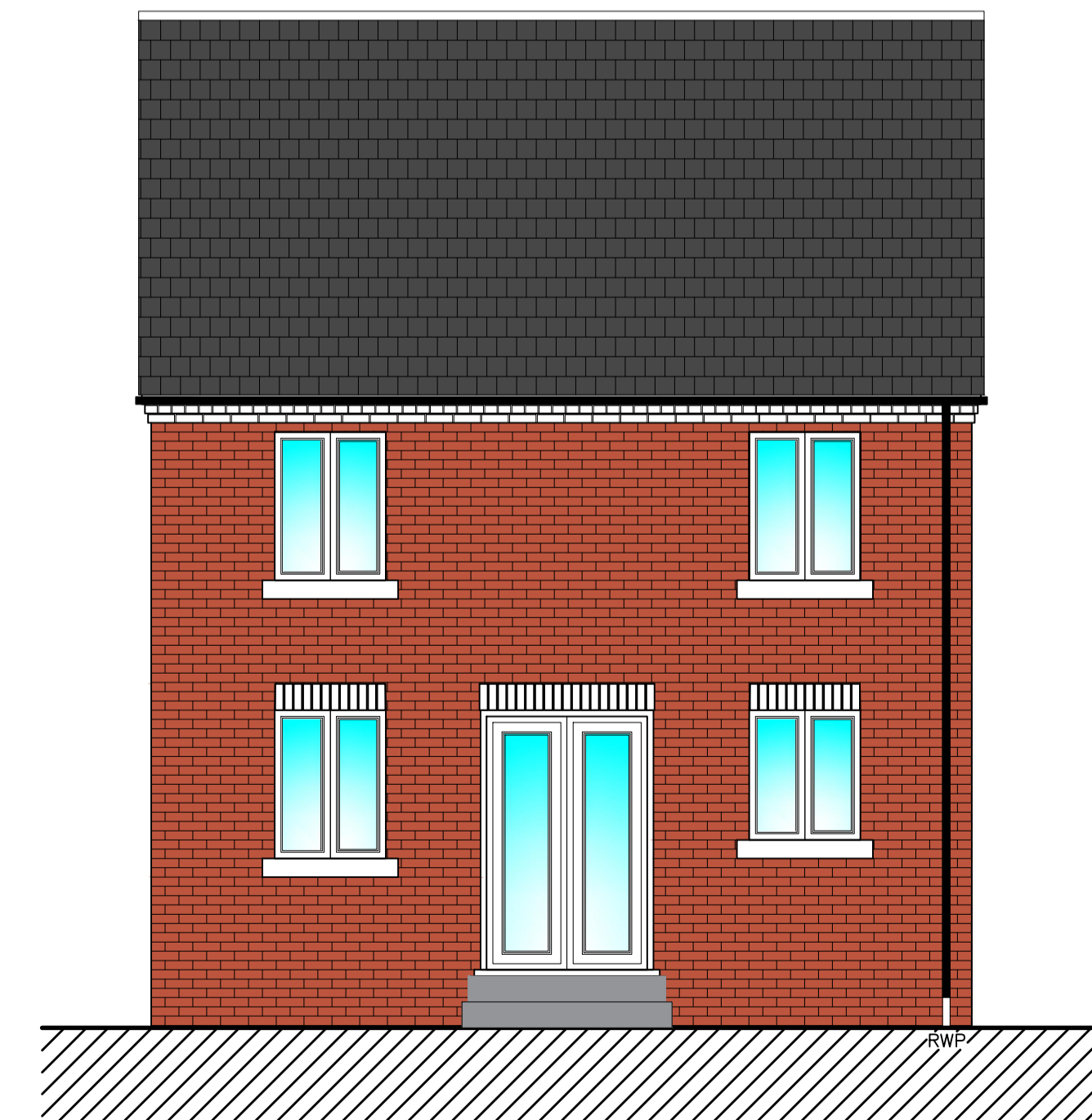


PROPOSED LHS ELEVATION (1:100)

PROPOSED RHS ELEVATION (1:100)



SITE SECTION X-X (1:100)



PROPOSED REAR ELEVATION (1:100)

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 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details

INDICATIVE ONLY

A PLANNERS COMMENTS		AUG 2022
REVISIONS		DATE
<p>MORTON & HALL CONSULTING LIMITED CONSULTING STRUCTURAL ENGINEERS</p> <p>1 Gordon Avenue, March, Cambridgeshire, PE15 8AJ Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk</p>		
		<p>Building Excellence in Fenland</p>
CLIENT Mrs B Perman		
PROJECT 121 West End, March, Cambridgeshire, PE15 8DE		
TITLE Proposed Plans, Elevations, Sections & Site Section INDICATIVE		
DRAWN G.Bohram	DATE OF ISSUE	
CHECKED		
DATE July 2022	DRAWING NUMBER H8445/03	
SCALE As Shown		

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 All finishes, insulation and damp-proofing to architect's details

LP = LAMP POST



REVISIONS	DATE

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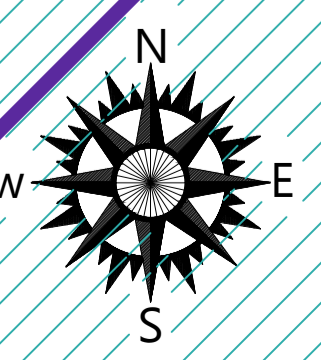
CLIENT
 Mrs B Perman

PROJECT
 121 West End, March Cambridgeshire PE15 8DE

TITLE
 Proposed Site Plan INDICATIVE

DRAWN G.Bohram	DATE OF ISSUE
CHECKED	
DATE July 2022	DRAWING NUMBER H8445/02
SCALE As Shown	

PROPOSED SITE PLAN (1:100)



F/YR22/1266/FDC

**Applicant: Mr M Greenwood
Fenland District Council**

**Agent : Mr S Machen
Barmach Ltd**

Land South East Of The Boathouse, Harbour Square, Wisbech, Cambridgeshire

Erect a electricity substation

Officer recommendation: Grant

Reason for Committee: Fenland District Council application

1 EXECUTIVE SUMMARY

- 1.1 This is a relatively minor development relating to infrastructure to facilitate the ultimate delivery of the wider regeneration area which is the subject of the Nene Waterfront Design Brief and a continuing allocation in the Local Plan.
- 1.2 There are no visual or residential amenity implications arising from the scheme which is also considered acceptable in flood risk terms.
- 1.3 Access will be derived through the Boat House car park and as such the scheme has no implications for the surrounding highway network.
- 1.4 Based on the above assessment there are no grounds to withhold planning permission for the development as outlined.

2 SITE DESCRIPTION

- 2.1 The application site comprises a small parcel of land to the south of the Boathouse Business Centre/Silver Street and west of Chase Street and north of Russell Street, Wisbech.
- 2.2 The site lies within the Nene Waterfront Regeneration area and also within an area for which outline planning permission is currently sought for the development of care home for up to 70 apartments, commercial floor space (Class E) up to 900 square metres, residential apartments and housing (up to 60 units), with associated landscaping, access and engineering works (application reference F/YR22/0914/FDL).
- 2.3 The site is a remediated former industrial site and is surrounding by mixed residential and commercial uses, with the River Nene to the west.
- 2.4 There are no nearby Listed Buildings and the Wisbech Conservation Area is some way distant terminating to the south of Lynn Road and south-west of the roundabout.
- 2.5 The land is within a flood zone 3 location.

3 PROPOSAL

- 3.1 This application seeks full planning permission for a new substation measuring 4.7 metres by 4.04 metres and 2.70 metres in height with a flat roof.
- 3.2 The substation is proposed to have a red brick finish for the walls and the roof will be a concrete slab with asphalt finish. The substation is shown located on a plinth between half a metre and metre in height to raise it above the flood levels. The plinth is shown to have a handrail along three sides. The eastern side would be open and incorporates a ramped access. Access to the substation would be via the Boathouse car park.
- 3.2 The Design and Access statement submitted notes that the proposed substation is required to support the wider redevelopment of the area for which outline planning permission is currently being sought.
- 3.3 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/YR04/3432/O	Residential Development, yacht harbour offices and mixed uses including A1, A2, A3, B1 and D2 uses (1.18 ha) - Land Fronting Silver Street, Chase Street, Russell Street and Nene Parade, Wisbech	Dormant 30.11.2021
F/YR07/0544/F	Erection of a part 3-storey, part 2-storey office building comprising; meeting room, harbour masters office, washroom facilities for the river user, yacht club, cafe and offices and erection of 12.5 metre high antenna mast to roof and 15.0 metre high (to hub) wind turbine to side, provision of bin storage and car/cycle parking - Land Fronting Silver Street and Chase Street and Russell Street and Nene Parade, Wisbech	Granted 27.07.2007
F/YR06/1129/F	Erection of a part 3-storey, part 2-storey office building comprising; meeting room, harbour masters office, washroom facilities for the river user, yacht club, cafe and offices. Erection of 12.5 metre high mast on roof of 2-storey building, provision of bin storage and car/cycle parking - Land Fronting Silver Street and Chase Street and Russell Street and Nene Parade, Wisbech	Granted 19.12.2006
F/YR06/0976/F	Remediation of previously developed land (incorporating excavation and back filling) and implementation of first phase of highway and landscape works including drainage infrastructure, laying of services, creation of	Granted 16.11.2006

F/YR06/0976/F/cont	landscaped square (Harbour Square), creation of pedestrian orientated space along Nene Parade between Silver Street and Russell Street - Phase 1 Land Fronting Silver Street and Chase Street and Russell Street and Nene Parade, Wisbech	
F/YR08/0617/FDC	Remediation of the remaining land and associated ground works including the raising of the site levels to accord with the recommendations of flood risk assessment - Land Fronting Silver Street and Chase Street and Russell Street and Nene Parade, Wisbech	Granted 02.09.2008
F/YR05/0580/SC	Regeneration of Nene Waterfront Environmental Impact Assessment - Land Fronting Silver Street and Chase Street and Russell Street And Nene Parade, Wisbech	Withdrawn 01.12.2016
F/YR06/0541/O	Residential Development (Max 370 dwellings), mixed use (A1 - A5 and D1 and multi use building comprising a yacht club, meeting/conference rooms, port office, business units with associated parking, infrastructure and landscaping - Land Fronting Silver Street And Chase Street and Russell Street And Nene Parade, Wisbech	Withdrawn 01.12.2016
F/YR07/0350/F	Erection of 331 dwellings (43 affordable housing) comprising of 198 flats (55 x studio, 55 x 1-bed, 88 x 2-bed) and 133 houses (60 x 2-bed, 59 x 3-bed, 14 x 4-bed) with associated car ports/parking, infrastructure and landscaping, 717 sqm of commercial units for A1 - A5 and D1 use and open space areas - Land Fronting Silver Street and Chase Street And Russell Street And Nene Parade, Wisbech	Withdrawn 01.12.2016
F/YR22/0914/FDL	Erect a care home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved) Nene Parade Bedford Street, Chase Street, Wisbech	Pending determination

5 CONSULTATIONS

5.1 Town Council

Recommend 'that the application be supported'

5.2 Environment Agency

'Thank you for your consultation dated 17 November 2022. We have inspected the application as submitted and have no objections. We have provided additional Flood Risk comments below.'

Flood Risk

This is a series of minor developments in an area of low residual risk. Although the Flood Risk Assessment (FRA) is minimal, due to type and size of application we are confident that the development will not increase flood risk elsewhere and consequently have no objection to the proposal.

We therefore have No Objections to the retrospective planning application’.

5.3 **EDF Energy Networks (UK Power Networks)**

No consultation response received

5.4 **Local Residents/Interested Parties**

None

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 **National Planning Policy Framework (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. 11 - Plans and decisions should apply a presumption in favour of sustainable development.

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

Para. 126 - The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para.130 – Design – Should function well, be visually attractive as a result of good architecture and attractive landscaping and be sympathetic to local character and history and establish or maintain a strong sense of place

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

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

Determining a Planning Application

7.3 **National Design Guide**

Context C1 - Relationship with local and wider context;

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

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

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

Resources R3 - maximise resilience

7.4 **Fenland Local Plan**

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

LP8 – Wisbech (Nene Waterfront and Port (broad location for growth))

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

7.5 **Nene Waterfront, Wisbech - Development Brief (SPG)**

7.5 **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP5: Health and Wellbeing

LP7: Design (aligns with the 10 characteristics of the National Design Guide)

LP19: Strategic Infrastructure (providing infrastructure)

LP20: Accessibility and Transport

LP32: Flood and Water Management

LP35: Regeneration of Wisbech (Nene Waterfront)

8 **KEY ISSUES**

- **Principle of Development**
- **Visual and residential amenity**
- **Flood risk**
- **Other matters**

9 **BACKGROUND**

- 9.1 Within the submission the agent sets out that *‘the substation is required to support the wider regeneration of the surrounding area which is subject to planning application F/YR22/0914/FDL’*. The agent goes on to note that *‘the regeneration of this area is supported by both existing and emerging Local Plan policy. Subject to approval being granted for the regeneration scheme it will not be possible to implement this until all the necessary associated infrastructure is in place. Fenland District Council has, therefore, taken the step of submitting this full application alongside the outline application in order to minimise any potential future delays with the delivery of electricity to the wider site’*.

- 9.2 With regard to the location of the substation the agent advises that this has been informed by technical considerations; however, as it is located adjacent to the Boathouse it may be accessed via the existing car park and the agent contends that it will have minimal impact upon the final layout of the wider site.

10 ASSESSMENT

Principle of Development

- 10.1 The site forms part of the Nene Waterfront allocation which features in both the existing and emerging local plan and the delivery of associated infrastructure would align with the aims of the relevant policy framework. Subject to design, amenity, access and flood risk being appropriately considered there is nothing to indicate that the scheme does not accord with relevant planning policies

Visual and residential amenity

- 10.2 As indicated within the design and access statement *'the substation has been designed with a flat roof to keep its height as low as possible, and therefore minimise its resulting visual impact both now and when the surrounding area is redeveloped. The use of a brick finish will help give the substation a less functional appearance and will help it better blend with the adjacent development. Substations are common features in new development and designed to ensure that they not result in any unacceptable adverse impact upon residential amenity'*.
- 10.3 Officers concur with the assertions made and noting the positioning of the proposed substation and its form there are no matters relating to visual or residential amenity to reconcile.

Flood risk

- 10.4 A flood risk assessment has been submitted in support of the application and this has been accepted by the Environment Agency who have responded that *'due to type and size of application we are confident that the development will not increase flood risk elsewhere and consequently have no objection to the proposal. We therefore have No Objections to the retrospective planning application'*.
- 10.5 Although the Agency refer to the application being *'retrospective'* this is not the case, although as this has no implications for the ultimate decision Officers have not sought to alert the Agency to this.
- 10.6 The scheme therefore represents no issues with regard to Policy LP14 of the FLP (2014).

Other matters

- 10.7 The grant of planning permission in respect of the substation has no implications for the scheme currently under consideration for the wider site. It is recognised that the applicant wishes to gain consent for related infrastructure, however this is a stand-alone submission and approval or otherwise does not prejudice or indicate acceptance of other proposals in the immediate area going forward.

- 10.8 That said it is noted that the scheme for the wider site has prompted consultation responses from both the CCC Archaeology and FDC Environmental Protection teams requiring in the case of the former an archaeological investigation and in respect of the latter it is noted that it is recommended that the site be subject to an unsuspected contamination condition, which could be applied in this case also..
- 10.9 Noting that the scheme currently under consideration relates to a small (and discrete) part of the site and that the proposal does not indicate that there will be significant incursion to the existing land, there being a substantial plinth on which the substation will be constructed, there would not appear to be any grounds to seek the formal views of CCC Archaeology.
- 10.10 It is further noted that as this proposal closely aligns to the delivery of the wider site it would appear unlikely to come to fruition should the corresponding development not be sufficiently advanced in planning and consenting arrangements; which in turn would have their own obligations regarding Archaeology.

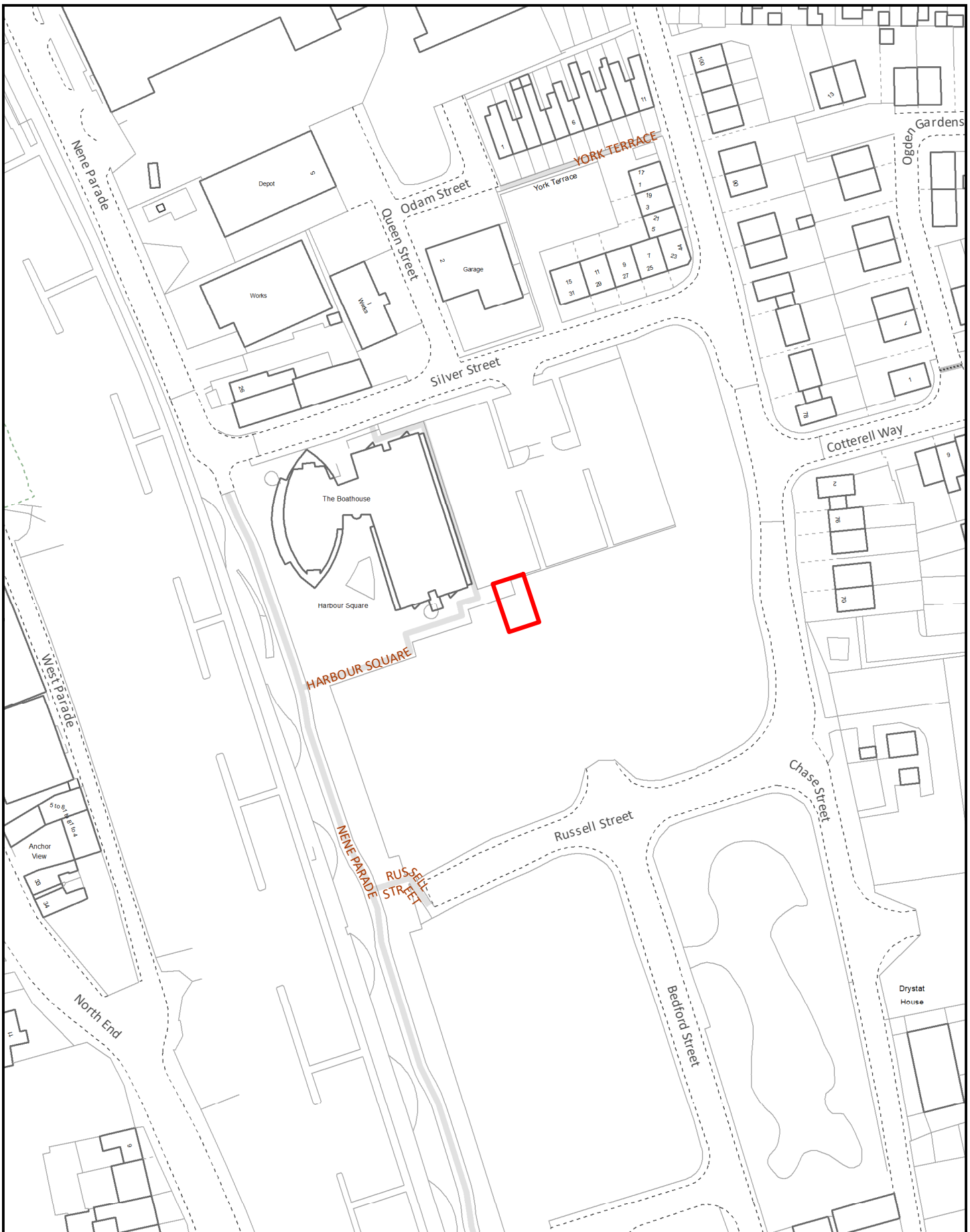
11 CONCLUSIONS

- 11.1 This minor development accords with relevant local and national planning policy and may be favourably recommended.

12 RECOMMENDATION - Grant

Conditions

1	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>Prior to any development above plinth level the full details of the materials to be used for the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.</p> <p>Reason - To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
3	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.</p> <p>Reason - To control pollution of land and controlled waters in the interests of the environment and public safety.</p>
4	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p>



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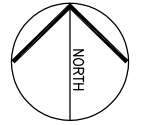
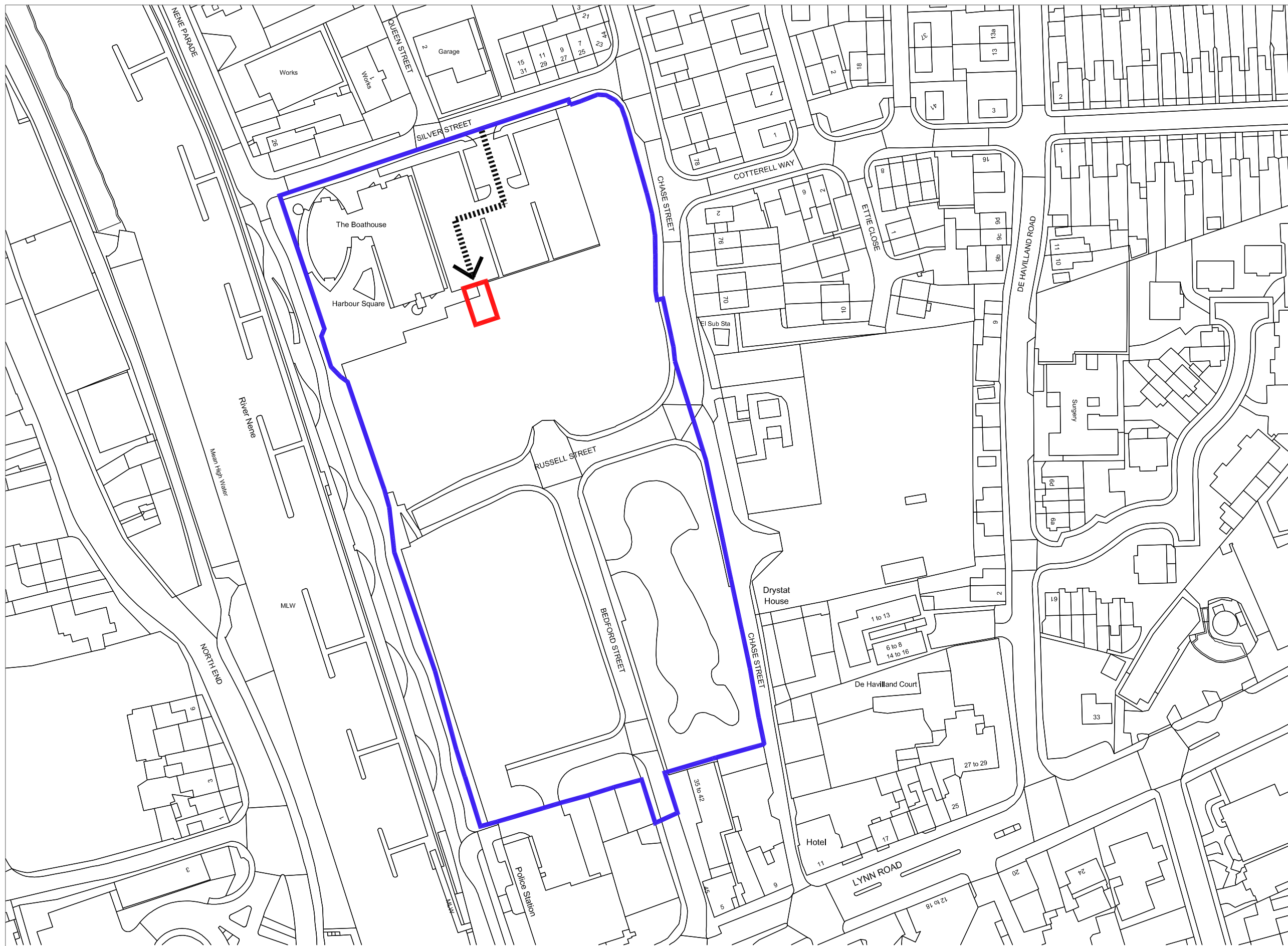
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F/YR22/1266/F

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DATE	REVISION	REV	DRW	CHK
03.10.2022	PLANNING APPLICATION	P01	LM	SB
09.11.2022	TITLE BLOCK NOTE AMENDED	P02	LM	SB



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Checked	Date
SB	03.10.2022

Project Name
**NEW SUBSTATION
 NENE WATERFRONT**

Drawing Title
SITE LOCATION PLAN

Scale	1:1250 @ A3
Sheet Status	PLANNING
Project No.	IANC20-0113
Drawing No.	SUB-NOR-XX-XX-DR-A-90001
Rev.	P02

Note: Red line boundary is the planning boundary based upon title information provided by the client body regards their own ownership

KEY:

- Vehicle access
- Site Red Line Boundary
- Land Under Applicant Ownership

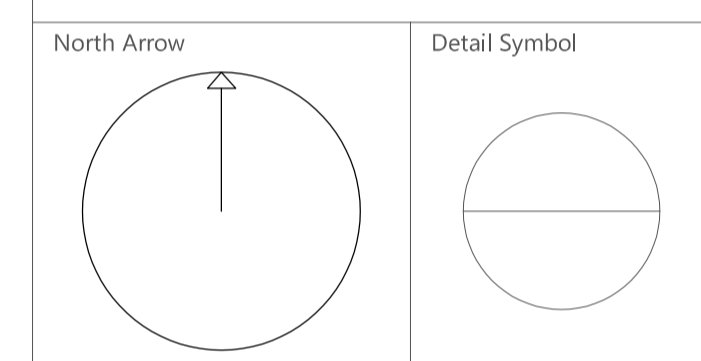




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Keyplan



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Client
FENLAND DISTRICT COUNCIL

Project
**NEW SUBSTATION
 NENE WATERFRONT**

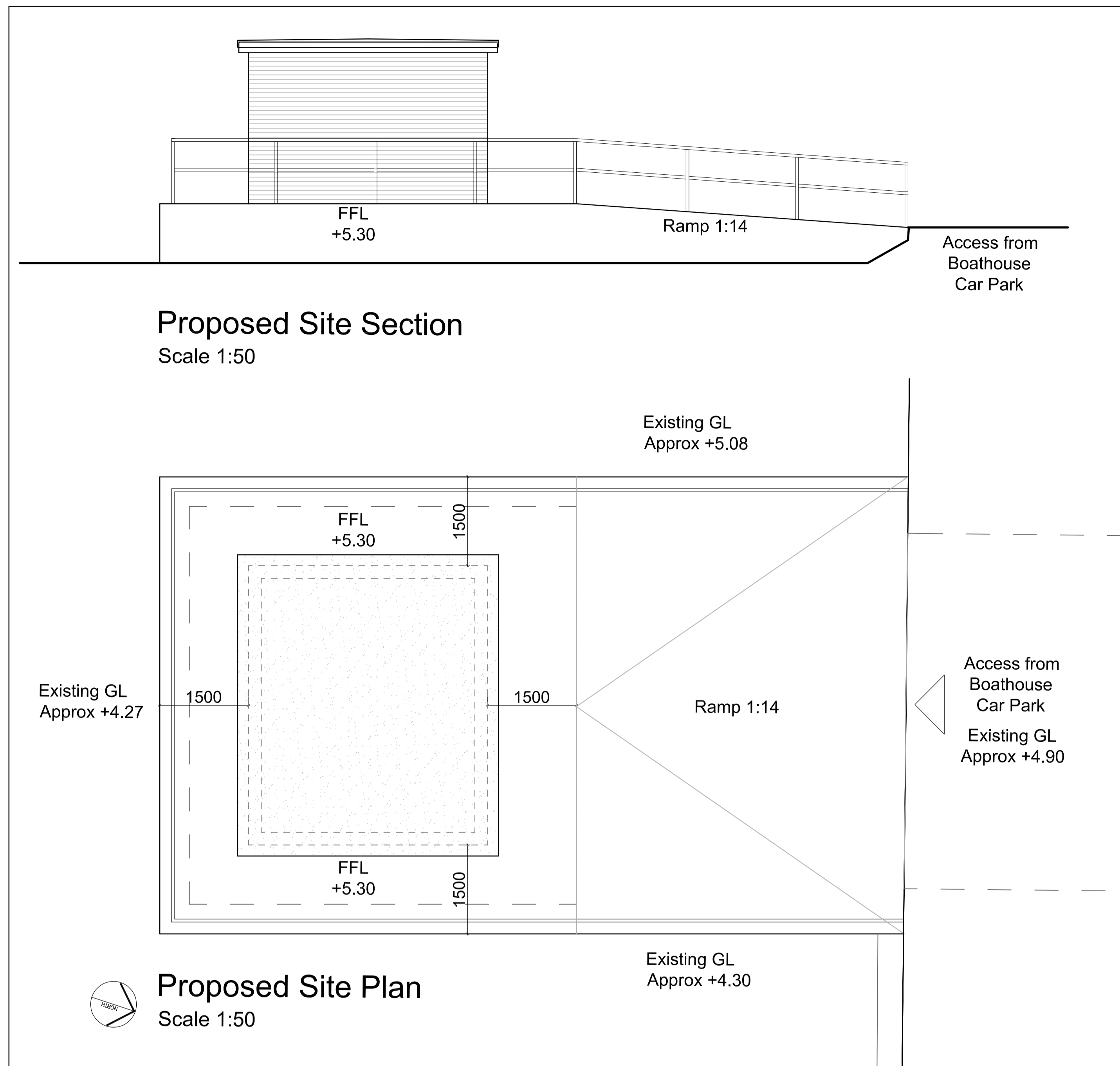
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PROPOSED SITE PLAN

Sheet Status
PLANNING

Project No.
IANC20-0113

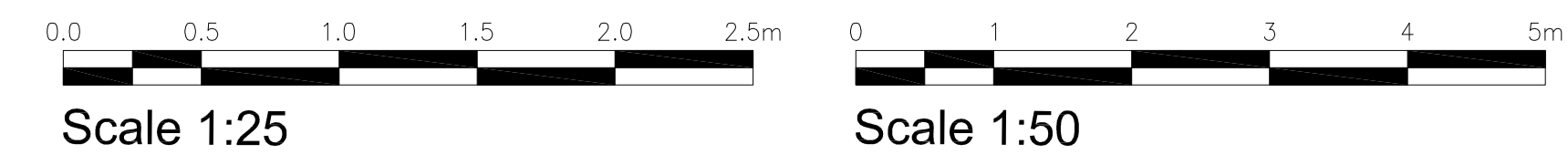
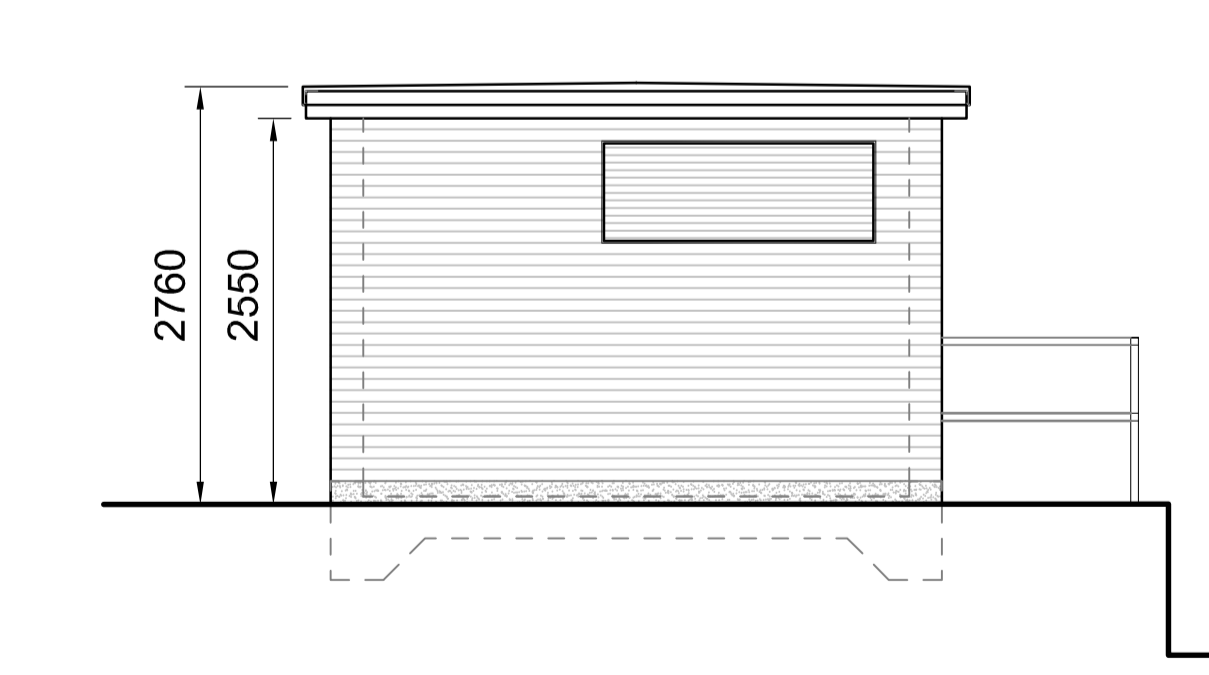
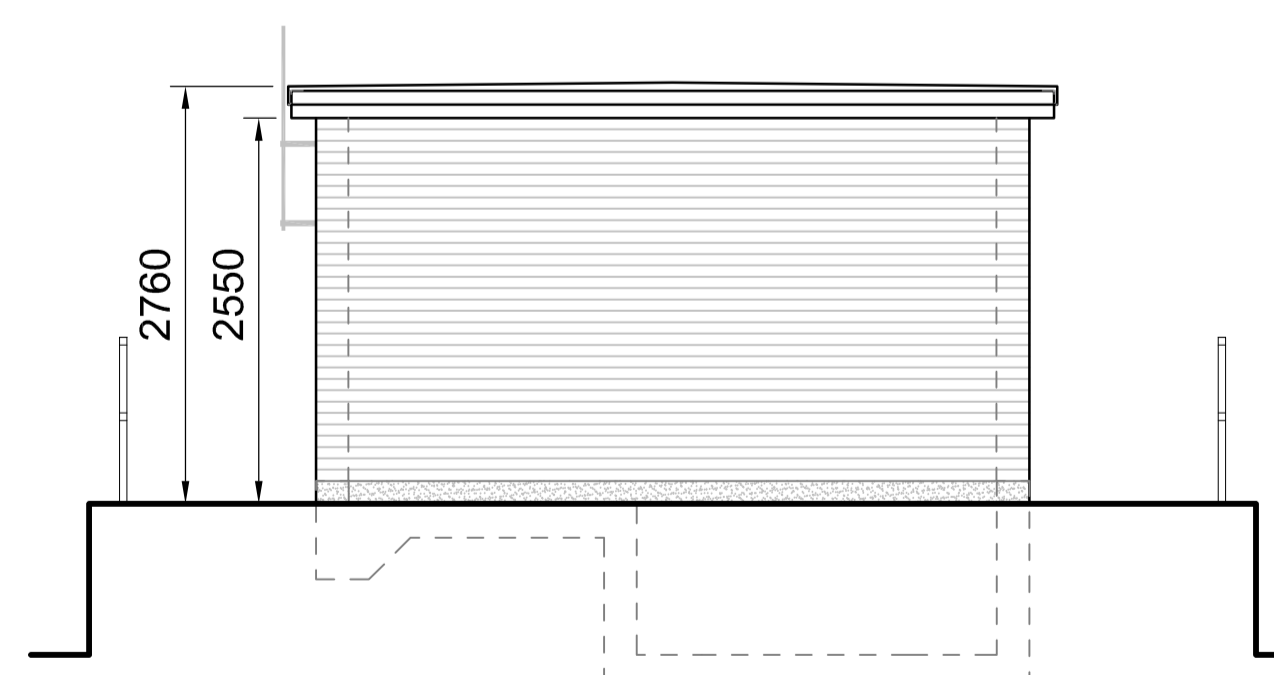
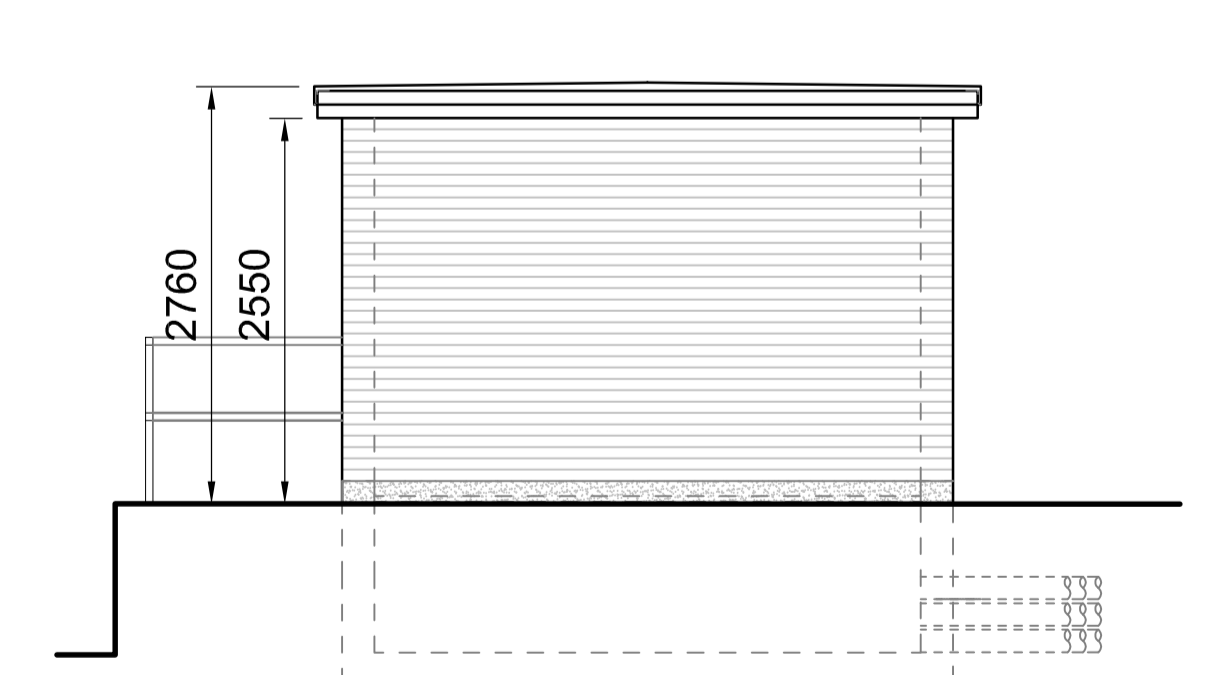
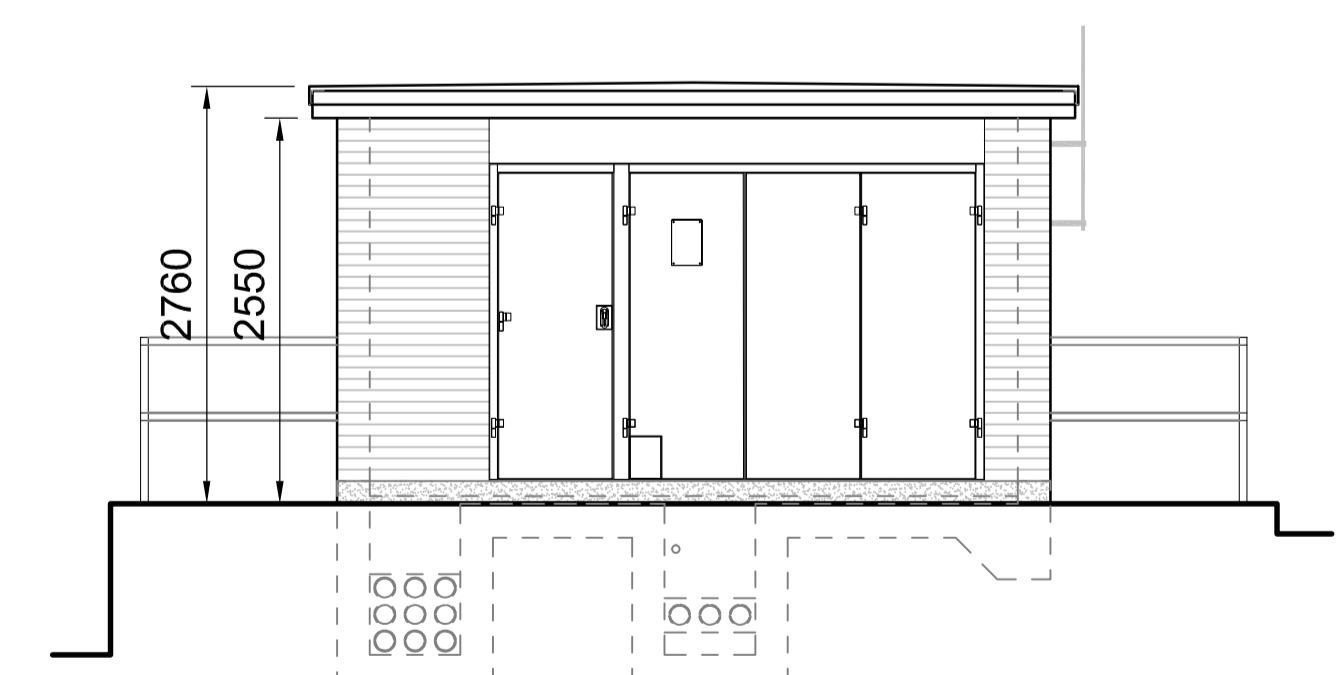
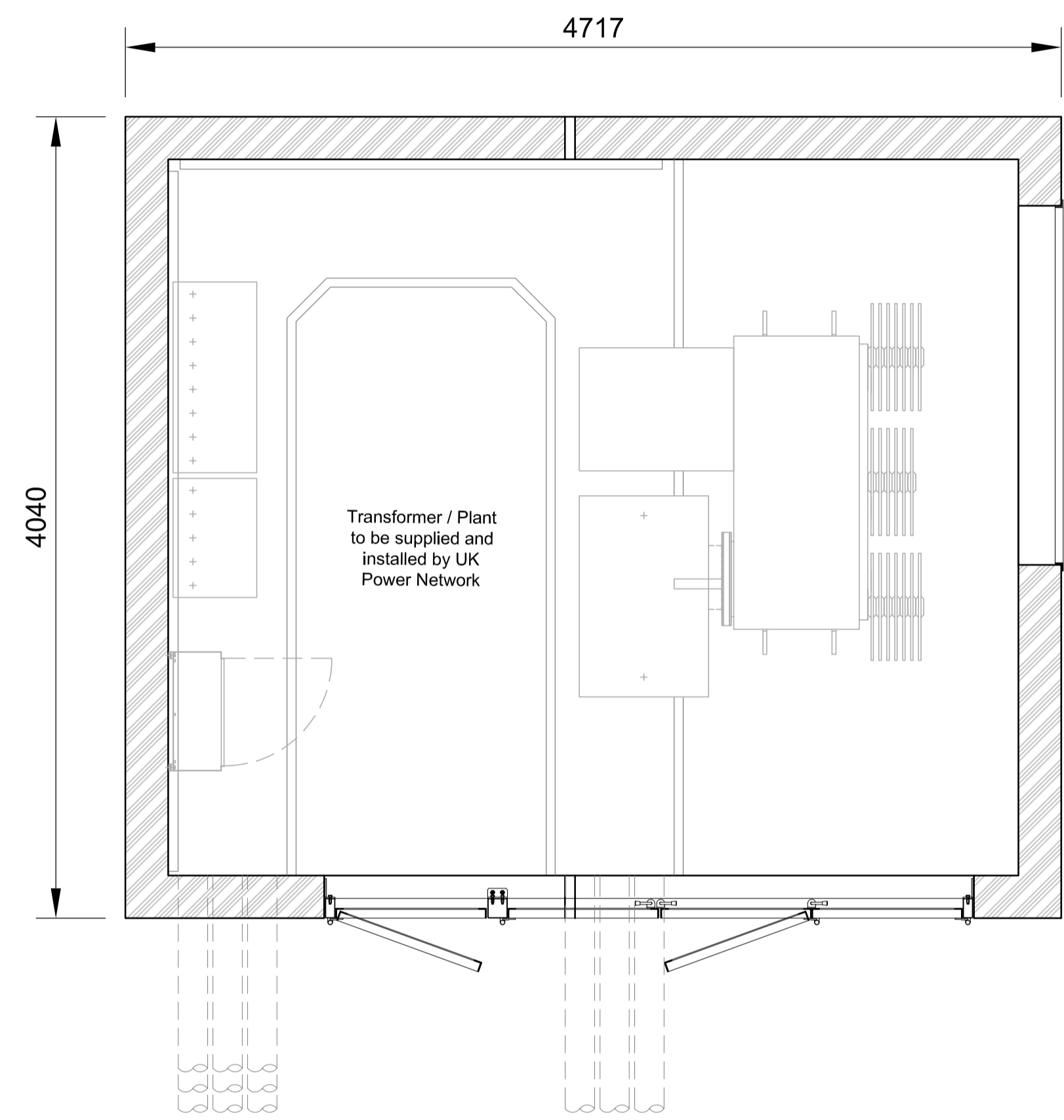
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Proposed Materials

Base: Concrete plinth and upstand
 Walls: Red brick on concrete upstand
 Roof: Concrete slab with asphalt finish
 Doors: Grey powder coated louvered steel doors
 Louvres: Grey powder coated steel louvres
 Railings: Metal railings to plinth perimeter

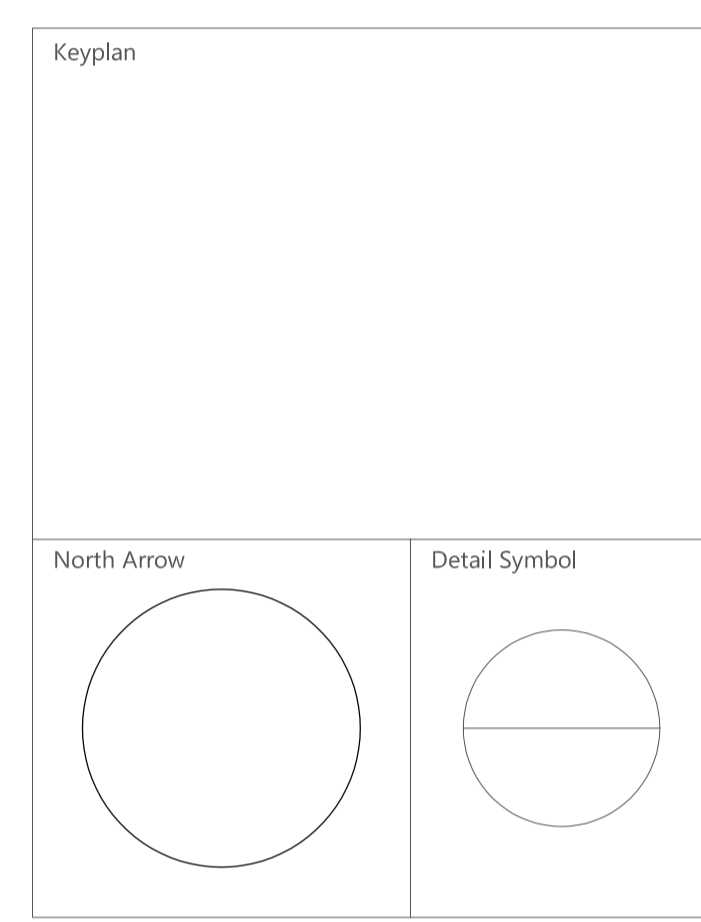


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Scale	1:50 @ A1		
Client	FENLAND DISTRICT COUNCIL		
Project	NEW SUBSTATION NENE WATERFRONT		
Drawing Title	PROPOSED SUBSTATION GA PLANS, ELEVATIONS & SECTIONS		
Sheet Status	PLANNING		
Project No.	IANC20-0113		
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