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**F/YR22/0459/F**

**Applicant: Mrs. D C Laws & Mrs. A E  
Blewett**

**Agent : Mr Andrew Hodgson  
Pegasus Group**

**Land North Of, Red Barn, Turves, Cambridgeshire**

**Erect 5no dwellings (2no 3-bed, 2-storey and 3no 3-bed, 2-storey with attached garages)**

**Officer recommendation: Grant**

**Reason for Committee: Applicant is a Fenland District Councillor**

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## **1 EXECUTIVE SUMMARY**

- 1.1 The current proposal as a 're-submission' application from approved, but lapsed application F/YR11/0101/F is considered acceptable in principle and in matters of detail whereby it would represent an appropriately designed small housing scheme at this undeveloped and partially enclosed site location situated at the northern end of Turves where it would make effective and efficient use of available and currently under-utilised land in line with NPPF advice relating to new housing.
- 1.2 Whilst the proposed development would not strictly align with Policy LP3 of the adopted Local Plan relating to Turves as a Small Village settlement as it would not represent residential infilling by recognised definition, adopted plan policy in this instance is legitimately overridden by the particular circumstances of the site's physical location and also in recognition of the previous grant of planning permission by the Council for 5 no. dwellings at this site under ref; F/YR11/0101/F, albeit that the permission for that previous scheme has since expired.
- 1.3 The proposal would not give rise to any significant residential amenity harms to occupiers of neighbouring properties and would not cause harm to any protected or priority species or their habitats whereby opportunities exist for ecology net gains to be made through the proposal.
- 1.4 It is therefore recommended that the application be granted subject to appropriate conditions.

## **2 SITE DESCRIPTION**

- 2.1 The site comprises an irregular shaped and flat parcel of undeveloped land consisting of 0.49 ha which is currently overgrown which lies to the immediate south of the Ely to Peterborough main railway line save for a strip of undeveloped land running alongside it, to the immediate east (rear) of residential properties which line Burnt House Road and to the immediate north and west of properties

which exist within the Red Barn housing development. A planted tree area exists along the site's northern boundary strip, whilst more occasional self-seeded vegetation lies along the other site boundaries. No structures exist on the land. The site is accessed via a temporary 'Heras' fencing access gate which is positioned within the site's eastern boundary facing onto the driveways of Nos.37/39 Red Barn.

- 2.2 The first section of Burnt House Road at this location is characterised by 1½ storey chalet style housing, whilst the Red Barn estate is characterised by mainly 2-storey housing consisting of a variety of house types.

### 3 PROPOSAL

- 3.1 This full application relates to the erection of 5no. market dwellings with parking provision and new access road as shown on 'Proposed Site Layout Plan' Drwg. No. P21-3545 02 Rev1.
- 3.2 The five dwellings proposed would be of similar house types all with front projecting dropped eaves lines to the principal elevation and all with single storey rear projecting outshoots with the exception of the dwelling for Plot 5. Each dwelling would have the benefit of either frontage or side hardstanding parking provision, although the dwellings for Plots 3, 4 and 5 would also have the benefit of single space attached garages.
- 3.3 A small communal grassed amenity area is shown for the front of the proposed development, whilst a private paddock for the benefit of Plot 5 would be formed to the side of this last plot to the rear of Nos.37-43 Red Barn. An indicated 2.7m wide maintenance access strip for surface water and foul sewer discharge would run from the development through the paddock to a proposed Klargestar package treatment plant, whilst a communal refuse/recycling point would stand just into the development site along the proposed access road.
- 3.4 The application is accompanied by the following documents/reports:
- Planning Statement
  - Design and Access Statement
  - Flood Risk Assessment
  - Ecological Appraisal
  - Bio-diversity Net gain Assessment
  - Contamination Report
  - Geo-Environmental Site Investigation Reports
- 3.5 Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

### SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR01/0516/O	Residential development (0.7 ha)	Withdrawn	23.07.2001

F/YR01/0814/O	Erection of 5 no. dwellings (0.7 ha)	Withdrawn	19.12.2001
F/YR02/0577/O	Residential Development (0.7 ha)	Withdrawn	23.09.2002
F/YR03/0627/O	Residential Development (0.7 ha)	Refused	13.08.2003
F/YR09/0246/O 09/00039/REF	Erection of 5 bungalows and 2 semi-detached houses	Refused Appeal Dismissed	07.07.2009 16.04.2010
F/YR11/0101/F	Erection of 2 x 3-bed 2-storey dwellings and 3 x 3-bed 2-storey dwellings with attached garages	Granted	21.02.2012
F/YR14/3145/COND	Details reserved by conditions 2, 5, 6 and 10 of planning permission F/YR11/0101/F (Erection of 2 x 3-bed 2-storey dwellings and 3 x 3-bed 2-storey dwellings with attached garages)	Approved	05.02.2015
F/YR21/1189/VOC	Variation of Condition 9 (Flood Risk), relating to planning permission F/YR11/0101/F (Erection of 2 x 3-bed 2-storey dwellings and 3 x 3-bed 2-storey dwellings with attached garages)	Withdrawn	17.11.2021

## 4 CONSULTATIONS

### 4.1 Environment Agency:

#### Environment Agency Position

*We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the relevant Internal Drainage Board (IDB). As such, we have **no objection** to the proposed development on flood risk grounds.*

#### Advice to LPA

*In accordance with paragraph 162 of the National Planning Policy Framework, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk. Our national flood risk standing advice reminds you of this and provides advice on how to do this.*

*The IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.*

*In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to*

*formally consider the emergency planning and rescue implications of new development in making their decisions.*

## **4.2 Middle Level Commissioners**

*(March West and White Fen Internal Drainage board)*

*Whilst detailed consideration of the application has not been undertaken, from a brief review of the submission documents the following comments are made:*

### *A. Drainage and flooding problems*

- i. Several concerns have been raised by local residents about drainage and flooding.*
- ii. Turves does have a history of flooding within its urban area primarily due to the absence of adopted sewer systems and associated infrastructure, with many properties utilising infiltration based systems for waste water disposal which, because of the geological conditions, including a high ground water table, do not meet design requirements.*
- iii. However, the Board has no evidence of flooding in the vicinity of the site in recent years.*

### *B. Maintenance Access Strips*

- i. As land owners beside watercourses have duties under the Land Drainage Act (LDA) it is pleasing to note from Pegasus Designs Drawing No. P21-3545\_02 SHEET NO: \_ REV: \_ I that a 5m wide maintenance access strip has been provided beside the adjacent watercourse.*
- ii. However, it is uncertain how suitable maintenance machinery will be able to gain access to it.*

### *C. Waste Water Management Systems*

- i. There does appear to be some confusion concerning the means of waste water disposal. It is noted that the Planning Application Form dated 07th Feb does not refer to the use of SUDS or a package treatment plant (PTP), but these are referred to in other supporting documents.*
- ii. The Sustainable Drainage Strategy Ref. ECL0514 dated July 2021 advises that the proposal includes both a Swale and Detention Pond for surface water disposal, Figure 3 on page 21 (8), see below, and a PTP for foul water disposal both of which will discharge to the existing watercourse. However, the latter is not illustrated on the afore mentioned figure, but is shown on Peter Humphrey Associates Drawing No. 4642/P01M, page 26, in the same location as the proposed pond.*
- iii. The use of a well-designed pond would avoid any concerns about infiltration and high ground water levels.*
- iv. In the absence of detailed design of the waste water management systems it is difficult to be conclusive, but the pond visually appears to be too small and does not meet the Board's minimum design and access requirements.*

### *D. Pollution Control and Nutrient Loading*

- i. Water quality is primarily an issue for either the Environment Agency and/or the local Environmental Health Department, but problems with and*

- the incurred costs associated with polluted watercourses and/or disposal of excavated material are increasing. Nutrient Loading is also a concern.*
- ii. Any actions that prevent/control pollution and contribute to nutrient neutrality, generally in accordance with the guidance provided by Natural England, are encouraged.*
  - iii. The appropriate design and regular maintenance of together with the use of appropriate planting within both the swale and the pond is likely to reduce any adverse impacts and could also diversify and contribute to local Biodiversity, including the aquatic environment.*

*E. Long-term Ownership, Funding and Maintenance of the waste water management system.*

- i. The submission documents refer to the establishment of a property management company (ManCo) to manage and maintain the waste water management systems, presumably both on and off site.*
- ii. In order to alleviate concerns about suitable arrangements being made to secure the operation of the scheme throughout its lifetime and any subsequent adverse impact upon the respective systems; the Commissioners/Boards and Councils' ratepayers and the natural, built and waterborne environment; it is considered appropriate that the Commissioners/Boards ensure that adequate arrangements are made for the long-term ownership funding, management and maintenance arrangements for the upkeep of any waste water management systems, whether on or off site, in perpetuity.*
- iii. These requirements may be in addition to those imposed by planning conditions or required by the LLFA and request that details of the works to be carried out by the occupier/land owner, adopting authority, the Management Company or other responsible person/authority, together with the costs attached, are included in the "Owners Pack" and the Deed of Sale.*

*It is accepted that items C – E can be dealt with by imposing suitably worded planning conditions.*

### **4.3 Highways**

*Highways note that this application had been granted permission previously. This current arrangement is the same as the previous. Even though the previous application had a stated 5m width for the access into the site, the current scheme does not have the stated width. Therefore, the width should be added to the plan.*

*Please note: The access should be sealed and 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.*

### **4.4 Network Rail**

*Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.*

*The developer must ensure that their proposal, both during construction and after completion does not:*

- encroach onto Network Rail land*
- affect the safety, operation or integrity of the company's railway and its infrastructure*
- undermine its support zone*
- damage the company's infrastructure*
- place additional load on cuttings*
- adversely affect any railway land or structure*
- over-sail or encroach upon the airspace of any Network Rail land*
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.*

#### **4.5 PCC Wildlife Officer**

*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.*
- i) Methodology on the creation of the proposed habitats within the Biodiversity Net Gain Assessment.*

*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.*

*• 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 any recommended biodiversity enhancements;  
and*

*-Boundary treatments. Development shall be carried out in accordance with the submitted details and at the following times:*

*Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) 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.*

*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:*

*The ecological surveys by Allied Ecology, 2022 outlines that the proposed development can avoid negative impacts on ecological material concerns. The conditions above ensure that the recommendations from the survey are incorporated into the site design and that the site will result in at least no net loss of biodiversity.*

#### **4.6 FDC Environmental Health Officer**

*The Environmental Health Team have 'No Objections' in principle to the proposed scheme as it is unlikely to affect or be affected by the noise or air climate.*

*Previous attention was given to address a concern for the potential of there being contamination on site. As a result, a Phase 1 and a subsequent intrusive Phase 2 investigation was carried out to establish ground conditions.*

*The Phase 2 investigation undertaken by RSK Environmental Ltd has detected no made ground material or visual/olfactory contamination at the application site and has concluded the site is suitable for the proposed use with no further assessment considered necessary. Investigation Project No. 340257 dated 28<sup>th</sup> January 2022 refers.*

*Having reviewed the above report this service accepts the findings made following the ground investigation along with the recommendations made by RSK Environmental as described in Section 8.3 of the approved report. Notwithstanding the recommendations made by RSK, this service requests the 'Unsuspected Contaminated Land' condition be imposed should permission be granted given the nature of development being proposed, but also in the interests neighbouring receptors and the environment.*

*Our records show previous reports made to the council regarding defective drainage in this area and so we would highlight the concern this proposal may have on the existing network of drains and/or suitability of the existing geology of*

*the area. To this end, I would recommend our Engineering Services Team be invited to further comment on this proposal and the drainage being considered.*

*We note the presence of existing sensitive receptors adjacent the application site who have the potential to be adversely affected by the proposed development. Should this application be approved, we ask the applicant to submit as a pre-commencement condition, a robust Construction Management Plan (CMP) that, sets out how the potential for adverse impacts such as noise, dust and other unwanted nuisance will be avoided or minimised during the various stages of development.*

*The CMP should include but not be limited to the following elements:*

- *Contractors' access arrangements for vehicles, plant and personnel including the location, design and specification of construction access and the traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers*
- *Construction hours (with no noisy working outside the hours of 8am to 5pm Monday to Friday, 8am to 1pm Saturdays whilst at no time on a Sunday or bank holiday)*
- *Delivery times for construction purposes*
- *Noise monitoring methods including location, duration, frequency and making available the results of monitoring at the request of council officers*
- *Mitigation against the level of noise generated by construction equipment, plant and vehicles*
- *Vibration monitoring method including location, duration, frequency and making available the results of monitoring at the request of council officers*
- *Dust suppression management (wheel washing measures for example to prevent the deposition of debris on the highway and the general environment*
- *Site lighting*
- *Liaison, consultation and publicity arrangements including dedicated points of contact*

Further response received from FDC Environmental Health Officer dated 6 October 2022:

*I have added a standard noise condition for railways that could be included.*

#### **4.7 Whittlesey Town Council**

*The Town Council has no objection and recommends approval.*

#### **4.8 Local Residents/Interested Parties**

Six letters of objection (Four from residents of Red Barn and two from Burnthouse Road, Turves) have been received on the following grounds:

- Overdevelopment
- Loss of agricultural land
- Flooding/drainage issues
- Access issues
- Wildlife impact



- Loss of trees
- Design/appearance
- Parking arrangements
- Bin store location
- Loss of residential amenity
- Light pollution
- Impact on local services

## 5 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).

## 6 POLICY FRAMEWORK

### National Planning Policy Framework (NPPF)

Paragraph 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Paragraph 12 – The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.

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

Paragraph 60 – To support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 69 – Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

Paragraph 79 – To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 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.

Paragraph 119 – Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 120 – Planning policies and decisions should:

(d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Paragraph 124 – Planning policies and decisions should support development that makes efficient use of land.

Paragraph 126 – 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.

Paragraph 159 – Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 161 – All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.

Paragraph 162 – The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

Paragraph 163 – If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied.

Paragraph 179 – To protect and enhance biodiversity and geodiversity, plans should:

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

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

Procedures for determining a planning application.

## **National Design Guide 2021**

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

Identity – Respond to existing local character and identity. Well designed, high quality and attractive. Create character and identity.

Built Form – Compact form of development. Appropriate building types and forms.

Movement – Well-considered parking, servicing and utilities infrastructure for all users.

Nature – Support rich and varied biodiversity.

Homes and Buildings – Healthy, comfortable and safe internal and external environment. Well-related to external amenity and public spaces. Attention to detail: storage, waste, servicing and utilities.

Resources – Follow the energy hierarchy. Selection of materials and construction techniques. Maximum resilience.

Lifespan – Well-managed and maintained. Adaptable to changing needs and evolving technologies. A sense of ownership.

## **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need  
LP11 – Whittlesey  
LP12 – Rural Areas Development Policy  
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland  
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District  
LP19 – The Natural Environment

### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation on 25th August 2022, the first stage of the statutory process leading towards the adoption of the Plan. It is considered that the policies of this plan should carry extremely limited weight in decision-making at this time given the very early stage which the Plan is therefore at in accordance with Paragraph 48 of the NPPF. Of relevance to this application are policies:

Policy LP1: Settlement Hierarchy  
Policy LP2: Spatial Strategy for the Location of Residential Development  
Policy LP4: Securing Fenland’s Future  
Policy LP5: Health and Wellbeing  
Policy LP7: Design  
Policy LP8: Amenity Provision  
Policy LP12: Meeting Housing Needs  
Policy LP20: Accessibility and Transport  
Policy LP22: Parking Provision  
Policy LP24: Natural Environment  
Policy LP25: Biodiversity Net Gain  
Policy LP27: Trees and Planting  
Policy LP32: Flood and Water Management  
Policy LP34: Air Quality

### **The Whittlesey Draft Neighbourhood Plan 2021-2040**

This neighbourhood plan has been formally submitted to Fenland District Council for independent examination and is the subject of ‘Regulation 16’ consultation until 1 September 2022.

Due to the current stage of progression of the plan it carries little, but some, material weight in decision making. However the following policies of the emerging plan are of relevance to this application:

Policy 1 – Spatial Planning  
Policy 2 – Local Housing Need  
Policy 7 – Design Quality  
Policy 10 – Flood Risk

### **Cambridgeshire Flood and Water SPD**

### **Delivering and Protecting High Quality Environments in Fenland SPD**

- **Principle of Development**
- **Access considerations**
- **Design**
- **Impact on residential amenity**
- **Impact on protected/priority species**
- **Other matters – Trees, drainage and contamination considerations**

## **8 BACKGROUND**

- 8.1 This detailed application proposal is in effect a re-submission application without change to approved detailed application F/YR11/0101/F for the same said development whereby the planning permission for that previously approved scheme has since lapsed, hence the submission of the current full application.
- 8.2 Application F/YR11/0101/F was approved subject to ten planning conditions with each either controlling development or requiring submission of further details. The relevant conditions attached to the planning permission for that application were as follows:
- Condition 2 required details of the location and design of the refuse bin and recycling storage areas and collection points.
  - Condition 5 required details of materials to be used for external walls and roofs.
  - Condition 6 required a scheme for the provision of external lighting.
  - Condition 10 contained two parts and included: A desk top study into sources and impacts of land and/or groundwater contamination relevant to the site and a site investigation and risk assessment to characterise the nature and extent of any contamination and its implications.
- 8.3 The conditions listed above were included and discharged accordingly in subsequent DOC application F/YR14/3145/COND – with the exception of Condition 10, which was only partially discharged prior to expiration of the permission due to an oversight in discharging all of the conditions prior to the permission expiry date.
- 8.4 When determining the application the officer report included the following comments, “In relation to the site history as noted above the previous planning application (F/YR09/0246/O) was refused by the Council and ultimately dismissed on Appeal. However it included dwellings located further to the north than the current proposed layout. The Inspector in determining the Appeal made specific reference to the area of land within which the dwellings are now proposed. He noted that: *‘Development in this area would be closely bounded on three sides by existing dwellings and would do no more than consolidate and ‘round off’ the existing estate. It is also my understanding that it is this area that was originally intended for public open space and I consider it reasonable to assume that if that designation had been elsewhere at the time of the development (as in fact subsequently happened) then this area of land would have formed part of the housing layout’*. These comments by the Inspector are considered a material consideration in the determination of this application”.
- 8.3 The current ‘resubmission’ application retains details of the approved scheme, whilst updating key aspects such as the submitted Flood Risk Assessment and Ground Contamination Survey previously submitted to reflect current national and policy advice and current ground conditions.

## 9 ASSESSMENT

### Principle of Development

- 9.1 The residential development of this undeveloped and overgrown greenfield site partially surrounded by existing housing for 5 no. dwellings was previously viewed as being acceptable in principle by the Council under planning application F/YR11/0101/F when the officer report for that full application proposal in recommending approval for the scheme concluded that;

*“The application site is located adjacent to the Development Area Boundary for Turves, but can be considered appropriate for residential development as the proposed layout does effectively round off the built form of the existing estate. The proposed design and layout is considered to be of a good standard and will not have an adverse impact on residential amenity. The proposed development is considered acceptable in this location and is recommended for approval subject to appropriate conditions”.*

- 9.2 It should be noted that the aforementioned application was determined under a previously adopted local plan for the district (1993) and it therefore falls to be considered for the current re-submission application whether the residential development of the site remains acceptable in principle against the relevant plan policies of the subsequent and currently adopted local plan (the Fenland Local Plan (Adopted May 2014) with regard to Spatial Strategy, Settlement Hierarchy and other material matters and whether the development would now meet the provisions of the NPPF whereby application F/YR11/0101/F was determined very shortly before the NPPF was first published on 27 March 2012 and which is a material planning consideration for the ‘re-submitted’ proposal.
- 9.3 In this respect, Policy LP3 of the Fenland Local Plan (‘the local plan’) identifies Turves as a ‘Small Village’ settlement and states that residential development within such settlements will be considered on its merits, but will normally be of a very limited nature and normally be limited in scale to residential infilling. Policy LP12(a) further qualifies the requirements for village development in general, stating that only infill of existing villages will be considered favourably.
- 9.4 It should be noted, however, that the application site is shown to be outside the defined development boundary for Turves for the emerging Fenland Local Plan whereby Turves is defined within the emerging local plan for the purposes of Policy LP1 relating to Settlement Hierarchy as a ‘Small Village B’ and therefore is classed as falling within the countryside. Furthermore, the proposed housing growth strategy for the emerging local plan does not allocate any housing allocation sites for Turves. However, as previously stated above, the policies of this plan carry extremely limited weight in decision-making at this time given the very early stage which the plan is at.
- 9.5 The NPPF (July 2021) in its detailed glossary of terms does not define what is meant by the term ‘infilling’. However, ‘Appendix C – Glossary’ contained at the end of the adopted Fenland Local Plan covering terms which are considered more locally specific to the Local Plan defines ‘Residential Infilling’ as *‘Development of a site between existing buildings’*.

- 9.6 By this definition (and which is a definition widely accepted by other local planning authorities), the proposed development does not constitute a form of infilling. However, the proposal can be seen as representing something of an unusual circumstance in that the site is surrounded on three sides by existing housing with a physical barrier also existing to the immediate north, namely the railway line. As such, the proposed development would not conflict with a prevailing linear pattern, nor would it encroach into the open countryside as would otherwise usually be the case when considering proposals in Small Villages which are not 'infill'.
- 9.7 Whilst therefore the proposed development would strictly be contrary to Policy LP3 of the adopted Local Plan relating to Turves as a Small Village as it would not represent residential infilling by any recognised definition as aforementioned, adopted policy in this instance is therefore legitimately overridden by the particular circumstances of the site and also by virtue of the previous grant of planning permission for 5 no. dwellings at this site under ref; F/YR11/0101/F, albeit that the permission for that scheme has since expired whereby it is noted that Policy LP3 states that development will be considered on its merits, but will *normally* (report emphasis) be of a very limited nature, meaning that there is scope for some flexibility when anomalous circumstances arise.
- 9.8 Furthermore, the proposed development would chime with the provisions of the NPPF which states at Chapter 12 that planning decisions should promote an effective use of land in meeting the need for homes and other uses, adding at paragraph 120 d) that planning decisions should "*promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.* In this respect, the site is both under-utilised and available for housing whereby the NPPF is a material consideration to the planning merits of the current application proposal.

### **Flood Risk**

- 9.9 The application is accompanied by a Flood Risk Assessment (FRA) which updates the FRA which accompanied previously approved application F/YR11/0101/F which identifies all of the site as falling within Flood Zone 3 as shown on the government's Flood Risk map, representing the highest risk of flooding where indeed the whole of Turves lies within Flood Zone 3.
- 9.10 Policy LP14 includes a requirement for applicants to perform a sequential test in order to assess whether less flood prone sites have been duly considered. It is stated in the updated FRA that both the sequential and exception tests are met by reason of the previous permission for the site under F/YR11/0101/F. Whilst this position is noted, it should be emphasised that this permission has since lapsed and it is argued therefore that the submitted sequential test is flawed in its methodology. Notwithstanding this, it can be said that the sequential test is passed as a whole as the entire Turves settlement lies within Flood Zone 3 meaning that there are no alternative sites within Turves that would be at a lower flood risk and none that would be able to accommodate, individually or cumulatively, a 5 no. dwelling development as proposed. The applicant has provided flood resilience details in the submitted FRA to demonstrate how the development would be safe from flooding for its lifetime.

### **Access considerations**

9.11 The proposal shows a 5m wide raised block paved shared access road leading from Red Barn as previously shown for approved application F/YR11/0101/F which would incorporate a hammer head turning area whereby it is stated that the existing driveway leading to the site boundary is within the ownership of the applicant. CCC Highways have noted for their consultation response that planning permission has previously been granted for the same said housing scheme under F/YR11/0101/F showing exactly the same road layout arrangement as now proposed and have not raised any highway objections to the current re-submitted scheme subject to the access road clearly showing at 5m width (which it does). No highway objections are therefore raised to the proposal under Policies LP15 and LP16 of the adopted Fenland Local Plan.

## Design

- 9.12 The proposed dwellings for the submitted housing scheme would as before with approved application F/YR11/0101/F incorporate an appropriate vernacular building style with good pitched roofs, including the provision of roof dormers and roof lights, and good articulation of form between the various building elements. The dwellings would be 1½ storey in height which would represent an appropriate building scale for this infill site which is bounded by 1½ storey chalet style dwellings within Burnt House Road on its west side and by mainly two storey dwellings, but with some 1½ storey dwellings mixed in, within the Red Barn estate on its south and east sides. The presented scheme would therefore be in character with the prevailing built form of the immediate area.
- 9.13 The use of red brick, clay tiles and timber windows as external material finishes for the dwellings would be appropriate for this location as would the specified hard landscaping measures (cobble driveways), the indicative soft landscaping planting scheme as shown on the 'Proposed Site Layout' and also the proposed external lighting scheme specifying solar energy bollards along the access road into the development as shown on the 'Proposed External Lighting Layout'.
- 9.14 The development would have a suitable site density with the dwellings appearing relaxed within their respective plots with acceptable separation distances shown between their respective opposing flank elevations. All of the dwellings would have generous rear gardens which would comfortably exceed the minimum garden size specification as set out within Policy LP16 (h) of the adopted Local Plan. Additionally, all of the dwellings as 3-bedroomed units would have on-site parking provision which would either meet or exceed the minimum parking standards as set out in Appendix A 'Car Parking Standards' of the adopted Local Plan. Furthermore, all of the dwellings proposed are to incorporate a range of 'fabric first' energy reduction and performance improvement features, including Air Source Heat Pumps (ASHP) for space and water heating.
- 9.15 A communal bin store/collection point for the proposed 5 no. dwellings is shown positioned at the start of the development site on the submitted '*Refuse and Recycling Area Plan*' which would be enclosed by 1.8m high palisade fencing whereby this refuse and recycling facility was shown in an identical location for the proposed development for approved application F/YR11/0101/F. No objections are therefore raised to its siting at this entrance point similarly for the current application. It is noted that representations have been received from the occupiers of the adjacent residential property, No.37 Red Barn, raising concerns about the proposed positioning of the communal bin store/collection point adjacent to their western flank boundary in terms of smells that could emanate from it, particularly on bin collection days. However, whilst this representation is noted, it should be

emphasised that the current indicated positioning of the refuse and recycling facility at the beginning of the development would comply with the SPD adopted 25m maximum walking distance by refuse operatives from a highway, albeit that it would by coincidence be at the maximum walking distance of 25m, whereby moving it any further into the development would take it over this 25m maximum walking distance. No design objections are therefore raised to the proposal (as before) under Policy LP16 of the adopted Local Plan.

### **Impact on residential amenity**

- 9.16 Consideration is required to be given to the impacts of the proposed development on adjacent residential amenity, particularly as the development site is bounded by existing housing on three sides. The relaxed density of the development and arrangement of the dwellings within the proposal site is such that the development would not be overbearing on any adjacent dwellings, whilst similarly there would not be any material overshadowing or material loss of light resulting for these adjacent properties. Neither the east facing flank elevations to the dwellings for Plots 1 and 5 or the west facing flank elevation for Plot 3 would contain windows of any description meaning that there would not be any material overlooking into opposing neighbouring properties on these sides. The proposal would there be compliant with Policies LP2 and LP16 of the adopted Local Plan.

### **Impact on protected/priority species**

- 9.17 The site is currently undeveloped with the description of the site/habitat potential given in the prepared Ecological Appraisal (Applied Ecology, July 2022) as follows:

*“Habitats within the site largely comprise unmanaged tall ruderal with scrub, developing woodland, hardstanding and amenity grassland. A single off-site drain lies adjacent to the east of the site”.*

- 9.18 The appraisal states that no non-statutory designations are present within or adjacent to the site boundary, with all such designations being well separated from the site by existing development, access infrastructure and open countryside, adding that it is considered that these designations are unlikely to be affected by the proposal given the nature and scale of the proposed development and physical distance from all non-statutory designations.
- 9.19 A walk-over of the site for the ecology appraisal established the following site conditions with regard to the presence or absence of protected/priority species:

Bats – No trees were identified within the site as providing features with the potential to support roosting bats and that limited foraging opportunities are present in the form of tall ruderal, scrub and developing woodland.

Reptiles – Sub-optimal habitat present in the form of tall ruderal, scrub and developing woodland.

Great Crested Newts – No suitable waterbodies are present at the site or within 250m of the site boundary.

Invertebrates – Common and widespread species likely to be present.

Badger – No evidence of Badger setts or Badger foraging / commuting behaviour was recorded within / adjacent to the site. It is likely that Badger may occasionally pass through / make use of the site.

Other mammals – Other mammal species likely to be present are widespread and not afforded specific legislative protection.



Birds – Suitable nesting habitat exists on the site in the form of dense scrub and woodland.

- 9.20 The submitted ecological appraisal concludes that it is considered that no significant harm to any habitats or faunal species of interest will occur as a result of the proposed development subject to the satisfactory implementation of the recommended mitigation and safeguarding measures within the recommendations section of the report.
- 9.21 The submitted appraisal has been reviewed by the Council's Wildlife Officer who has commented in his consultation response for this application that he has no ecology objections to the submitted proposal based upon the findings, conclusions and recommendations of the appraisal subject to stated conditions to make the proposal acceptable in planning terms from an ecological perspective, including the satisfactory implementation of a Construction Environmental Management Plan (CEMP). No policy objections are therefore raised under Policy LP19 of the adopted Local Plan subject to these conditions being imposed on any planning permission granted.

#### **Other matters – Trees, drainage, contamination considerations**

- 9.22 A planted area of young to semi-mature broadleaved trees, including English Oak, Hazel, Silver Birch, Ash and Dogwood exists within the northern area of the site which would be required to be removed as a result of the development to facilitate the dwellings for Plots 3, 4 and 5 and would not be replaced. The total loss of this planted deciduous tree grouping would be regrettable and it is considered both appropriate and reasonable in the interests of local visual amenity for a strip of these trees running along the northern boundary of the site, the extent to be agreed, to be retained as part of any landscaping scheme to be submitted and approved for the proposal should planning permission be granted whereby any agreed reduced tree strip would not diminish the rear garden areas of the dwellings to which they relate.
- 9.23 The submitted Biodiversity Net gain Assessment (BNGA) (Allied Ecology, July 2022) has identified that the removal of this existing tree planted area would trigger a 'trading error' under the relevant biodiversity net gain metric, although adds that even if this planted area were proposed to be replaced within the remainder of the site that this would still not address the trading error and would result in a biodiversity net loss for the proposed scheme. As such, whilst the assessment states that this trading error would not be resolved under the proposal, the current approach to recommended biodiversity enhancements identified for the scheme would represent delivery of over 20% biodiversity net gain within the site as a whole for the proposal and that in conjunction with additional faunal enhancements and a proposed 100% increase in on-site hedgerow habitats that the proposal is considered able to deliver considerable net gains for biodiversity. No objections are therefore raised under Policies LP16 and LP19 of the Fenland Local Plan.
- 9.24 The submitted Sustainable Drainage Strategy (Ellingham Consulting Ltd, July 2021) follows on from the submitted FRA. The strategy extensively details the measures taken to minimise localised flood risk whereby the drainage proposals have been designed to cater for a 1 in 100 year plus climate change storm event. Surface water from the proposed development is proposed to be drained into the watercourse to the east of the site due to the soil being classified as unsuitable for infiltration. A swale is proposed along the boundary of the site to the rear of Nos.

37-43 Red Barn to facilitate run-off into a detention basin before discharging into the existing drain to the east as shown on the 'Proposed Site Layout'.

9.25 The Middle Level Commissioners have been consulted on the application who have stated that several concerns have been raised by local residents about drainage and flooding in the localised area due to the absence amongst other things of a high ground water table and unadopted sewer systems, although it has stated that it does not have any evidence of flooding in the vicinity of the application site in recent years. It has commented on the proposed method of drainage at the site and considers that issues of maintenance, waste water management, pollution control, long terms ownership, funding and maintenance can be addressed through appropriate planning conditions. In this respect, the applicant has responded to the Middle Level Commissioners consultation response addressing all of the points raised (see response letter dated 9 September 2022 from Ellingham Consulting Ltd) and can form the basis of any suitable worded conditions.

9.26 It is considered that sufficient measures have been taken by the applicant to ensure that a suitably designed surface water and sewer system for the proposed development can operate at the proposal site successfully and no design/drainage objections are therefore raised in this respect under Policies LP14 and LP16 of the adopted Local Plan. The representations received by a local resident regarding available site access to maintain the proposed SuDS system are noted. The Council has since received a communication from the applicant following these expressed concerns, which states as follows:

*"The drainage maintenance strip adjacent to the Red Barn development site is still in the ownership of Mr Walter Aldridge estate & Mr & Mrs Blewett and the drainage strip would be retained for future maintenance. Drainage machinery will be able to gain access for maintenance using the public right of way and from memory has been used in the past".*

It is considered from this received information that site access to the proposed SuDS scheme should not represent a hindrance to it regarding future maintenance.

9.27 Previous attention was given for approved application F/YR11/0101/F to address a concern for the potential of there being contamination on site. As a result, a Phase 1 and a subsequent intrusive Phase 2 investigation was carried out to establish ground conditions. The Phase 2 investigation undertaken has detected no ground or other contamination at the site and has concluded that the site is suitable for the proposed use with no further assessment considered necessary.

9.28 FDC Environmental Health have reviewed the above reports and has accepted their findings along with the recommendations made, although have commented as an amenity safeguard that the 'Unsuspected Contaminated Land' condition be imposed should permission be granted given the nature of development being proposed. No objections are raised under Policy LP16 of the adopted Local Plan on this basis. However, it is considered necessary and reasonable in the interests of the protection of the residential amenity of future occupiers of the proposed dwellings for a noise condition for railways to be imposed on any planning permission granted given the adjacent railway line to the immediate north which has a scheduled number 38 passenger trains running daily along it as well as carrying quite a lot of freight traffic.

## Conditions

9.29 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.

The proposed conditions are as follows;

Condition 3 – Hard and soft landscaping details

Condition 4 – Tree protection details

Condition 6 – Construction Environment Management Plan (CEMP)

Condition 15 – Railway noise mitigation scheme

Condition 16 – Construction Management Plan (CMP)

## 10 CONCLUSIONS

10.1 The current proposal as a 're-submission' application from approved, but lapsed application F/YR11/0101/F is considered acceptable in principle and in matters of detail whereby it would represent an appropriately designed small housing scheme at this undeveloped and partially enclosed site location situated at the northern end of Turves where it would make effective and efficient use of available and currently under-utilised land in line with NPPF advice relating to new housing.

10.2 Whilst the proposed development would not strictly align with Policy LP3 of the adopted Local Plan relating to Turves as a Small Village settlement as it would not represent residential infilling by recognised definition, adopted plan policy in this instance is legitimately overridden by the particular circumstances of the site's physical location and also in recognition of the previous grant of planning permission by the Council for 5 no. dwellings at this site under ref; F/YR11/0101/F, itself heavily influenced by a previous appeal decision, albeit that the permission has since expired.

10.3 The proposal would not give rise to any significant residential amenity harm to occupiers of neighbouring properties and would not cause harm to any protected or priority species or their habitats whereby opportunities exist for ecology net gains to be made through the proposal.

10.4 It is therefore recommended that the application be granted subject to appropriate conditions.

## 11 RECOMMENDATION:

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

### Conditions

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

	<p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development shall be carried out in accordance with the submitted 'Schedule of External Finishes' detailing the brickwork and roof tiles to be used for the proposed dwellings.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan (adopted May 2014).</p>
3	<p>Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-</p> <ul style="list-style-type: none"> <li>a) proposed finished levels</li> <li>b) means of enclosure</li> <li>c) vehicle and pedestrian access and circulation areas</li> <li>d) hard surfacing, other hard landscape features and materials</li> <li>e) planting plans, including specifications of species, sizes, planting centres number and percentage mix for boundary hedgerows and other planting features</li> <li>f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife</li> <li>g) details of siting and timing of all construction activities to avoid harm to all nature conservation features</li> <li>i) location of service runs</li> <li>j) management and maintenance details</li> <li>k) retention of a boundary strip of the existing grouping of native broad-leaved deciduous trees which stand within the northern area of the site (exact strip to be agreed).</li> </ul> <p>Reason – The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 of the Fenland Local Plan (adopted May 2014).</p>
4	<p>Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2005. Moreover, measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes.</p> <p>Reason – To ensure that any retained trees are adequately protected in accordance with Policy LP16 of the Fenland Local Plan (adopted May 2014).</p>
5	<p>All hard and soft landscape works, including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the</p>

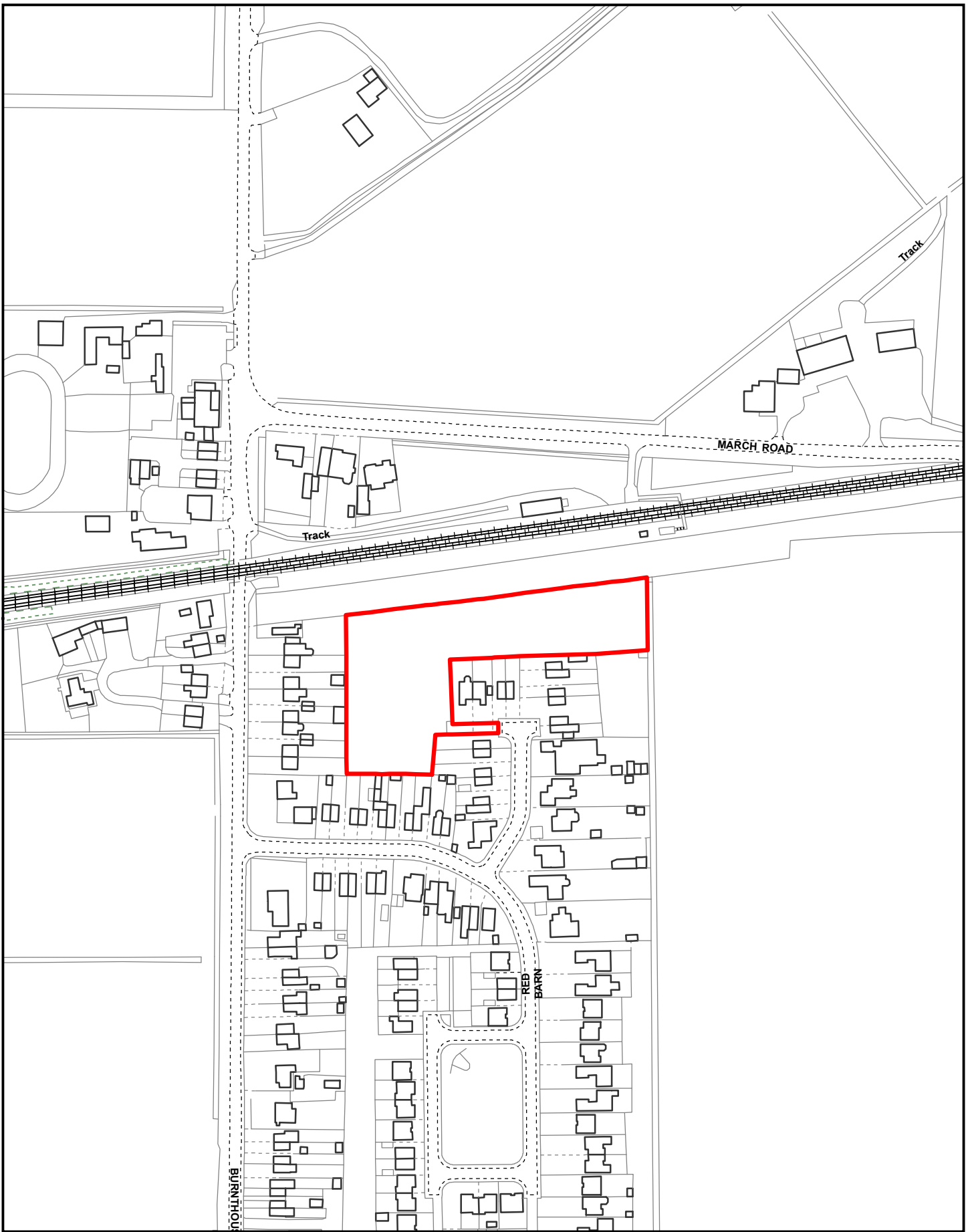
	<p>completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason – To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan (adopted May 2014).</p>
6	<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"> <li>a) Summary of potentially damaging activities.</li> <li>b) Identification of “biodiversity protection zones”.</li> <li>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.</li> <li>d) The location and timing of sensitive works to avoid harm to biodiversity features.</li> <li>e) The times during construction when specialist ecologists need to be present on site to oversee works.</li> <li>f) Responsible persons and lines of communication.</li> <li>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</li> <li>h) Use of protective fences, exclusion barriers and warning signs.</li> <li>i) Methodology on the creation of the proposed habitats within the Biodiversity Net Gain Assessment.</li> </ul> <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 – To accord with relevant wildlife legislation to safeguard protected and priority species and their habitats in accordance with Policy LP19 of the Fenland Local Plan (adopted May 2014).</p>
7	<p>Ecology bio-diversity enhancement measures to encourage a net gain of flora and fauna for the site resulting from the approved development, including the provision of bat boxes, bird boxes, bee bricks, hedgehog domes and hedgehog access points from/to the development site, shall be carried out in accordance with the bio-diversity enhancement recommendations set out in the submitted document entitled ‘Ecological Appraisal’ (Allied Ecology, July 2022).</p> <p>Reason – To encourage bio-diversity net gain in accordance with Policies LP16 and LP19 of the Fenland Local Plan (adopted May 2014).</p>
8	<p>Vegetation clearance at the site shall only take place outside the bird breeding season, namely outside the period 1 March to 31 August inclusive.</p>

	Reason – To ensure compliance with Section 1 of the Wildlife and Countryside Act (as amended) with respect to nesting birds and to provide biodiversity mitigation in accordance with Policy LP19 of the Fenland Local Plan (adopted May 2014).
9	<p>The development hereby approved shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Geoff Beel consultancy (Revised Final Report – July 2021) and the following mitigation measures detailed within the FRA:</p> <p>'Finished floor levels are to be set no lower than 300mm above the carriageway of Red Barn'.</p> <p>Reason – To reduce the risk of flooding in accordance with Policies LP14 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
10	<p>The development shall be carried out in accordance with the sustainable drainage scheme (SuDS) prepared by Ellington Consulting Ltd ('Final Report') dated July 2021, ref; ECL0514.</p> <p>Reason – To provide a satisfactory means of surface water drainage for the proposed development and to protect future occupiers of the development and occupiers of adjacent properties from surface water flooding in accordance with Policies LP14 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
11	<p>The access road serving the development shall be constructed to a minimum width of 5 metres. The vehicular access shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification. Surface water from private roads/ driveway areas must not discharge onto the public highway and appropriate intervention must be provided.</p> <p>Reason – In the interests of highway safety in accordance with Policies LP15 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
12	<p>The parking spaces shown for the proposed dwellings on drawing P21-3545_02 Rev 1 shall be laid out and retained for occupant use/visitors prior to first occupation of the dwellings and shall thereafter not subsequently be used for any other purpose(s).</p> <p>Reason – To ensure that the development as approved has the appropriate levels of resident parking and to avoid on-street parking in accordance with Policy LP16 and Appendix A – Parking Standards of the Fenland Local Plan (adopted May 2014).</p>
13	<p>The proposed external lighting scheme hereby approved as shown on drawing 11182 PL02 Rev A ('Proposed External Lighting Layout') and on the accompanying technical specifications sheet providing details of solar bollards/column lighting shall be installed prior to occupation of any of the dwellings and retained thereafter in perpetuity.</p> <p>Reason - In order to ensure adequate safety and security on site for future occupiers of the development and for visitors in accordance with Policies LP16 and LP17 of the Fenland Local Plan (adopted May 2014).</p>

14	<p>The proposed refuse/recycling facility hereby approved as shown on drawing 11182 PL01 Rev A ('Refuse and Recycling Area Plan') shall be first made available for the development prior to occupation of any of the dwellings and retained thereafter in perpetuity.</p> <p>Reason – To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of residential amenity and sustainability in accordance with Policy LP16 of the Fenland Local Plan (adopted May 2014).</p>
15	<p>Prior to commencement of development a scheme of mitigation to protect habitable rooms and external amenity areas from excessive railway noise in order to confirm compliance during daytime and night-time hours with levels as recommended by the World Health Organisation 1999 '<i>Guidelines for Community Noise</i>' and BS8233:2014 '<i>Guidance on sound insulation and noise reduction for buildings</i>' in accordance with a noise impact assessment undertaken by a suitably qualified professional shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to occupation of any of the dwellings.</p> <p>Reason – To safeguard the amenity of future occupiers of the development in accordance with Policies LP2 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
16	<p>Prior to commencement of development a Construction Management Plan (CMP) that sets out how the potential for adverse impacts such as noise, dust and other unwanted nuisance will be avoided or minimised during the various stages of development shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The CMP should include but not be limited to the following elements:</p> <ul style="list-style-type: none"> <li>• Contractors' access arrangements for vehicles, plant and personnel, including the location, design and specification of construction access and the traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers</li> <li>• Construction hours (with no noisy working outside the hours of 8am to 5pm Monday to Friday, 8am to 1pm Saturdays whilst at no time on a Sunday or bank or public holiday)</li> <li>• Delivery times for construction purposes</li> <li>• Noise monitoring methods, including location, duration, frequency and making available the results of monitoring at the request of council officers</li> <li>• Mitigation against the level of noise generated by construction equipment, plant and vehicles</li> <li>• Vibration monitoring method including location, duration, frequency and making available the results of monitoring at the request of council officers</li> <li>• Dust suppression management (wheel washing measures for example to prevent the deposition of debris on the highway and the general environment)</li> <li>• Site lighting</li> <li>• Liaison, consultation and publicity arrangements including dedicated points of contact.</li> </ul>

	<p>The Construction Management Plan (CMP) as approved shall thereafter be put in place and maintained for the duration of the development until development completion.</p> <p>Reason - To safeguard the amenity of occupiers of adjacent residential properties in accordance with Policies LP2 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
17	<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 any necessary contamination report(s)/remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved contamination report/remediation strategy.</p> <p>Reason – To control pollution of land or water in the interests of the environment and public safety in accordance with Policies LP2 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
18	<p>Prior to the first occupation of the development a refuse and recycling collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The refuse and recycling collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason – To ensure a satisfactory form of refuse and recycling collection for the development, to meet the District Council requirements for refuse and recycling and to prevent the unsightly storage of refuse/recycling containers in the interests of amenity and sustainability in accordance with Policies LP2 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
19	<p>Prior to the first occupation of the development hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980.</p> <p>Reason – To ensure a satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy LP15 of the Fenland Local Plan (adopted May 2014).</p>
20	Approved Plans





Created on: 06/05/2022

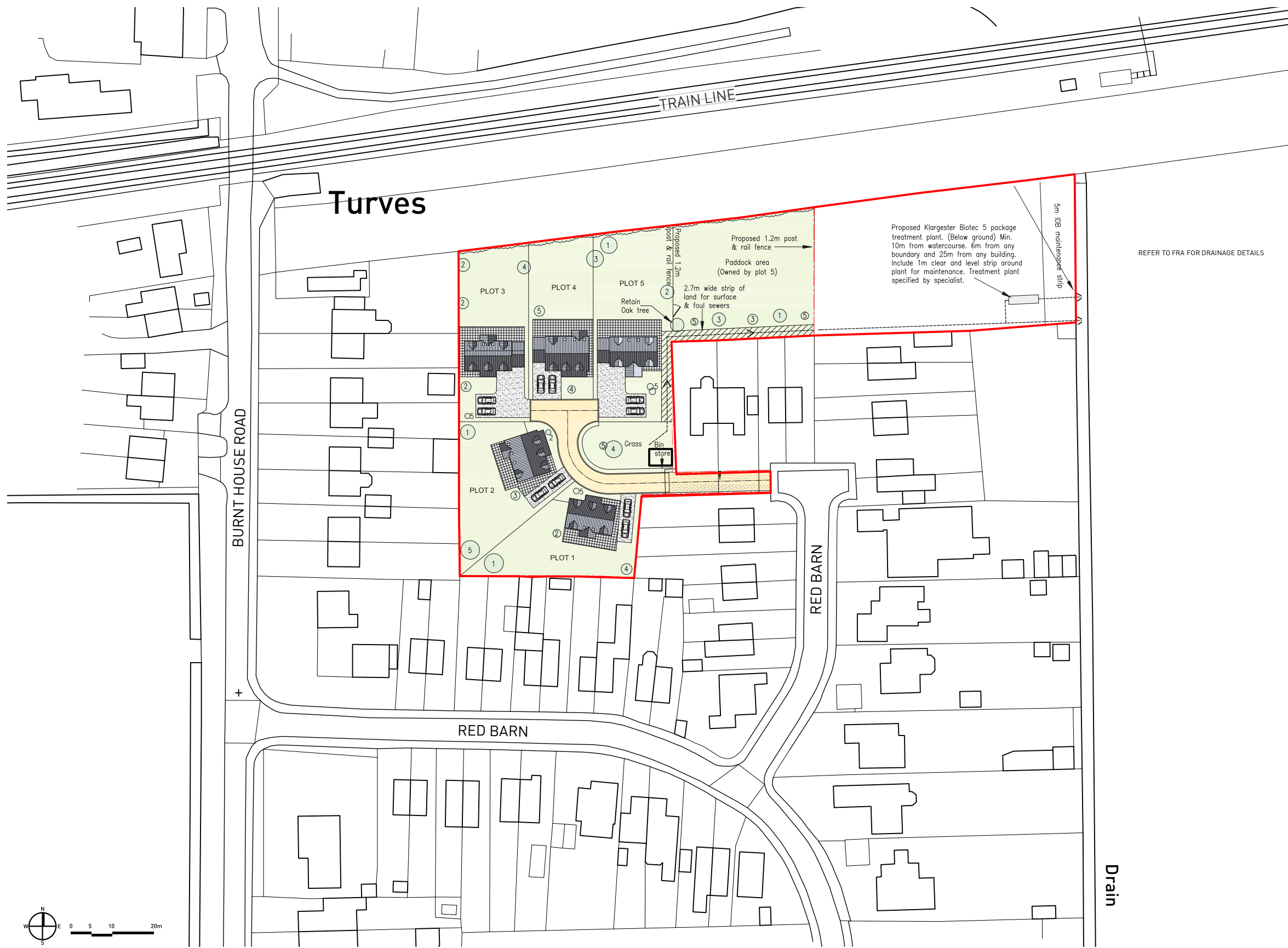
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**F/YR22/0459/F**

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**KEY**



SITE LOCATION



PROPOSED SITE LAYOUT  
BY PETER HUMPHREY ASSOCIATES

Landscaping Details:

Proposed landscaping to consist of native trees and hedges,

- 1 = Hawthorn hedging
- 2 = Beech Tree
- 3 = Oak Tree
- 4 = Willow Tree
- 5 = Silver Birch

Hedging planting size: 30–60cm. Planted in double rows 30cm apart. Plants to be 30cm apart in rows and staggered. 6 plants per metre of hedge.

Trees to be evenly spaced around site perimeter as shown. Size 10–12cm planted at 20m centres.

\*Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Key:

- Weathered cobble driveway
- Trees and hedges
- Patio/path
- Grass area
- Brindle block paviors

**LAND AT RED BARN NORTH, TURVES - PROPOSED SITE LAYOUT [AS RECIEVED]**



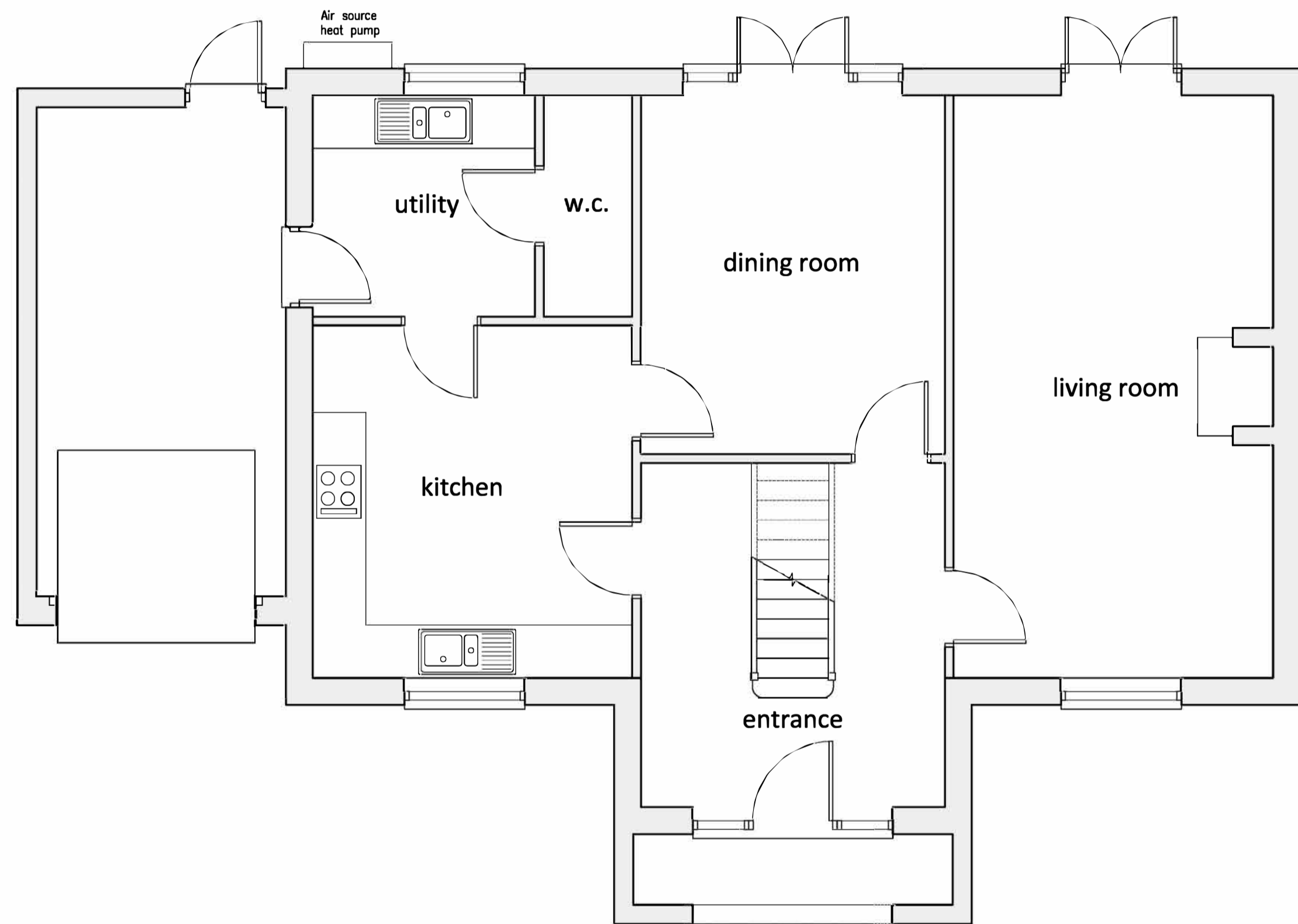


Proposed Front Elevation 1:100

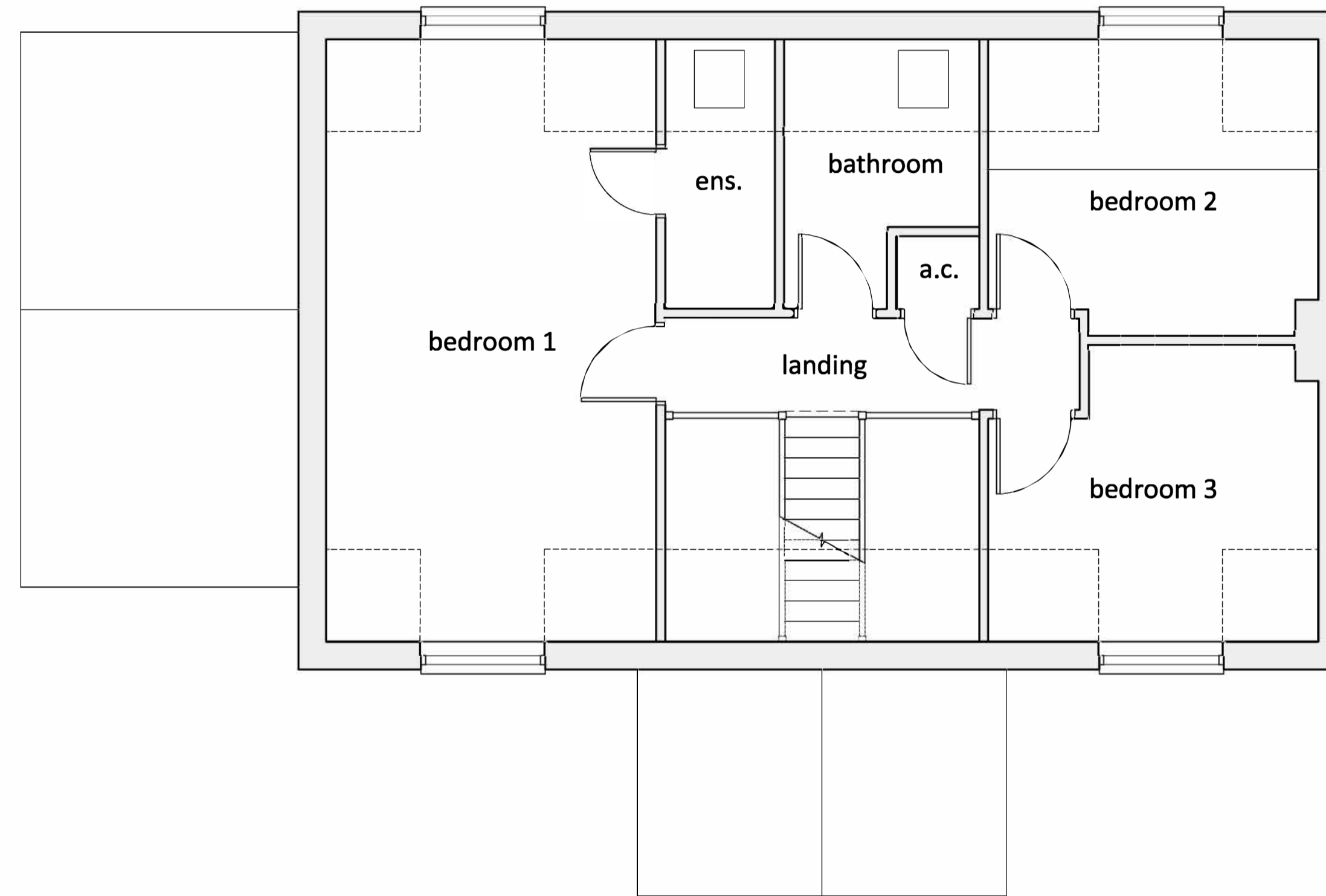
Proposed Side Elevation 1:100

Proposed Rear Elevation 1:100

Proposed Side Elevation 1:100



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

01/08/2011 - Amended for Planning. REV A.

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT  
Proposed 5No. detached dwellings  
Land to West and North of  
Red Barn  
Turves  
Cambridgeshire

DRAWING TITLE  
House Type - Plot 5

CLIENT  
The Executors of the Estate of Mr Walter Aldridge, Mrs D C Laws  
and Mrs A.E. Blewett

DATE July 2011 SCALE As Shown JOB No. 4642/P07A

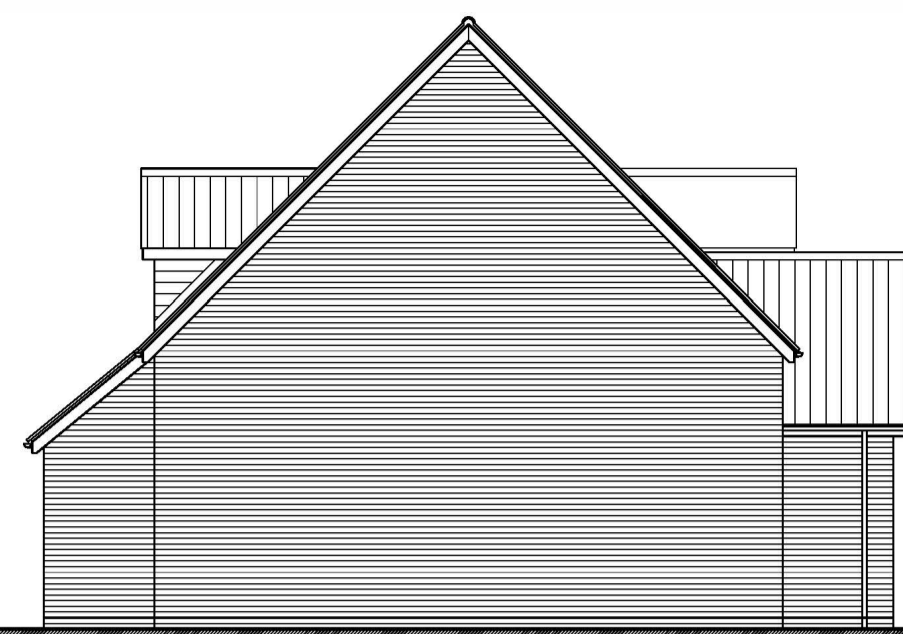
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Building Design Awards  
Quality Standard Approved  
Category Winner 08.08.10  
Overall Winner 2010

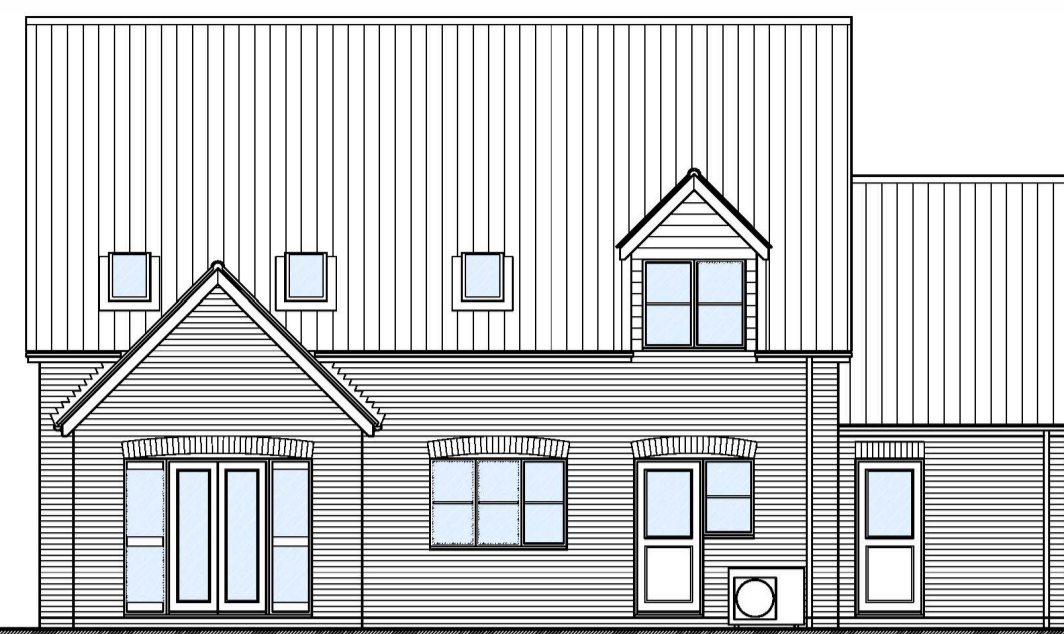




Proposed Front Elevation 1:100



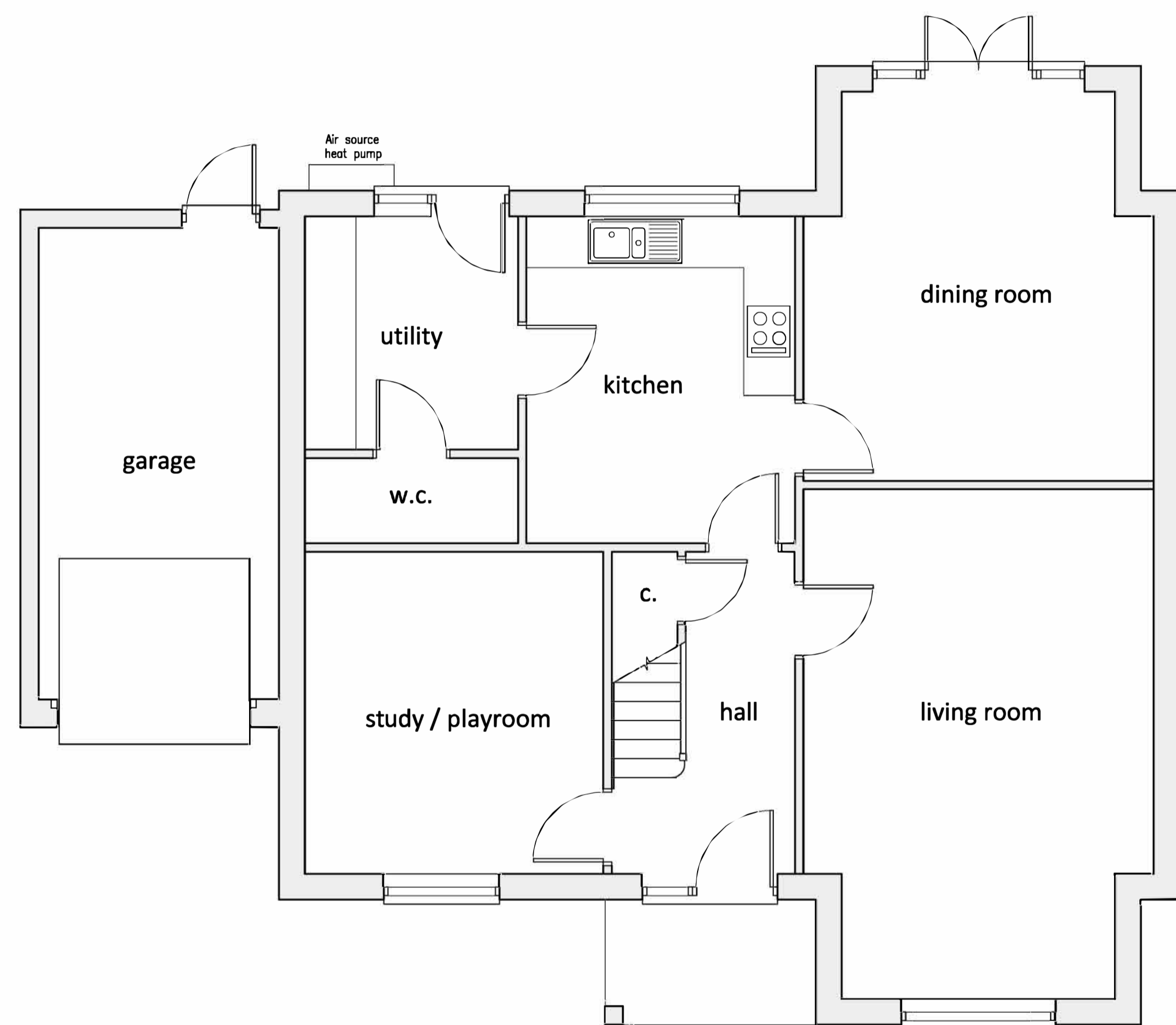
Proposed Side Elevation 1:100



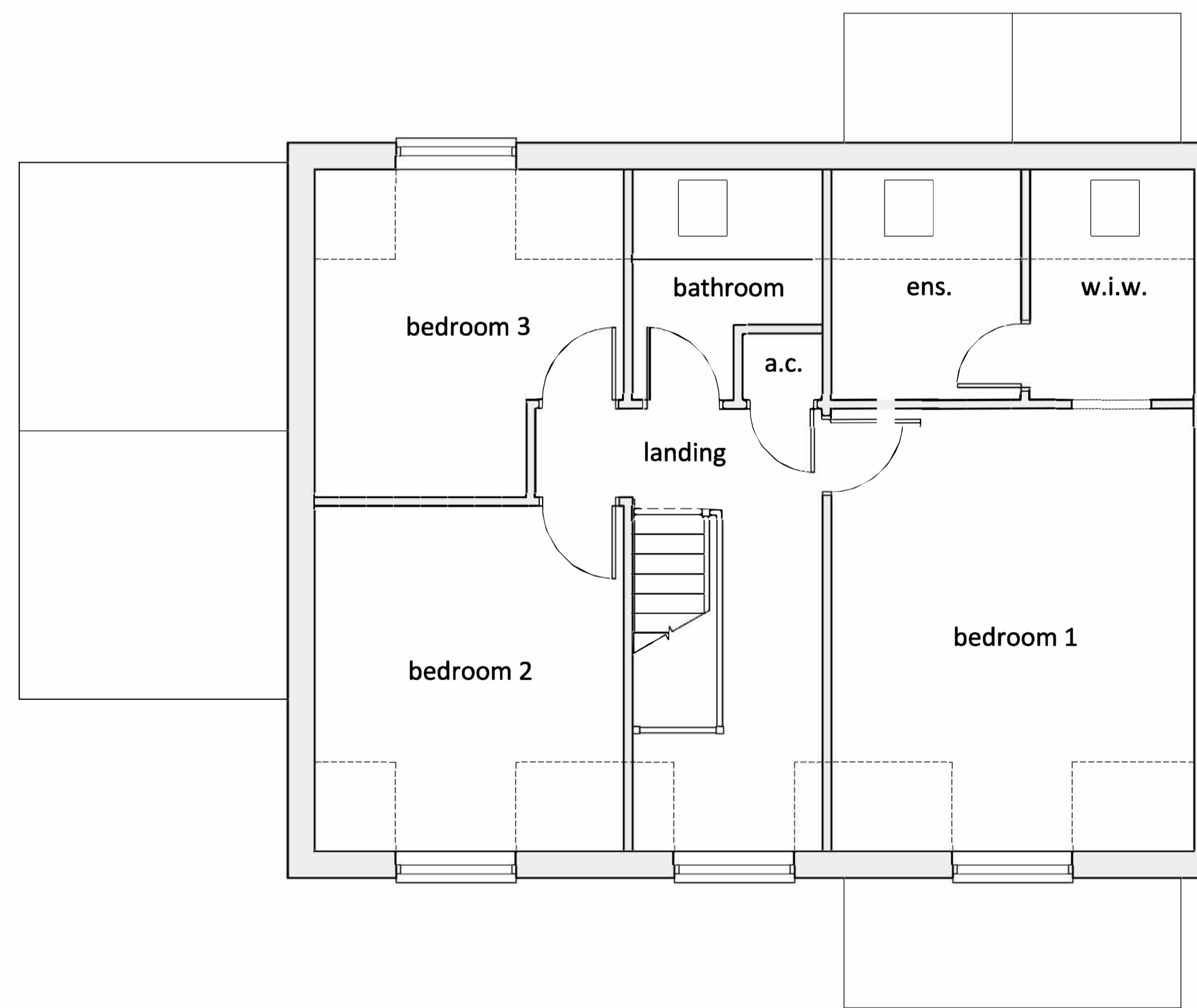
Proposed Rear Elevation 1:100



Proposed Side Elevation 1:100



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

01/08/2011 - Amended for Planning. REV A.

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT  
Proposed 5No. detached dwellings  
Land to West and North of  
Red Barn  
Turves  
Cambridgeshire

DRAWING TITLE  
**House Type - Plot 4**

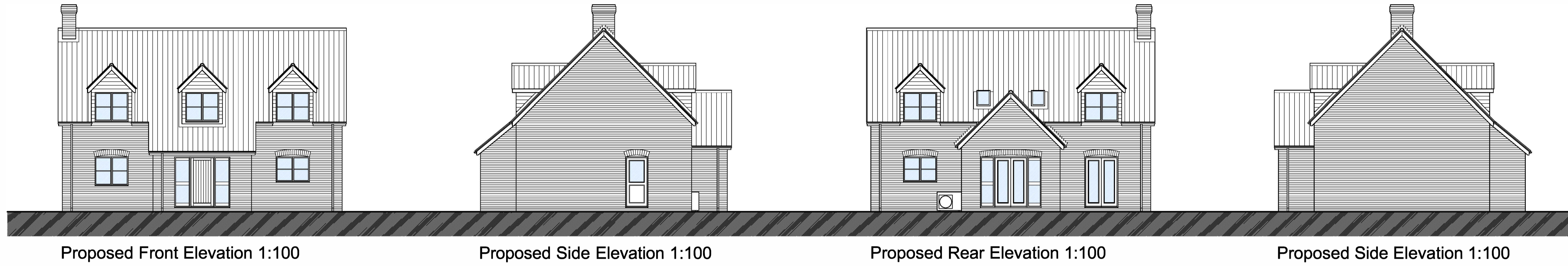
CLIENT  
The Executors of the Estate of Mr Walter Aldridge; Mrs D C Laws and Mrs A.E. Blewett

DATE July 2011 SCALE As Shown JOB No. 4642/P06A

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Building Design Awards  
Quality Standard Approved  
Category Winner 08.08.10  
Overall Winner 2010



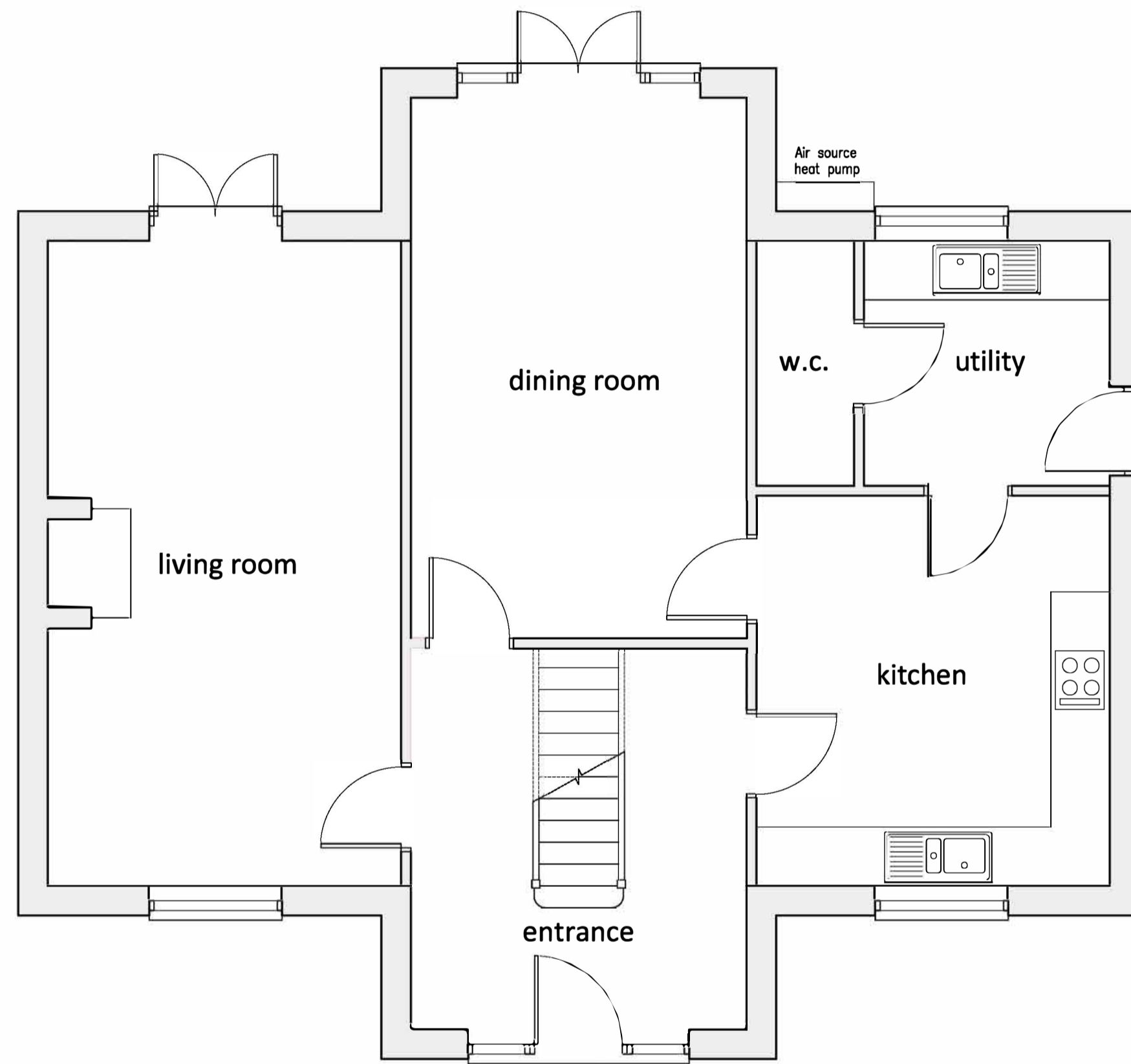


Proposed Front Elevation 1:100

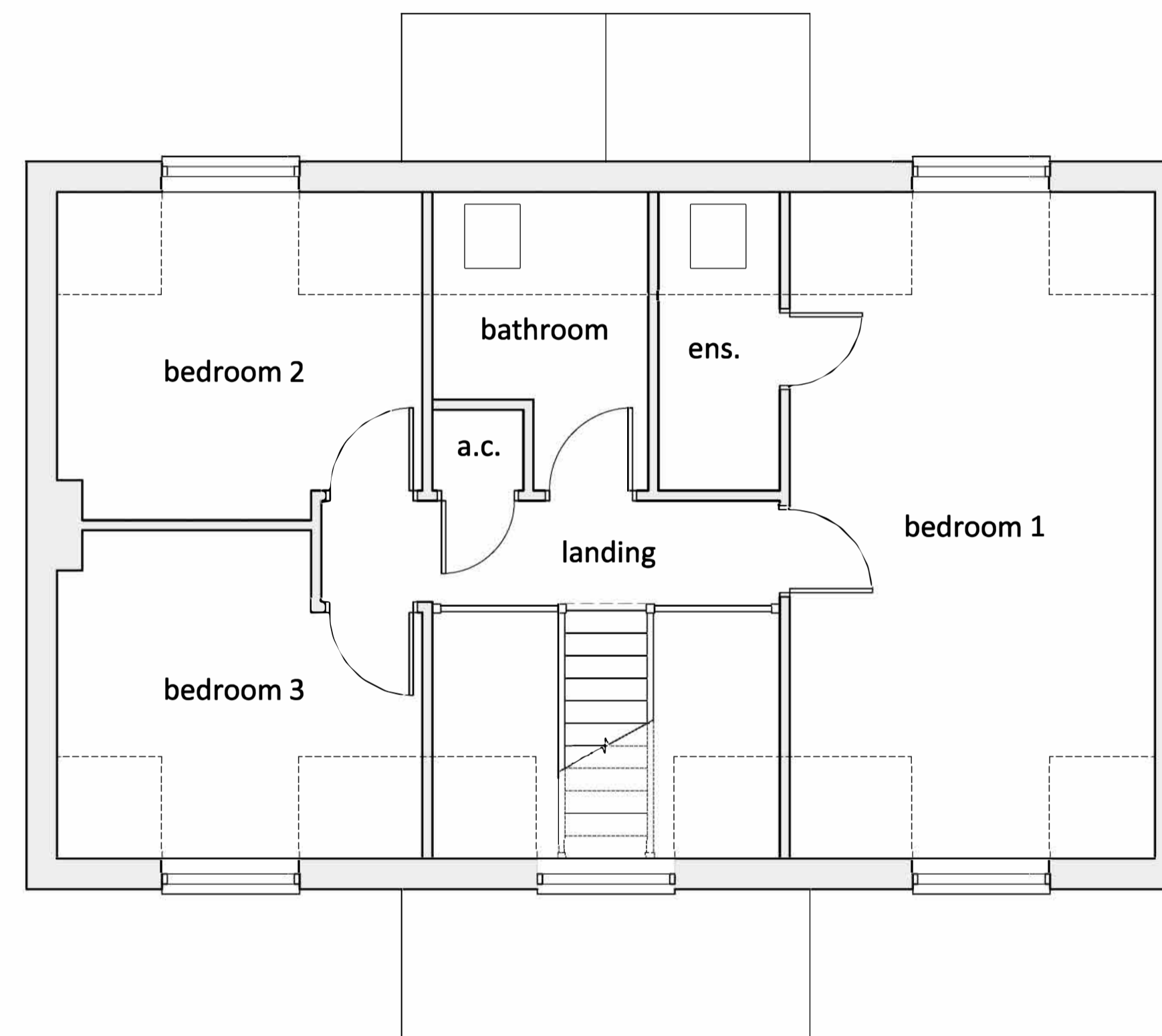
Proposed Side Elevation 1:100

Proposed Rear Elevation 1:100

Proposed Side Elevation 1:100



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

01/08/2011 - Amended for Planning. REV A.

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT  
Proposed 5No. detached dwellings  
Land to West and North of Red Barn  
Turves  
Cambridgeshire

DRAWING TITLE  
House Type - Plot 1

CLIENT  
The Executors of the Estate of Mr Walter Aldridge; Mrs D C Laws and Mrs A. E. Blewett

DATE July 2011 SCALE As Shown JOB No. 4642/P03A

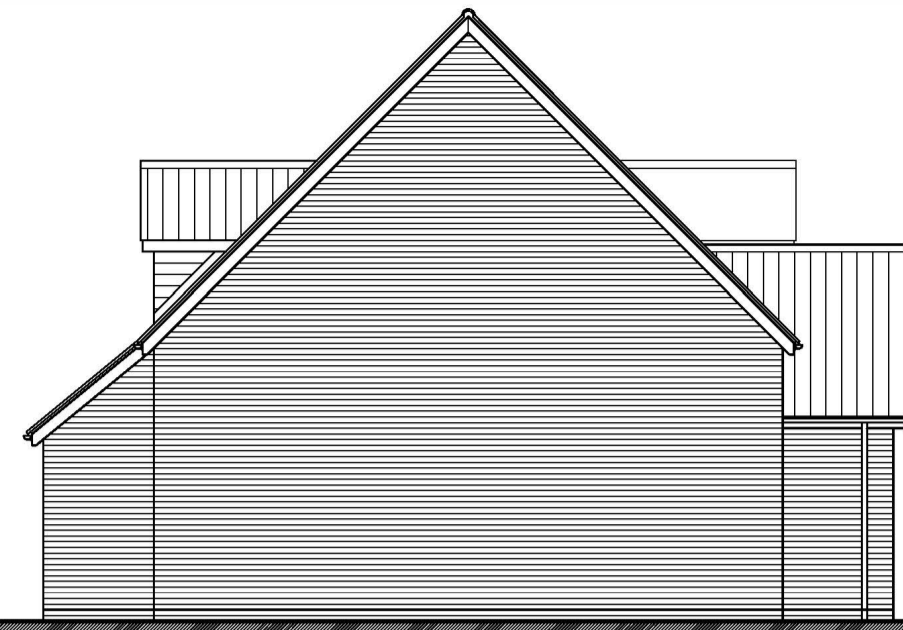
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Category Winner 08.08.10  
Overall Winner 2010





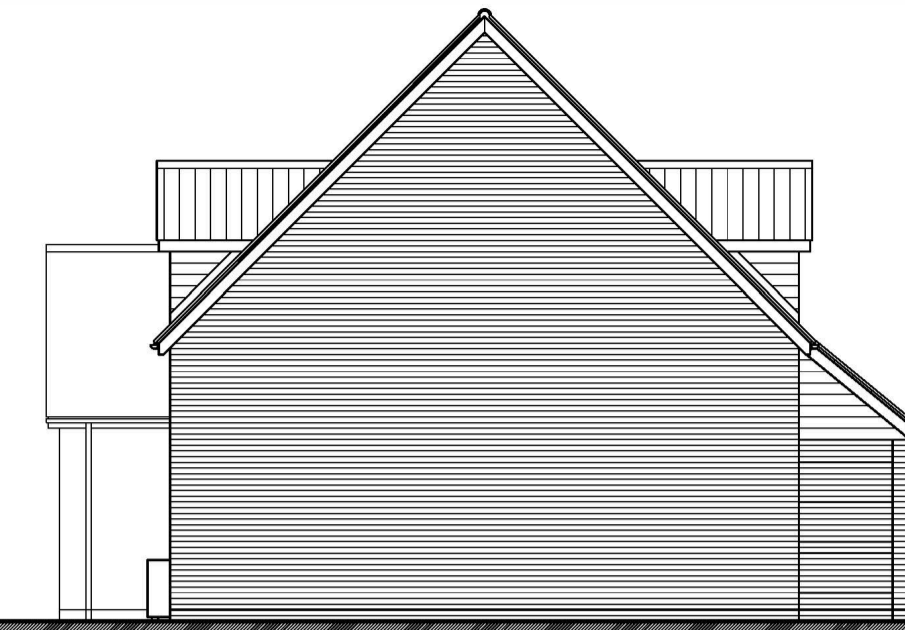
Proposed Front Elevation 1:100



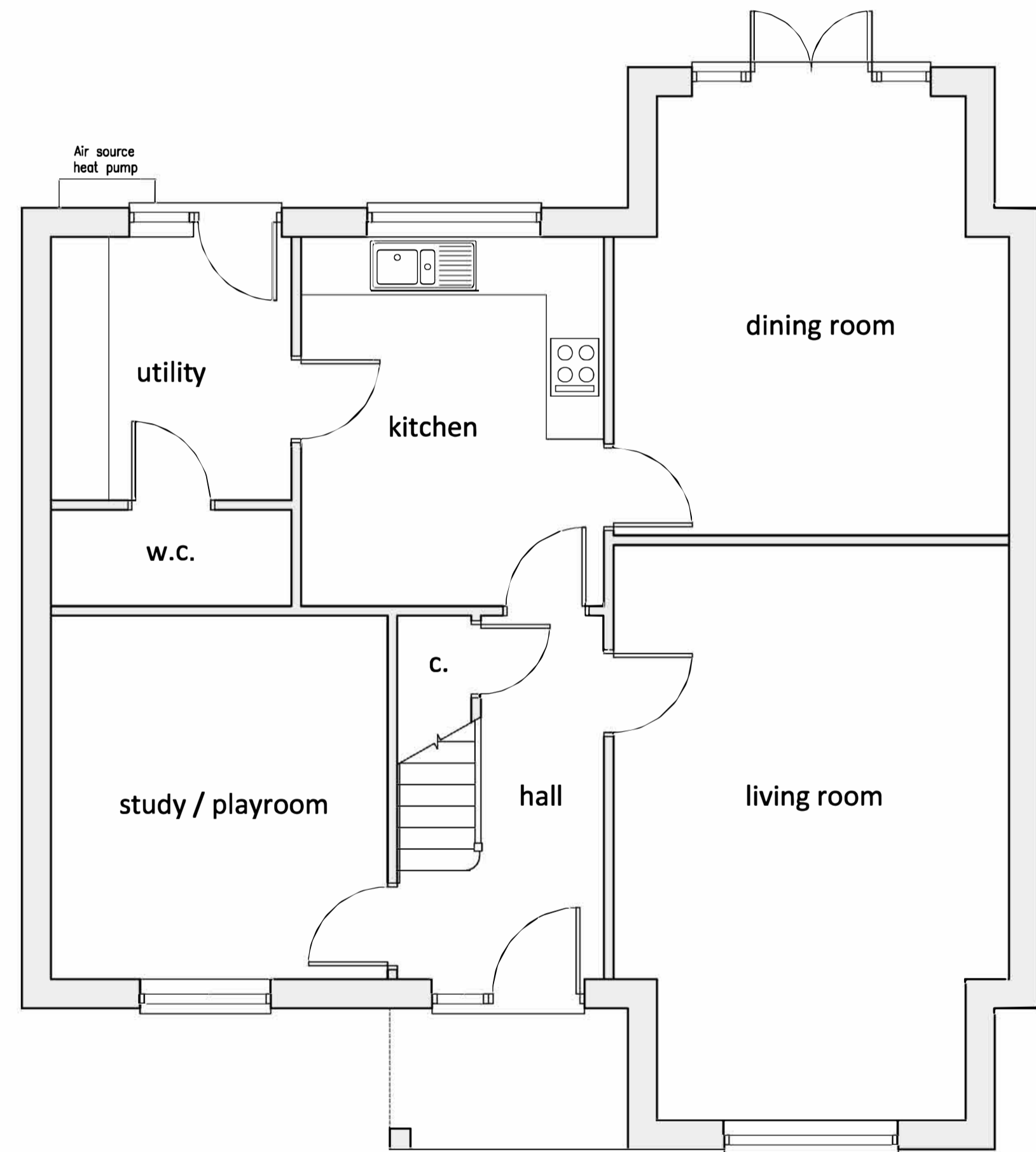
Proposed Side Elevation 1:100



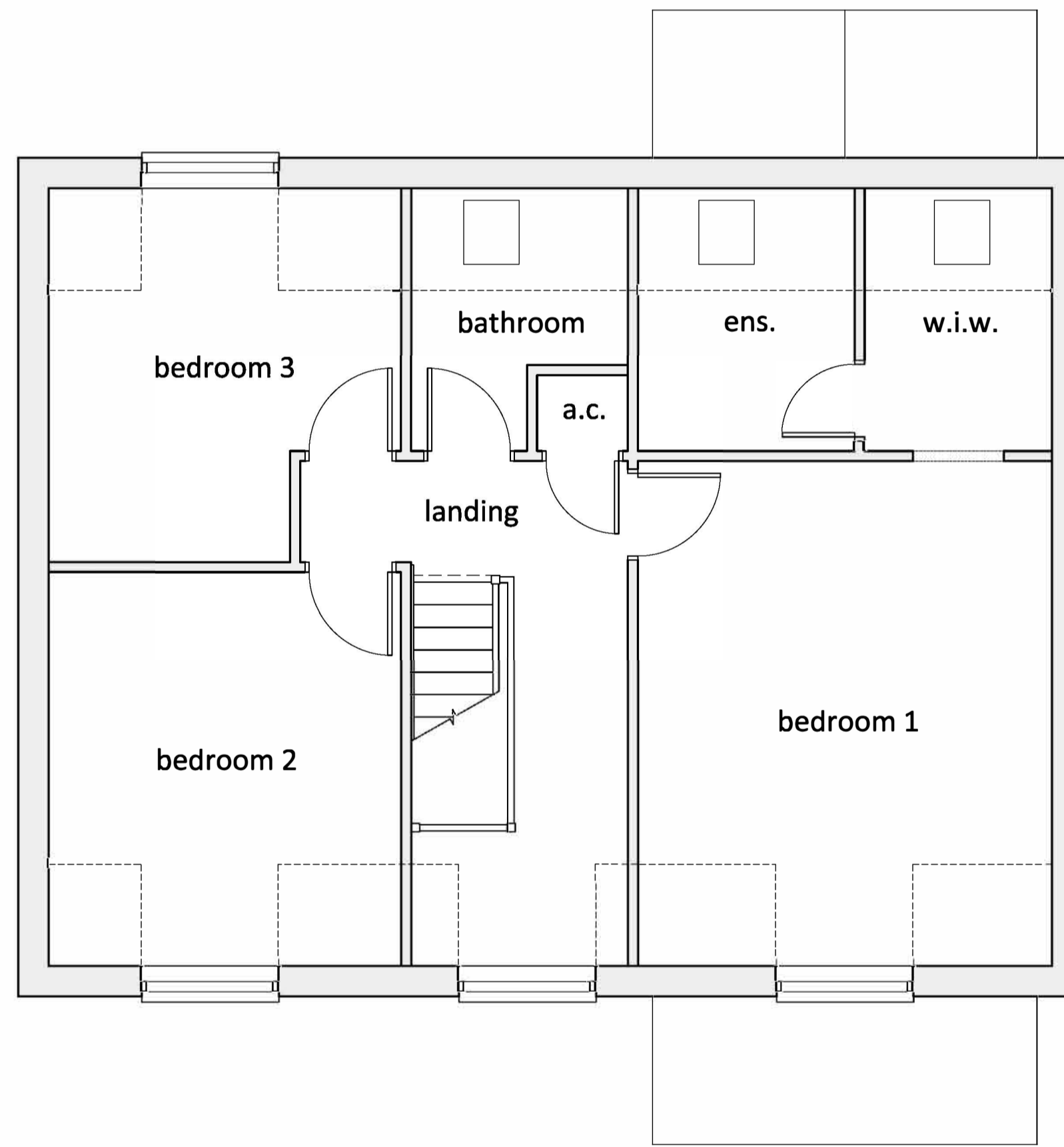
Proposed Rear Elevation 1:100



Proposed Side Elevation 1:100



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

01/08/2011 - Amended for Planning. REV A.

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT  
Proposed 5No. detached dwellings  
Land to West and North of  
Red Barn  
Turves  
Cambridgeshire

DRAWING TITLE  
**House Type - Plot 2**

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and Mrs A. E. Blewett

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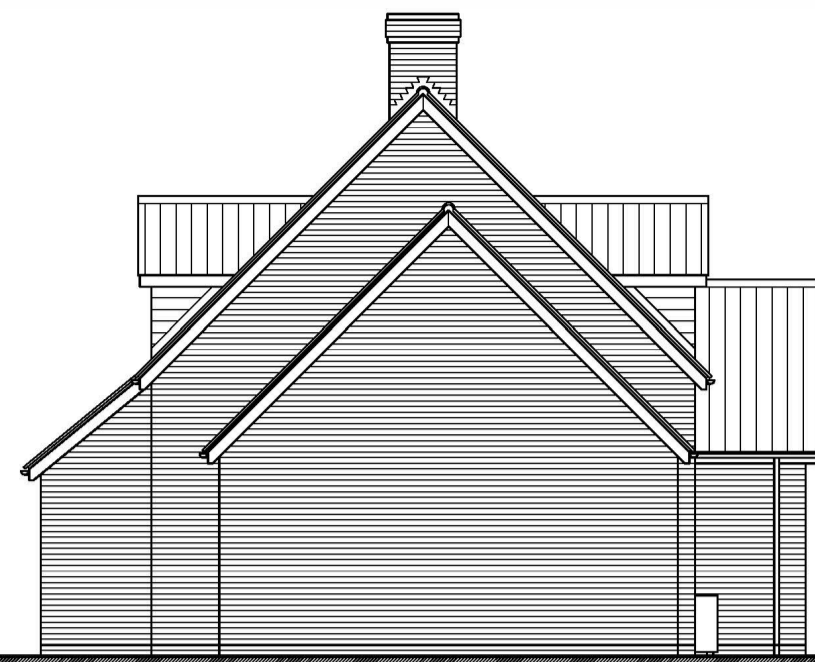
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**Building Design Awards**  
Quality Standard Approved  
Category Winner 08.08.10  
Overall Winner 2010





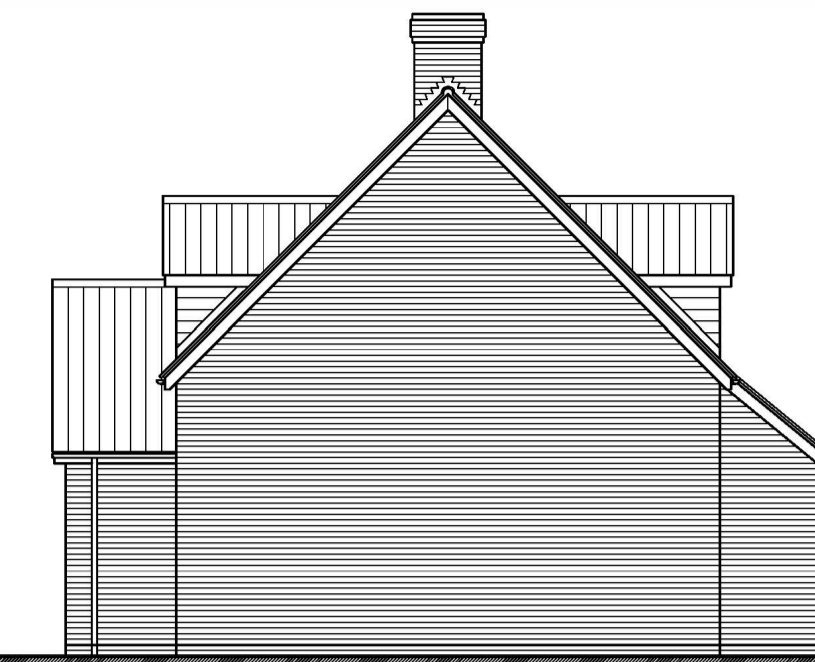
Proposed Front Elevation 1:100



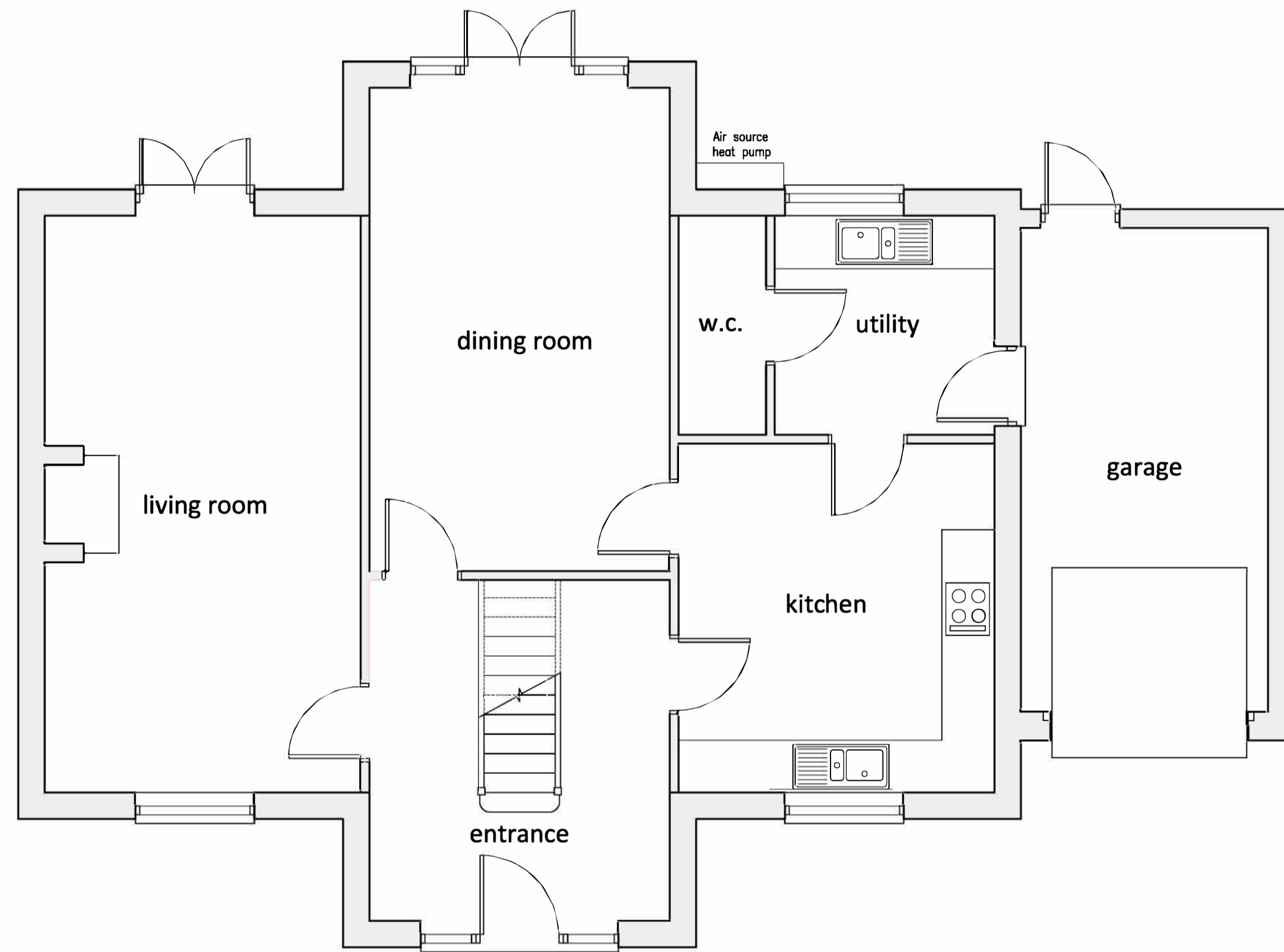
Proposed Side Elevation 1:100



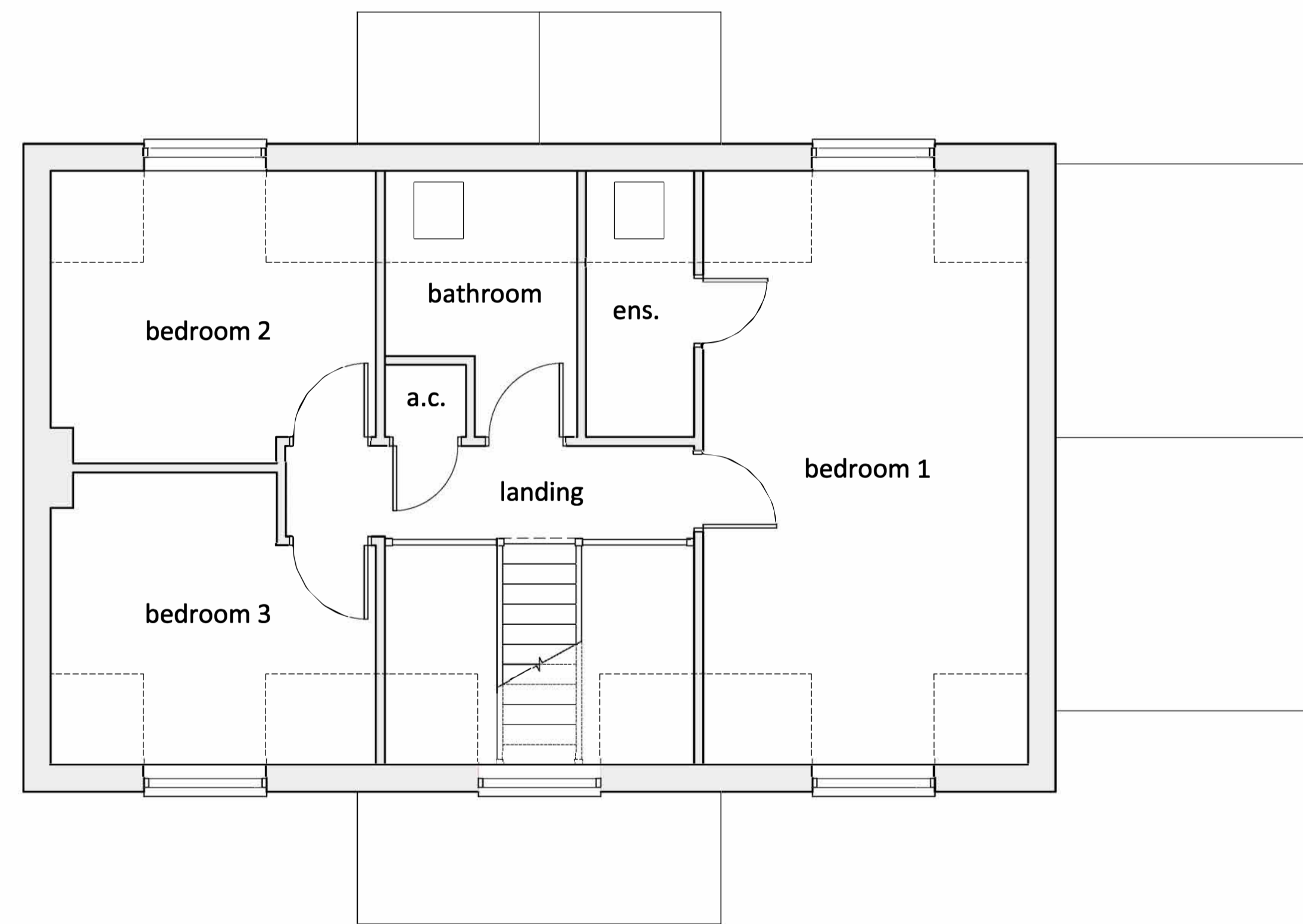
Proposed Rear Elevation 1:100



Proposed Side Elevation 1:100



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

01/08/2011 - Amended for Planning. REV A.

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT  
Proposed 5No. detached dwellings  
Land to West and North of  
Red Barn  
Turves  
Cambridgeshire

DRAWING TITLE  
**House Type - Plot 3**

CLIENT The Executors of the Estate of Mr Walter Aldridge, Mrs D C  
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Building Design Awards  
Quality Standard Approved  
Category Winner 08.08.10  
Overall Winner 2010