
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.

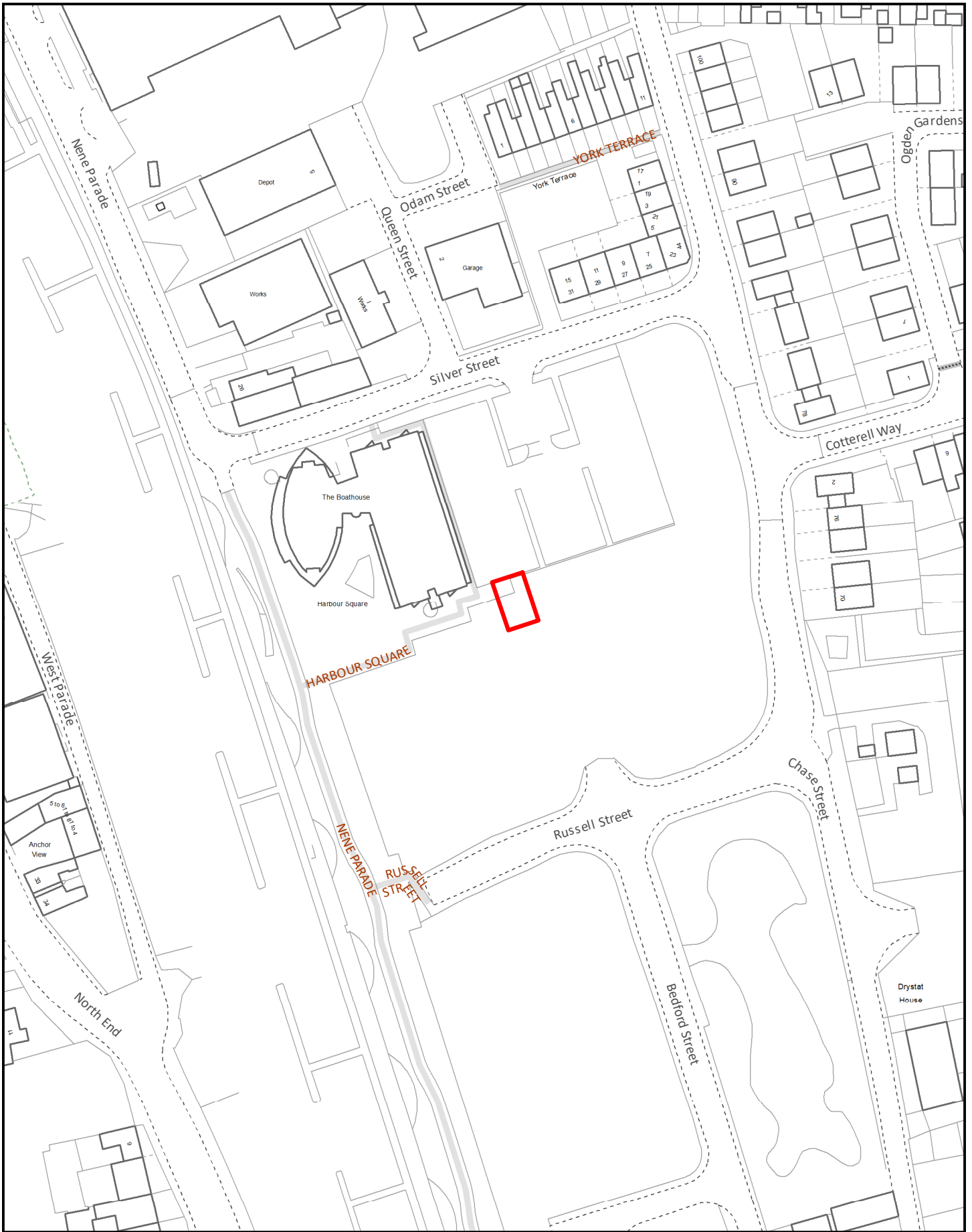
11 CONCLUSIONS

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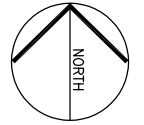
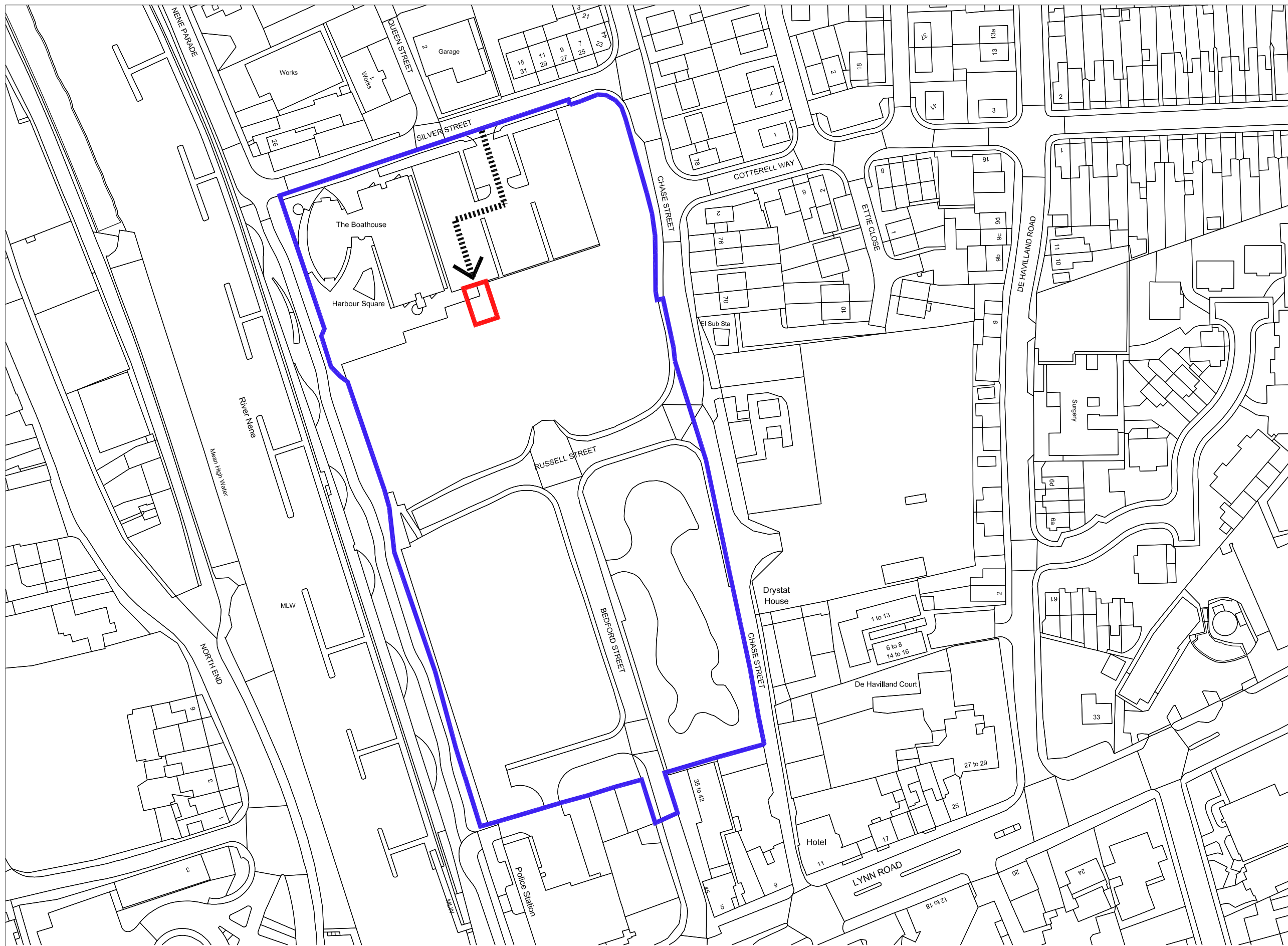
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DATE	REVISION	REV	DRW	CHK
03.10.2022	PLANNING APPLICATION	P01	LM	SB
09.11.2022	TITLE BLOCK NOTE AMENDED	P02	LM	SB



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Project Name
**NEW SUBSTATION
 NENE WATERFRONT**

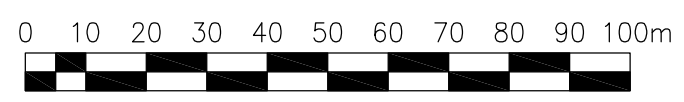
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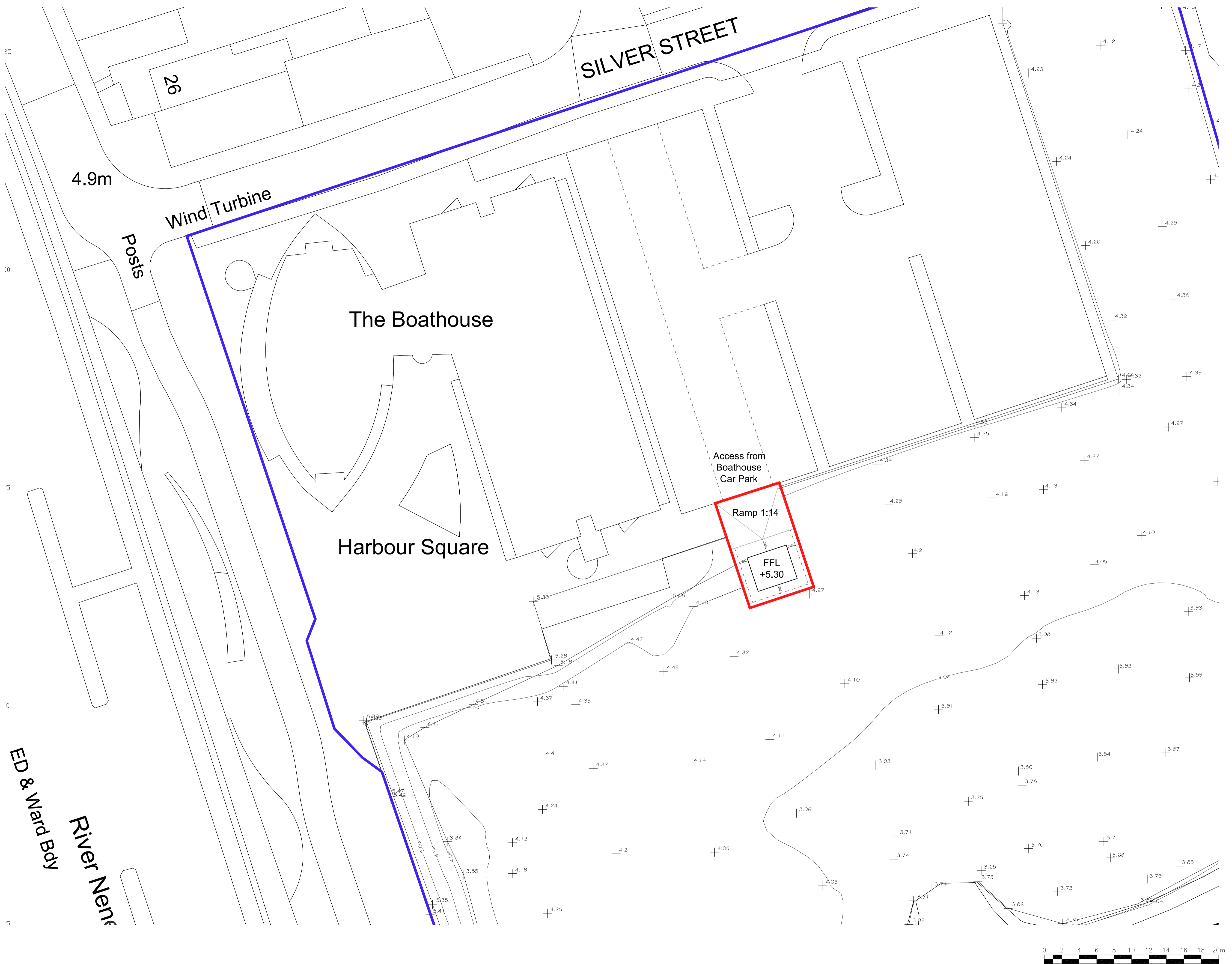
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Sheet Status	PLANNING
Project No.	IANC20-0113
Drawing No.	SUB-NOR-XX-XX-DR-A-90001
Rev.	P02

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

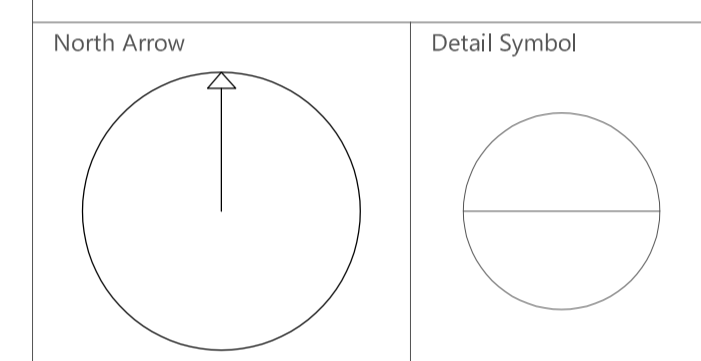




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Keyplan



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Project
**NEW SUBSTATION
 NENE WATERFRONT**

Drawing Title
PROPOSED SITE PLAN

Sheet Status
PLANNING

Project No.
IANC20-0113

Drawing No. SUB-NOR-XX-XX-DR-A-90003	Rev. P02
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ED & Ward Bay
 River Nene

4.9m

Posts

Wind Turbine

SILVER STREET

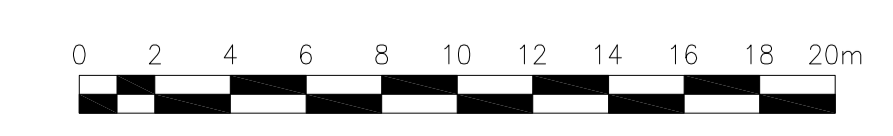
The Boathouse

Harbour Square

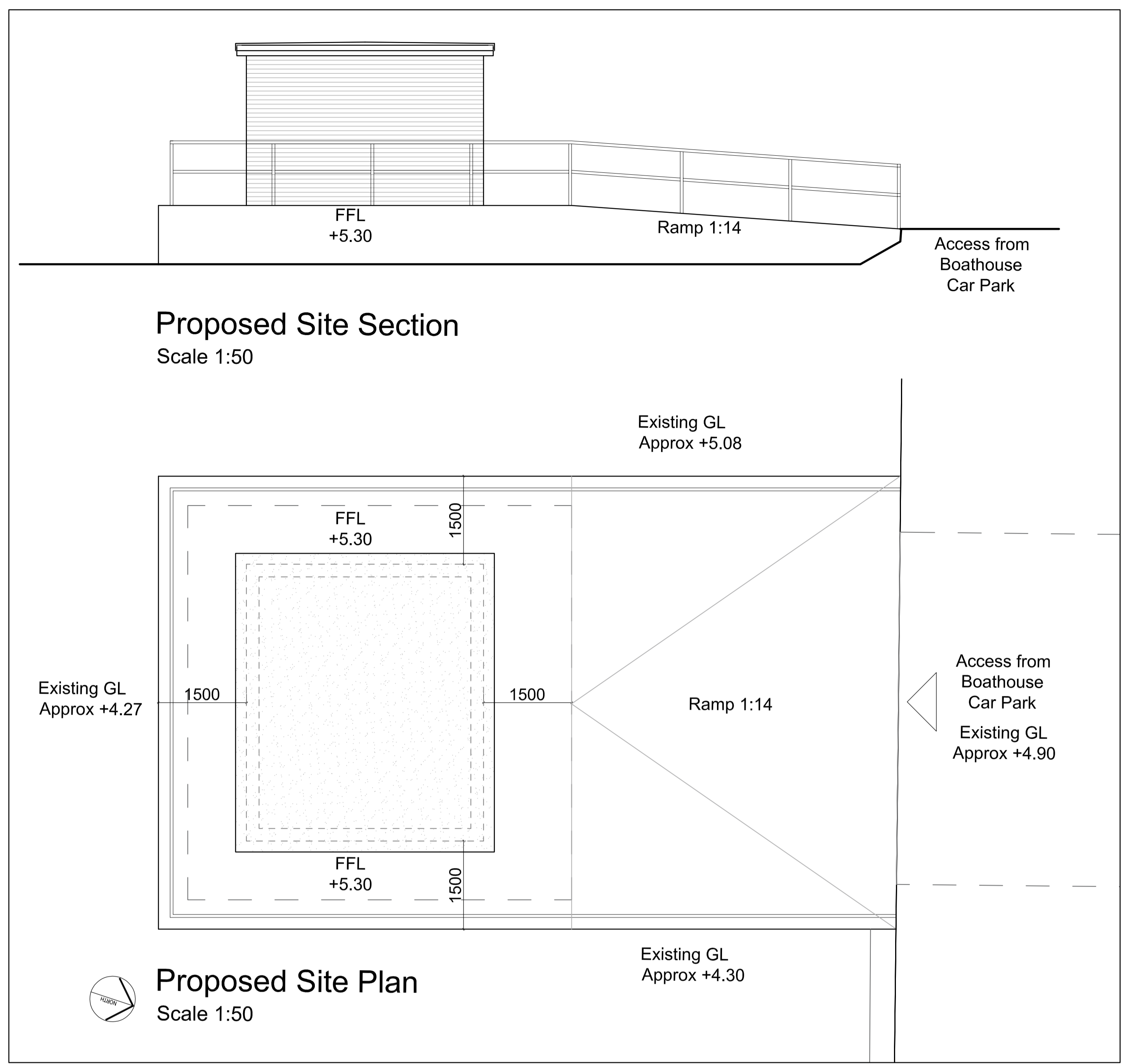
Access from
Boathouse
Car Park

Ramp 1:14

FFL
+5.30

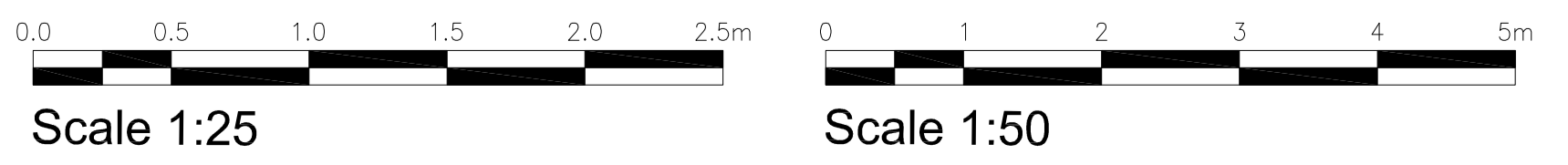
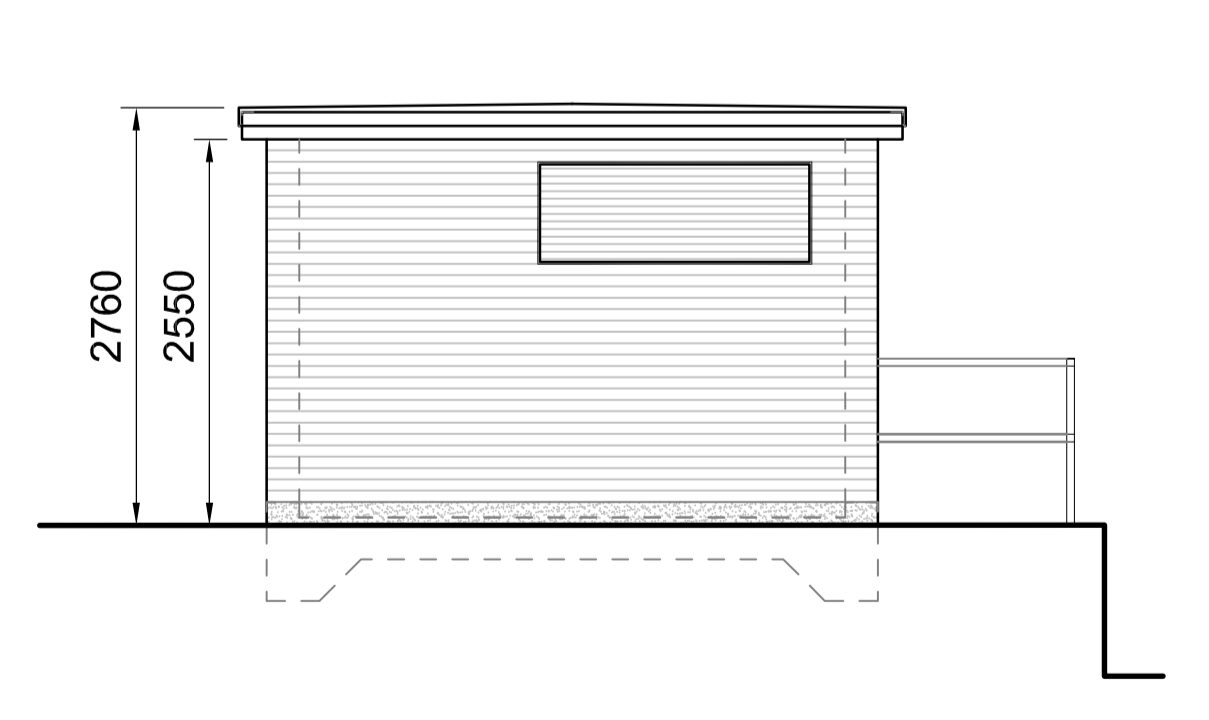
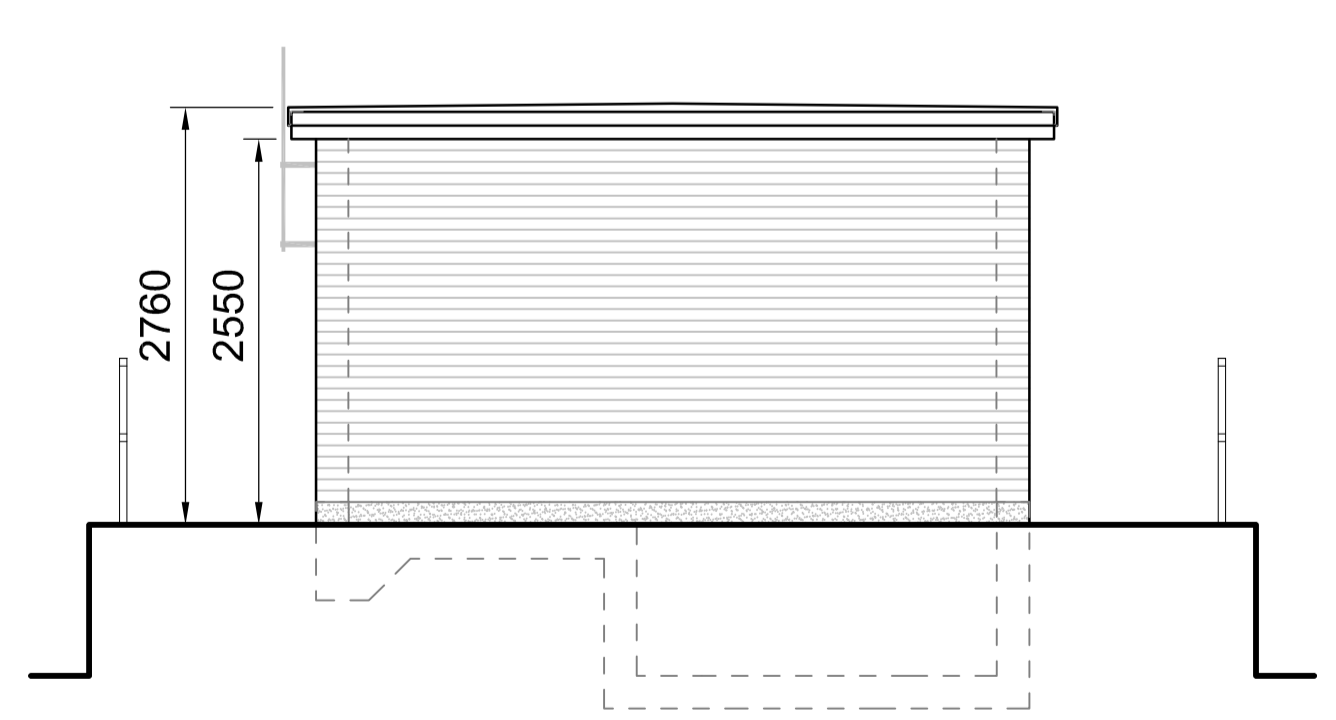
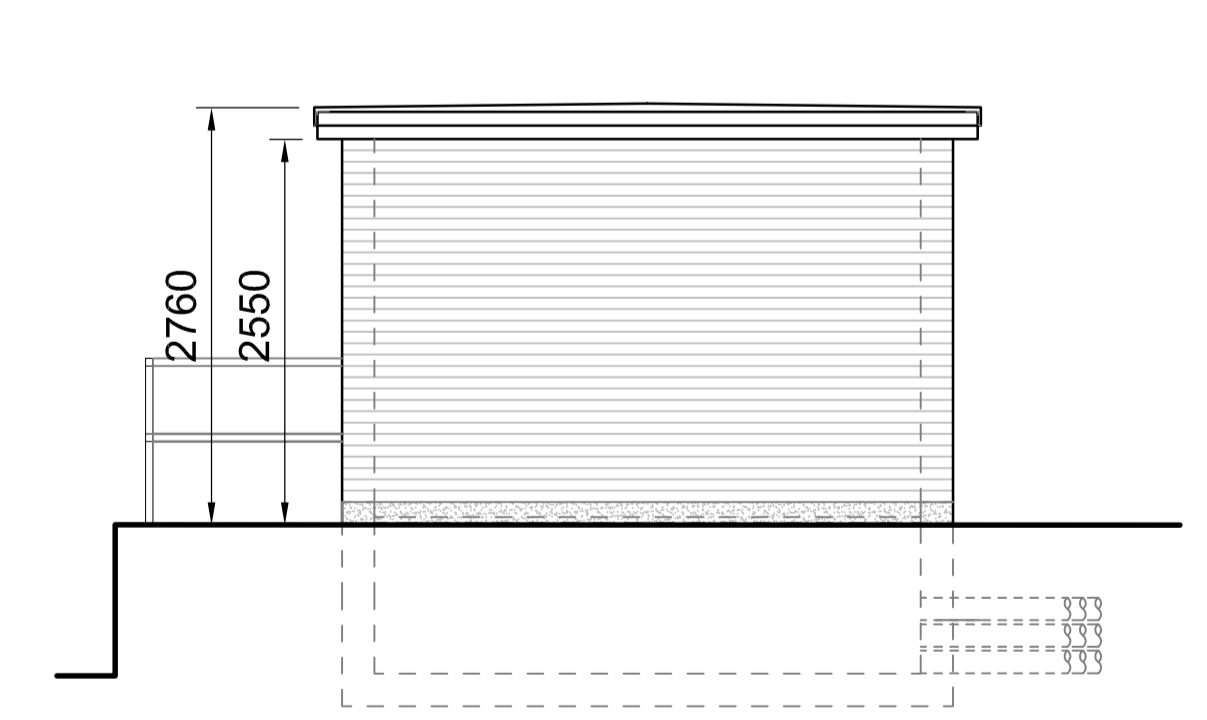
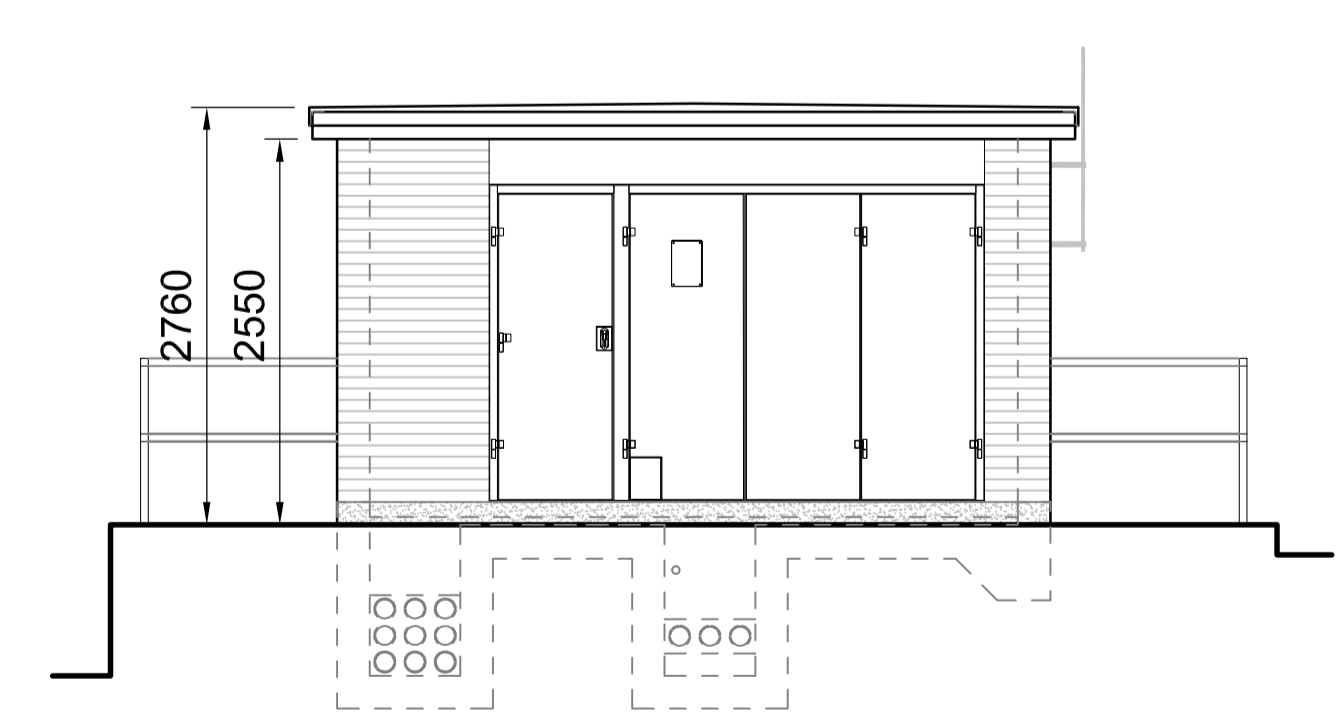
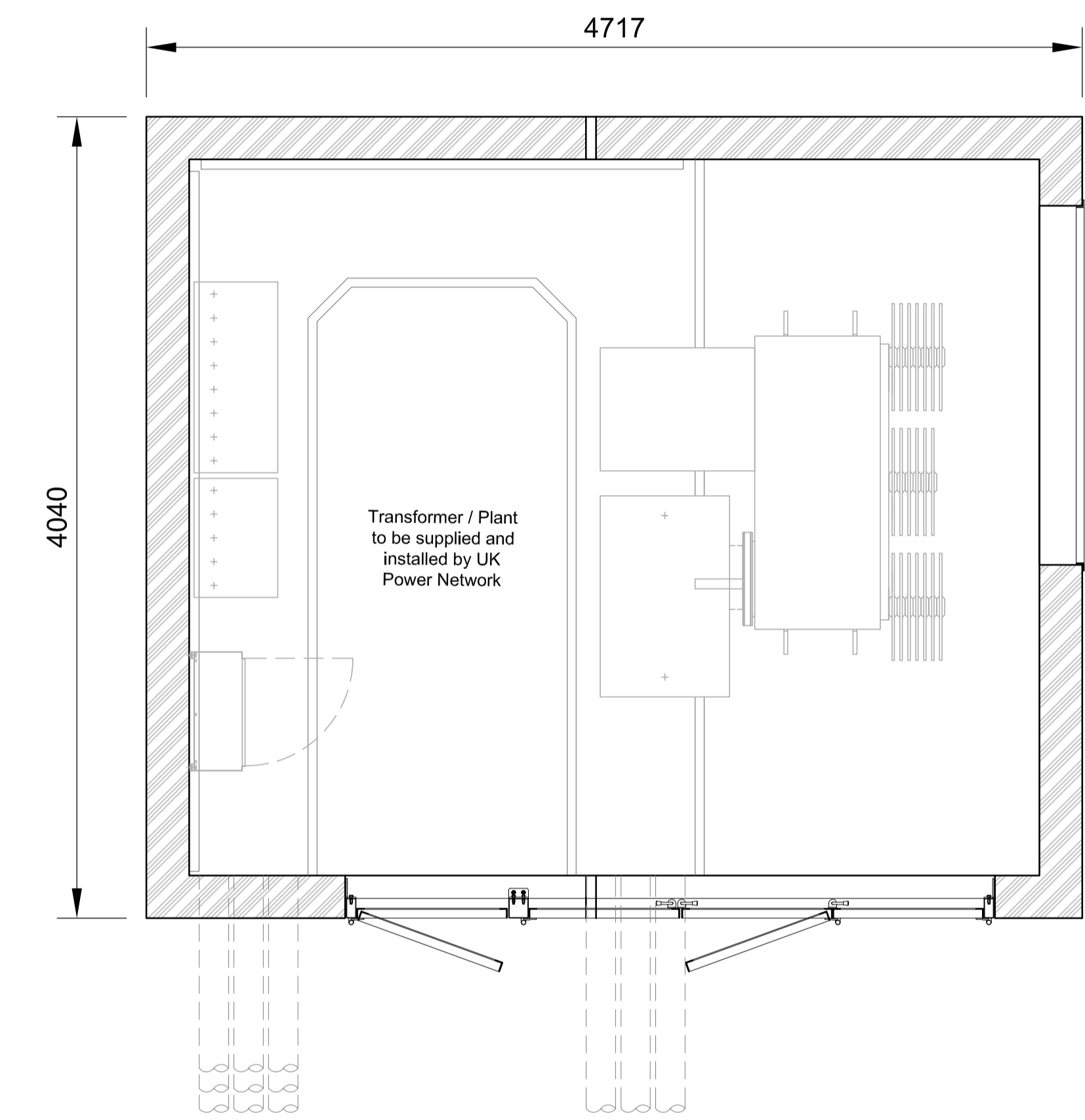


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Proposed Materials

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

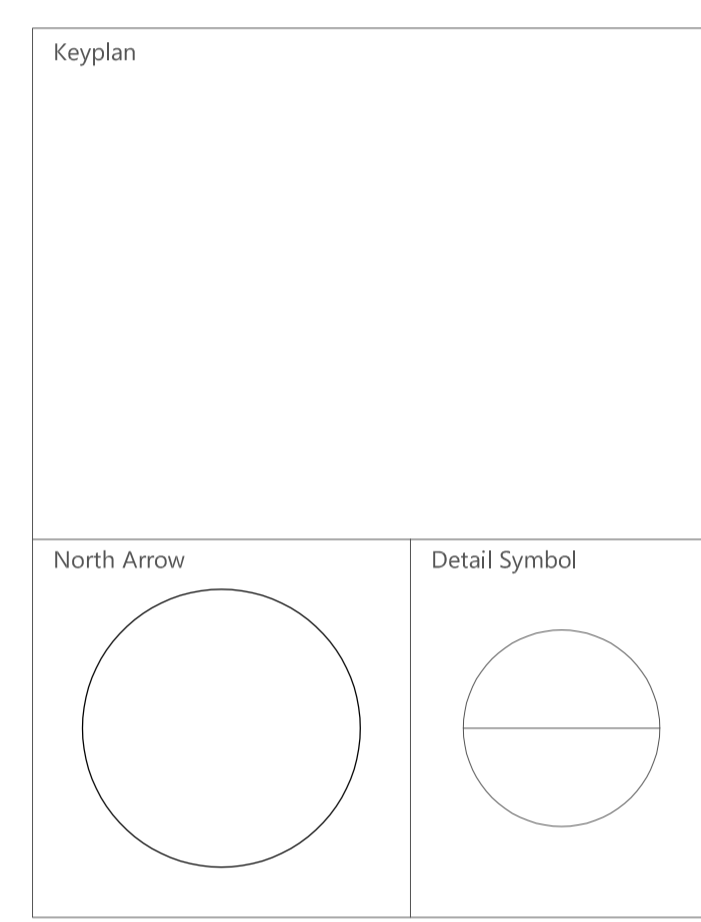


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Project
 NEW SUBSTATION
 NENE WATERFRONT

Drawing Title
 PROPOSED SUBSTATION GA
 PLANS, ELEVATIONS & SECTIONS

Sheet Status
 PLANNING

Project No.
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