

---

**F/YR22/0967/FDL**

**Applicant: Fenland Future Ltd**

**Agent : Mr David Marjoram  
ELG Planning**

**Land East Of, The Elms, Chatteris, Cambridgeshire**

**Erect up to 80 x dwellings (outline application with matters committed in respect of access)**

**Officer recommendation: Grant Subject to Prior Completion of Legal Agreement**

**Reason for Committee: Town Council comments and number of representations received contrary to Officer recommendation**

---

## **1 EXECUTIVE SUMMARY**

- 1.1 An outline application with matters committed in respect of access, on Fenland District Council owned land for up to 80 dwellings submitted by Fenland Future Ltd. Fenland Future is a wholly owned subsidiary of FDC which has the objective of, amongst other things, maximising the return to the Council as shareholder from its asset portfolio and exploiting opportunities for acquisitions, development and commercial return from assets and to create a delivery model that operates with a degree of commerciality in line with aspirations that mirror the Council's Business Plans and Commercial Investment Strategy.
- 1.2 The application site is within the East Chatteris Strategic Allocation in the adopted Local Plan for which a Broad Concept Plan (BCP) has been produced and adopted. The proposal is to access the site from The Elms contrary to the BCP. However, no application has come forward to develop the land immediately to the south of the site in the BCP area. The significant issue therefore is whether the bringing forward of this site, accessible from the Elms would result in significant harm.
- 1.3 The Local Highway Authority does not identify severe harm to the highway network or any reason on which to refuse on highway grounds.
- 1.4 The application is considered against the relevant national and local planning policies. The balanced recommendation considers the proposal would not result in substantial harm, subject to conditions and the receipt of an acceptable Unilateral Agreement.

## **2 SITE DESCRIPTION**

- 2.1 The 3.59 hectares site is at the eastern edge of Chatteris within Flood Zone 1. It is currently informal grassland located east of The Elms (cul-de-sac) and south of Green Park, residential areas to the north and west of the site. The land to the south and - beyond the A142 - east are similarly undeveloped, to the south comprised of largely open pasture/meadow land. The site includes an informal

kick-about area and a drain (Birch Fen awarded watercourse) that diagonally crosses the site.

- 2.2 The site forms the northern part of the East Chatteris Strategic Allocation in the adopted local plan. A Broad Concept Plan was adopted by the Planning Committee in June 2017. This covered a 26hectare site north of Wenny Road and west of the A142. The adopted BCP identified overall potential for up to 350 dwellings.

### **3 PROPOSAL**

- 3.1 The outline application is for up to 80 dwellings with all matters, apart from point of access, reserved for future consideration. It includes an access from the end of a spur of 'The Elms', with emergency access located between 63 and 65 Green Park. The indicative plans include pedestrian/cycleway access into the neighbouring site to the south however these plans are indicative only.
- 3.2 The proposal includes provision of 20% affordable units and provision of a total of £2,000 per dwelling accordance with the Council's own viability assessment part of the evidence base of the emerging plan. The provision will be proportioned between the infrastructure requirements respectively. The contributions and affordable housing will be safeguarded by provision of a unilateral agreement.
- 3.3 Full plans and associated documents for this application including representations received can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=RG4YSCHE06P00>

### **4 SITE PLANNING HISTORY (Strategic Allocation site history)**

F/YR10/0022/SC Screening Opinion: Residential (up to 600 dwellings) with associated landscaping, open space and infrastructure Land East of Wenny Road, Chatteris Further info Required 09.03.2010

F/YR16/0093/SC Screening Opinion: Residential development (350 dwellings max) with associated landscaping, open space, and infrastructure Land East of Wenny Road, Chatteris Further info not required 21.03.2016.

EAST CHATTERIS STRATEGIC ALLOCATION -BROAD CONCEPT PLAN  
Adopted 21<sup>st</sup> June 2017 by Planning Committee.

A separate application for development of 93 dwellings at Land North of Wenny Estate F/YR21/0981/F is currently being considered by the Council.

### **5 CONSULTATION**

#### **5.1 Designing Out Crime Officer**

The Designing out crime officer considers this to be an area of low risk to the vulnerability to crime. There is no information regarding security and crime prevention in the Design and Access Statement, it is important that these measures are considered and discussed at the earliest opportunity, our office

would be happy to discuss Secured by Design and measures to reduce the risk to vulnerability to crime. At this time, there are limited detailed drawings and therefore reserves comments until the reserved matters stage. The Designing out crime officer considers this to be an area of low risk to the vulnerability to crime. There is no information regarding security and crime prevention in the Design and Access Statement, it is important that these measures are considered and discussed at the earliest opportunity, our office would be happy to discuss Secured by Design and measures to reduce the risk to vulnerability to crime. At this time, there are limited detailed drawings and therefore reserves comments until the reserved matters stage.

## **5.2 Anglian Water Services Ltd**

*There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that text be included within the decision notice should permission be granted. The foul drainage from this development is in the catchment of Chatteris-Nightlayer Fen Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. The sewerage system at present has available capacity for these flows via gravity regime. If the developer wishes to connect to the sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991 in order to identify the most suitable point of connection.*

**5.3 Surface Water Disposal-** No comment as the proposal does not relate to Anglian Water. No planning conditions are requested by Anglian Water.

## **5.4 Housing Strategy**

Fenland Local Plan Policy LP5 Requirements seeks 25% affordable housing on developments where 10 or more homes will be provided. To inform the preparation of Fenland's emerging Local Plan, a Viability Assessment was undertaken which looked at the cost of building new homes and the costs associated with the policies in this Local Plan. This report concluded that viability in Fenland is marginal and varies between localities in the district. The assessment indicates that 20% affordable housing is likely to be the maximum level of provision that can be achieved through planning obligations. In response to the report, the Council has confirmed that finding of the viability assessment will be taken into account when determining planning applications from May 2020 onwards. Consequently, while the Council it is acknowledged that a reduced percentage of affordable housing via planning obligations to a maximum of 20%, will be achievable in most instances. Since this planning application proposes the provision of 80 number of dwellings, our policy seeks to secure a contribution of 20 affordable dwellings. Based on the provision of 20% affordable housing provision we would seek a contribution of 16 affordable dwellings in this instance. The current tenure split we would expect to see delivered for affordable housing in Fenland is 70% affordable rented tenure and 30% shared ownership. This would equate to the delivery of 11 affordable rented homes and 5 shared ownership based on the provision of 20% affordable housing.

## **5.5 CCC (Lead Local Flood Authority)**

Thank you for your consultation which we received on 22nd August 2022. At present we object to the grant of planning permission for the following reasons:

1. *Discharge Rate*

*As outlined in paragraph 6.3.6 of the SPD, all new developments on greenfield land are required to discharge the runoff from impermeable areas at the same greenfield runoff rate, or less than, if locally agreed with an appropriate authority or as detailed within the local planning policies of the District Council. It is currently proposed that surface water will discharge from the site at a rate of 1.59 l/s, this is greater than the 0.45 l/s QBAR rate calculated. The discharge rate should be as close to QBAR as feasibly possible, without increasing the risk of blockage to the system. For reference, the LLFA supports the use of minimum orifice diameters of 20mm for closed systems, such as permeable paving and underdrainage swales, or 75mm for open SuDS systems, such as attenuation basins. The applicant has not demonstrated that the peak discharge rate for all events up to and including the 1% Annual Exceedance Probability (AEP) critical storm event, including an appropriate allowance for climate change, will not exceed that of the existing site. This may increase the flood risk on site and in surrounding areas, and therefore the LLFA is unable to support this application.*

2. *Interception Source Control*

*It is proposed that surface water will be managed through the use of swales and attenuation basin, and this is supported by the LLFA. However, Section 6.3.7 of the Cambridgeshire Flood and Water SPD states that source control methods must be implemented across sites to provide effective pre-treatment of surface water. It is stated that permeable paving may be possible within the development, however as the applicant has not shown how the proposed permeable paving will be incorporated within the development, the LLFA is unable to understand the extent or use of this source control structure. The LLFA therefore requires that preliminary source control, such as the permeable paving, is included within the drainage layout for the development. As outlined in Section 6 of the Flood and Water Supplementary Planning Document the variety of source control techniques available means that virtually any development should be able to include a scheme based around these principles. The presence of low permeability soils, some forms of contamination and flat topography will not be accepted as reasons not to include source control.*

After an amended FRA the LLFA commented further:

*Thank you for your re-consultation which we received on 5th January 2023. The LLFA acknowledges that the proposed layout for the development has been altered to ensure that all drainage features, and the outfall, are located within the red line boundary of the site. However, at present we maintain our objection to the grant of planning permission for the following reasons:*

1. *Hydraulic Calculations*

*The LLFA acknowledges that this application relates to an outline permission, however we require demonstration that the proposed drainage strategy has sufficient capacity to manage surface water within the site. Hydraulic calculations are required to demonstrate the performance of the drainage system with regards to discharge rates, attenuation volumes, and peak discharge volumes for rainfall events up to and including the 1% AEP event +40% climate change. There should be no surcharging in the 100% AEP storm and no water outside the system within the 3.3% AEP storm plus a 35%*

*climate change allowance. If there is any exceedance within the 1% AEP storm + 40% allowance for climate change, this must be managed within the red line boundary without increasing the risk of flooding to any surrounding land or property. Finished floor levels of any properties near exceedance routes should be raised to 300mm above surrounding ground levels to protect them from internal flooding.*

*In accordance with the latest climate change peak rainfall intensity allowances, a climate change allowance should be incorporated into the surface water management scheme for the 3.3% annual exceedance probability rainfall event. The allowance used should be based on the lifetime of the development. The proposals are within the Cam and Ely Ouse Management Catchment and therefore should include a 35% climate change allowance on the 3.3% AEP hydraulic calculations.*

*The LLFA acknowledges that the actual soil type within the site may not be consistent with the default determined by the QBAR calculation tool, and therefore Soil Type 2 has been used instead of Soil Type 1. However, the LLFA requires clarity to be provided in relation to the following:*

- a) Total discharge rate for the site, for all rainfall events up to and including the 1% Annual Exceedance Probability (AEP) rainfall event +40% climate change*
- b) Proposed orifice diameter for each of the outfalls from the site.*

*Until the above information is confirmed, the LLFA is unable to appropriately review this application.*

The applicant has updated the FRA and further comments from the LLFA are as follows:

*We have reviewed the following documents:*

- Flood Risk Assessment & Drainage Strategy, Tetra Tech Limited, Ref: 784-B030853, Dated: February 2023*

*Based on these, as Lead Local Flood Authority (LLFA) we are able to remove our objection to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving, and attenuation basins within 2 distinct catchments. The rate of surface water discharge will be restricted to 0.9l/s in the west catchment, 1.3l/s in the east catchment, for a combined discharge rate of 2.2 l/s. The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a watercourse. The use of attenuation basins is also supported as in addition to the benefits provided by permeable paving, amenity and biodiversity benefits are also provided. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.*

*We request the following conditions are imposed:*

*Condition 1 No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment & Drainage Strategy prepared by Tetra Tech Limited (ref: 784-B030853) dated February 2023 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.*

*Reason To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.*

*Condition 2 Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.*

*Reason To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.*

*Condition 3 No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence. Reason To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.*

*Condition 4 Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.*

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

## **5.6 NHS England**

The following comments are with regard to the primary healthcare provision on behalf of Cambridgeshire and Peterborough Integrated Care System (CAPICS):

*The proposed development is likely to have an impact on the services of the GP Practice operating within the vicinity of the application site George Clare Surgery. This practice has a registered patient list weighted list size of 12,114 and this development of 80 dwellings would see an increase patient pressure of 192 new residents which would require additional GP/Nurse / (Admin support) workforce to*

*support increase in appointments. A developer contribution will be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £48,081.19. Payment should be made before the development commences. CAPICS therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.*

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

#### **5.7 Chatteris Town Council**

*Whilst Councillors do not object to the development of the site per se they strongly object to the access from 'The Elms' and request the applicant consider an alternative access. The original plan was for the development area off Wenny Road (including this site) to be accessed via a feeder road from a roundabout at the junction of Wenny Road and the A142. When the access to the site was left at The Elms there was considerably less traffic in St Martin's Road, Birch Avenue and The Elms. Additional vehicles include school traffic for Glebelands School. The roads leading to the site are unsuitable for yet more traffic, including construction vehicles, and will become congested.*

#### **5.8 Arboricultural Officer (FDC)**

With reference to the submitted arboricultural reports no objections to the findings relating to the condition and value of the vegetation on site. The indicative proposed layout suggests that the boundary vegetation may be selectively retained and the vegetation along the existing ditch enhanced. There is potential for significant planting, and welcome boundary screening to existing properties incorporating existing vegetation where possible. The ditch in the middle of the site provides opportunities for a significant landscape feature, e.g. an avenue of trees. The site can be developed with some potential impact on low quality trees but would require a comprehensive landscape scheme with significant tree planting including within individual plots and internal roads.

#### **5.9 Cambridgeshire Fire & Rescue Service**

*The Fire Authority would ask provision to be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.*

#### **5.10 Environment & Health Services (FDC)**

The application site has been identified as having pastoral or agricultural previous use. The Environmental Health Team are unlikely to object to the principle of any development where a high quality and sustainable living environment is to be created. From an environmental health standpoint this will be subject to the satisfactory attention being given towards mitigating against the potential for environmental pollution during the development process, satisfactory conclusions being reached that show the site is free from contamination and that such a

scheme positively contributes towards improving the health and wellbeing of people in support of sustainable and better ways to live and travel. This service therefore welcomes the range of information submitted in support of this application that include Air Quality, Noise Impact and Ground Contamination assessments being provided.

The EHO does not object and requests planning conditions be attached regarding Noise mitigation, provision of a Construction Environmental Management Plan (CEMP), a phase 2 Contamination ground investigation and informative regarding the latest building regulations for sustainable construction elements.

#### **5.11 Environmental Services (FDC)**

As an outline application only the Environmental Services Operations Manager has no comments other than refers to the current guidance for the detailed submission.

#### **5.12 Definitive Map Team**

*Public Footpath No. 1, Chatteris runs within the site. The Planning Statement at 5.29 states "A Public Right of Way (PRoW) runs across the site in the form of a trodden route. As is normal practice, any diversion of this would be processed under Section 257 of the Town and Country Planning Act after planning permission is confirmed". Should the Council be minded to grant planning permission then we would be grateful that that the following condition is included:*

*Prior to the commencement of development, a Public Rights of Way scheme shall be submitted to and approved by the LPA in partnership with the Highway Authority. Such scheme shall include provision for:*

- a) the design of public rights of way routes, their surfacing, widths, gradients, landscaping and structures.*
- b) any proposals for diversion and closure of public rights of way and alternative route provision*

#### **5.13 Cambridgeshire County Council Highways Authority**

*Background - The document reviewed is the Transport Assessment Addendum dated September 2022 prepared by Tetra Tech to accompany the planning application for the development of up to 80 homes on land off The Elms, Chatteris.*

*Transport Assessment Review - Public Rights of Way*

*It is noted Public Footpath 45/1 routes through the site. The public footpath will be diverted and formalised to follow footways and footpaths between The Elms and the A142 as part of the proposals. The proposed diversion and upgrade of Public Footpath 45/1 should be agreed in principle with CCC PROW Team prior to determination of this application.*

*CCC PROW Team can be contacted via:*

*[HighwaysAssetManagement@cambridgeshire.gov.uk](mailto:HighwaysAssetManagement@cambridgeshire.gov.uk).*

*Traffic Surveys The turning count and queue length surveys undertaken during the AM peak and PM peak periods on Tuesday 10th May 2022 at the following junctions are acceptable for use:*

- East Park Street/St Martins Road priority junction*
  - B1050 Park Street/East Park Street priority junction*
- Vehicle Access*



*It is noted vehicular site access will comprise an extension of the existing carriageway off The Elms. Within the East Chatteris BCP (2017), vehicular access for the East Chatteris site is proposed to be taken off Wenny Road. There is no road link proposed to other BCP land which could facilitate future access via Wenny Road from this site. It is up to Fenland District Council as the Local Planning Authority to consider this.*

*Site access, servicing, and internal layout details should be agreed with Highways Development Management who will provide separate comments.*

#### *Multi-Modal Trip Generation*

*Multi-modal trip generation for the development is agreed. The proposed development is anticipated to generate 64 vehicle trips in the AM peak and 53 vehicle trips in the PM peak. The development is also anticipated to generate 7 pedestrian trips, 3 cycle trips, and 2 bus trips in the AM peak, and 5 pedestrian trips, 3 cycle trips, and 2 bus trips in the PM peak.*

#### *Traffic Impact Assessment*

*The junction geometries included within the capacity assessments are agreed. The East Park Street/St Martins Road priority junction and B1050 Park Street/East Park Street priority junction are both anticipated to operate within capacity under all future year with development scenarios.*

#### *Mitigation*

*The provision of Welcome Travel Packs to the first occupants of each dwelling is welcomed. It is noted such Travel Packs will include 4-weeks free bus travel and cycle discount vouchers. Welcome Travel Packs will be subject to a planning condition should approval be given.*

*A shared use pedestrian and cycle connection will be provided to the south of the site as part of the proposals. Due to third party land ownership constraints, the shared use footway/cycleway link within the site is not proposed to connect to the consented Wenny Road development to the south of the site (F/YR21/0981/F) which also forms part of the wider BCP allocation. A direct pedestrian and cycle link from the site to Wenny Road is anticipated to be provided as the delivery of future BCP development sites come forward. A plan of the proposed shared use connection to the land south of the site should be provided for review. The shared use footway/cycleway link should be of minimum 3m in width as per the consented Wenny Road development. Such link will be secured by planning condition should approval be given.*

*In addition to the above, plans should be provided for review detailing the proposed pedestrian links out of the site onto The Elms and Green Park via the site access and emergency access respectively. The plan of the pedestrian and emergency access link should detail how pedestrian access onto Green Park will be achieved without encroaching onto the carriageway, and also detail how the emergency access will prevent vehicles using this access as a secondary site access i.e. the provision of bollards. The plans will need to be agreed in principle prior to determination of this application.*

*Conclusion The application as submitted does not include sufficient information. Were the above issues addressed the Highway Authority would reconsider the application. The Highway Authority therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.*

The Development Management section of CCC Highways confirmed on 13<sup>th</sup> October as follows:

*The access off Elms Road is a little concerning. The access should follow the same alignment as existing rather than the curve proposed. Therefore, the proposed alignment should be pushed further south. If the reason the proposed access alignment has been designed due to any highway concern. Highway has checked the boundaries and are sure that the re-design can be achieved. Furthermore, we are aware that this is an outline but note that the number of residential units serving a single access is 100. However, the emergency services should also be consulted on this matter. This scheme should also consider an emergency access, preferably using one of the pedestrian accesses north of the development. One of the pedestrian accesses can be widened to enable emergency services access.*

Following discussions with the applicant on the 6th January the TA section stated the following:

*Access must not be treated as a Reserved Matter and must be determined as part of any Outline planning application stage. This enables the development implications to be properly assessed, and also ensures that access can be secured into the site that is safe for all users and meets all the necessary standards. Therefore, the access and emergency access layouts should be agreed prior to determination of this application. No such plans have been submitted at this stage for us to review. Access design should consider the CCC Highway Development Management General Principles for Development (May 2021).*

*The access and emergency access plans should detail the layout of the accesses and show the visibility splays and footway/carriageway widths. With regards to the emergency access, the layout drawing should illustrate how regular vehicles will be prevented from using this emergency access i.e. provision of bollards, and should demonstrate that pedestrian access will not route onto the Green Park carriageway i.e. will directly link to the existing provision on Green Park.*

The Development Management section of CCC Highways confirmed on 17th Jan its view as follows: *The redesign of the main access is okay from a Highways perspective.*

The Transport Assessment Team then confirmed as follows:

*Further to this, I am now satisfied with the proposals subject to a Condition regarding the provision of Welcome Travel Packs. Such condition wording can be as follows:*

*Prior to first occupation of the development, the developer shall be responsible for the provision and implementation of Welcome Travel Packs to be agreed in writing with the Local Planning Authority. The Welcome Travel Packs shall include the provision of bus taster tickets and/or cycle discount vouchers. The Welcome Travel Packs shall be provided to residents upon first occupation of each dwelling.*

#### **5.14 Senior Archaeologist (CCC)**

As the results of earlier yielded insignificant archaeological evidence we do not recommend further work and have no comment or archaeological requirements for the proposed development.

#### **5.15 Cambridgeshire County Council (Growth & Economy)**

Requested education contributions as follows:

Early Years - £21,774 per place New 1FE primary school, with 2FE core and purpose-build early years accommodation)

Primary - £21,774 per place New 1FE primary school, with 2FE core and purpose-build early years accommodation

Secondary - £25,253 per place 1FE expansion to Cromwell Community College

Libraries £11,800 Remodel Chatteris Library to increasing the floor space available to the community. Monitoring £150

#### 5.16 **Wildlife Officer**

31st August 2022 comments as follows:

Recommend refusal of application on grounds that there is insufficient information about the potential negative impacts of the proposal on material biodiversity concerns.

Recommended condition(s)/Reason(s) for refusal: The proposal documents submitted under F/YR22/0957/F do not provide sufficient information to ensure that the development will result in new negative impact on protected species, in this case bats. The application has been submitted with an Ecological Appraisal (Tetra Tech, August 2021) that identified features within the site boundary which will require further survey to establish if protected species are present. At this stage without further information on the habitats and species potentially using the site the Local Planning Authority cannot make a decision on the application without risking contravening the NPPF, Local Plan and the Wildlife and Countryside Act 1989. Please note the presence of a protected species is a material consideration when a planning authority is considering a development proposal (para 98, ODPM circular 06/2005). It is essential that the presence or otherwise of a protected species, and the extent that they may be affected by the proposed development is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

Required amendments/information: I would therefore recommend that:

- All recommended surveys and subsequent recommendations are incorporated into the site design. The survey reports should then be submitted to Fenlands Council which can then be assured in the positive impact the proposal will have to the local species.

Recommendations for mitigation and compensation of the negative impacts of the proposal on all protected species should then be incorporated into the application documents as described within the ecologists reports.

Assessment/Comment: Incorporation of recommendations from survey reports into the proposal will significantly reduce the requirement for pre and post commencement conditions on the granted application. It is possible that these recommendations may have to be included within a Construction and Environment Management Plan (CEMP) this possibility should be discussed with your ecologist. It is highly likely that a CEMP will be requested as a pre-commencement condition in relation to this development. The creation of this document and submission to the proposal will significantly reduce proposal conditions further down the line. Please note that many ecological surveys are constrained by seasonal restrictions,

it is highly recommended that the recommended surveys are completed as soon as possible to avoid any significant delays to development. Please see the PEA and your consultant ecologist for survey timings.

Following submission of Protected species reports the Wildlife Officer submitted the following comments on 23rd January and sought requested conditions as follows:

*Reading through the survey reports that you provided suggested to me that the site has local value for bat foraging and a small population of reptiles. The reports go to great lengths recommending revisions to the landscaping documentation to ensure that negative impact is mitigated. The reptiles will need to be moved from the site.*

*As such I would be happy to have a reptile capture release methods statement, CEMP, landscaping documentation and sensitive lighting scheme conditioned and have no objection to the site being granted planning approval.*

*1.No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP:*

*Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:*

*a) Summary of potentially damaging activities.*

*b) Identification of "biodiversity protection zones".*

*c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site.*

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

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

*f) Responsible persons and lines of communication.*

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

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

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

*2.No development shall take place (including any demolition, ground works, site clearance) until a method statement for reptile translation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:*

*a) purpose and objectives for the proposed works;*

*b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);*

*c) extent and location of proposed works shown on appropriate scale maps and plans;*

*e) persons responsible for implementing the works;*

*f) initial aftercare and long-term maintenance, as applicable;*

*g) disposal of any wastes arising from works, as applicable.*

*The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.*

*3. No external lighting shall be erected until, a "lighting design strategy for biodiversity" for all lighting across the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:*

a) identify those areas/features on site that are particularly sensitive for ecological constraints that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

4. 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.

## 5.17 Local Residents/Interested Parties

### Objectors

6 residents objected to the application (three from The Elms, two from Green Park and one from St Martins Road, all Chatteris) referring to the following issues:

- Drainage/flood risk,
- Environmental concerns,
- Overlooking and loss of privacy,
- Increased traffic and highway safety, taking increased vehicles through congested and narrow inadequate streets of the Elms estate off a cul-de-sac, resulting in poor access, (reference made to Doddington -Bevills Close refusal in October)
- Estate roads designed only for existing residents/visitors, will not cope with additional. Existing pinch points will suffer becoming impassable resulting in frustration and harm to existing amenity, needs re-routing away from St. Martins and the Elms,
- No reference made to construction vehicular access,
- Land contraction concerns during drought,
- Parking concerns

- Impact on wildlife
- Concern regarding subsidence regarding existing sewers,
- Insufficient services to accommodate more houses, Application is premature, should be part of strategic proposal,
- FDC has poor record of achieving infrastructure contributions
- Need green spaces
- Land ownership concern (Next to No 85 The Elms)
- Excessive density/overdevelopment, out of character,
- Loss of outlook/view,
- Increased noise
- Proximity to property,
- Profits ought to be shared with the local town council having once owned the site.

Representations from an agent on behalf of the neighbouring landowner referred to the following:

- The application ignores the remaining BCP land and should include road links into the neighbouring sites, is the Council moving the goal posts to suit itself?
- the application being made by Fenland Futures for which a conflict of interest occurs
- the application ought not be determined by Fenland District Council in the interests of transparency.

Following further consultation regarding amended details on the indicative layouts, an objection was received from the agent representing the neighbouring landowner regarding the following:

- Access
- Does not comply with policy
- Traffic or Highways

*While this application states that the only access available is from the Elms, this is not correct as I am advised that no contact has been made with the adjoining landowners to see if they would be amenable to any form of shared access over the adjoining land. I represent the Neighbouring landowners and have spoken with the other landowner who are both disappointed that FDC ( as Agent) did not consult with either of them to resolve a more comprehensive access for the area as a whole as requested in the current Local Plan! Hence as the application stands it is not policy compliant.*

## **6 STATUTORY DUTY**

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

## **7 POLICY FRAMEWORK**

**National Planning Policy Framework (NPPF)**

**National Planning Practice Guidance (NPPG)**

## **National Design Guide 2021**

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

## **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development  
LP2 – Facilitating Health and Wellbeing of Fenland Residents  
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside  
LP4 – Housing  
LP5 – Meeting Housing Need  
LP6 – Employment, Tourism, Community Facilities and Retail  
LP7 – Urban Extensions  
LP10 – Chatteris  
LP13 – Supporting and Managing the Impact of a Growing District  
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland  
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District  
LP17 – Community Safety  
LP18 – The Historic Environment  
LP19 – The Natural Environment

## **Emerging Local Plan**

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

Policy 1 – Spatial Planning  
Policy 2 – Local Housing Need  
Policy 4 – Open Space  
Policy 7 – Design Quality  
Policy 10 – Flood Risk  
Policy 12 – Delivering Sustainable Transport

## **8 KEY ISSUES**

- **Principle of Development**
- **Headings**
- **Health and wellbeing**
- **Economic Growth**
- **Affordable Housing**

- **Design**
- **Flood risk**
- **Infrastructure contributions**
- **Other**

## **9 BACKGROUND**

9.1 The East Chatteris (strategic allocation) refers in detail to the following:

*This area is identified on the Policies Map and it is expected will be predominantly a mix of open space and a high quality, relatively low density, residential area (around 300 dwellings). A substantial part of the historic former park and garden of the Manor House should be retained as informal open space as a focus for the community, and opportunities should be taken to link to the Recreation Ground. The most significant archaeological assets will be retained in situ and managed either for informal open space or by other means that will preserve their integrity in the long term. The Birch Fen Awarded water course which crosses this development area will require protection. Development should utilise the amenity value of the substantial number of protected trees in the area. Noise mitigation measures should be provided along the A142 as appropriate.*

9.2 Near to the site a current application for 93 dwellings is pending (Canon Kirk (UK Ltd (and others) as the main part of the BCP (App ref F/YR21/0981/F.)

9.3 The application is submitted by Fenland Future, which is a wholly owned subsidiary of FDC which has the objective of, amongst other things, maximising the return to the Council as shareholder from its asset portfolio and exploiting opportunities for acquisitions, development and commercial return from assets and to create a delivery model that operates with a degree of commerciality in line with aspirations that mirror the Council's Business Plans and Commercial Investment Strategy. The application site involves land owned by the District Council.

## **10 ASSESSMENT**

### **Principle of Development**

10.1 The application is within the East Chatteris strategic allocation within the Local Plan. The Broad Concept Plan required by the policy relevant to such allocations has been produced and was adopted by the Council in 2017. Whilst limited weight is given to the emerging plan, this currently seeks to de-classify the wider allocation, however it seeks to allocate the site Land East of 80 the Elm (the application site the site for development) and seeks access off 'The Elms'.

10.2 The adopted BCP sets a framework for the delivery of the wider allocation which seeks to deliver a more comprehensive development and indicates the following key proposals for the site:

- Potentially up to 350 dwellings;
- Formal and informal open spaces areas;
- Retention of important landscape features including trees and hedgerows;
- Provision of new vehicular accesses into the site from Wenny Road;
- Provision of new and enhanced pedestrian and cycle ways within the development linking to existing facilities elsewhere within the town and surroundings.



10.3 Concern from objectors raise the issue that the principle should not be accepted due to the failure to come forward as part of a more comprehensive development for the BCP site as a whole. However, the applicants have agreed to provide an internal road and pedestrian and cycleway links to the southern boundary, (with no ransom strip) thereby largely in accordance with the aims of the Broad Concept Plan. This need not hinder delivery of the sites to the south. Given this is a housing development on a site allocated for housing, and broadly complies with the aims of the BCP, and subject to compliance with other relevant adopted policies, the principle of housing is therefore considered to be acceptable.

#### **Economic Growth**

10.4 This proposal will result in up to 80 new dwellings for Fenland's Housing Stock and will therefore support the economic growth of the district in the long term. In addition, the economic growth of Fenland will be supported in the short term via employment opportunities for local contractors during the construction phase. As such the proposal complies with Policy LP6 in this regard.

#### **Access and Highway Safety**

10.5 Perhaps the most significant issue is the proposed use of 'The Elms' as the access to the site. The BCP raised concerns (founded on the amenity of the residents of the Elms and the roads linking the Elms to the main highway network). This constitutes relatively narrow and bending routes approximately 1 km along the Elms, Birch Avenue, St Martins Road and Church Lane to access the B1050. These roads are narrow and often have parked vehicles leaving only single carriageways for access. This is clearly less than ideal. However, as the applicant points out, the LHA does not object or consider the proposal would result in severe harm to the operation of the highway network. The LHA does highlight that the proposal does not accord with the BCP which envisaged access coming through the main BCP allocation. However, the LHA considers this a matter for the LPA. The Council as a planning authority is not ideally placed to assess any traffic or highway safety issues regarding the use of The Elms. Consideration regarding compliance with the BCP is considered elsewhere. Therefore, the issue becomes more of residential amenity for existing residents experiencing increase in traffic generated by the development from the Elms.

10.6 As the proposed layout will be required to provide on-plot parking, i.e. the problem of exacerbation of parking difficulties in the Elms estate, is unlikely to be caused by this development. The issue is more likely to be that of increased movement through the 1km of access roads. Whilst this may result in some nuisance, i.e. noise or traffic, blockages due to parked cars and narrow roads, would the scale produced by an addition of 80 or less, houses result in identifiable noise, air quality concerns or traffic disruption to an identifiable difference? No objection is raised by the Environmental Health officer on these grounds. In this instance whilst perhaps far from ideal, without evidence to the contrary it is not considered likely by itself to warrant a refusal of the application.

10.7 Given the measures proposed regarding links between the sites, but being mindful of the lack of progress on the delivery of the BCP, and there being no Local Highway Authority supported highway grounds on which to oppose the application, the proposal is considered to accord with Policies LP10 and LP15.

#### **Health and wellbeing – Residential Amenity**

10.8 No detailed layout has been submitted. However, the application includes a drainage strategy that appears to indicate most separation standards could be achievable. As regards good design and in the interest of achieving a high-quality

development as proposed in the application documents, a planning condition is proposed requiring the submission of details (as part of condition No 1), includes an assessment against the recent National Design Guide. Particularly given that a nearby site as part of the BCP is pending in the interests of seeking high quality. This should ensure a high-quality submission of details in accordance with the aims of Policy LP16, the NPPF (Achieving good design) and the aims of the National Design Guide.

### **Quantum of development**

- 10.9 The only supporting information regarding the ability of the site to provide 80 dwellings has been an indicative drainage layout. Concerns regarding this layout were raised with the applicant including lack of play facility, excessive front of plot parking likely to lead to streets scenes dominated by parked cars, and the inclusion of existing trees/hedgerow within rear gardens, likely to lead in loss of trees/hedgerows in the long term. Given this and the need to provide an access to the south is likely to lead in a reduction in numbers of houses provided. Therefore, whilst up to 80 dwellings will remain, there is no guarantee that an acceptable layout will provide 80 dwellings remaining a matter for the detailed submission.

### **Design**

- 10.10 The application in outline form, includes no details. The Design and Access statement refers in its conclusion to the following '*We would encourage the local authority to approve the submission timeously and enable a high-quality development to be delivered to meet local needs.*' Therefore, to ensure that the submission of a detailed scheme meets that aspiration of high-quality development, a condition is attached seeking a document that clearly demonstrates compliance of the scheme in terms of layout, scale, appearance and landscaping, with the relevant sections for residential developments of the National design guide. This would also be in accordance with Policy LP16 of the Fenland Local Plan.

### **Affordable Housing**

- 10.11 The proposal is to provide 20% affordable and comply with the current position following the Council's own viability assessment. This should result in 11 affordable rented and 5 shared ownership homes to be included in the Unilateral Agreement. This is considered to accord with Policy LP5 of the Fenland Local Plan.

### **Flood Risk**

- 10.12 The application includes a Flood Risk Assessment and a Drainage Strategy which includes proposed swales and two attenuation areas. The LLFA has requested some additional flood storage calculations and amendments to be included in the drainage strategy. The LLFA have received further data and now confirm removal of its objection requesting 4 conditions be attached. Therefore, subject to the proposed conditions the proposal is considered to accord with Policy LP14 of the Fenland Local Plan.

### **Infrastructure contributions**

- 10.13 The NHS requested £48,081.19 towards resources at the George Clare Surgery. The CCC requested the following:  
Libraries £11,800 Remodel Chatteris Library to increasing the floor space  
Early Years £21,774 per place,  
Primary £21,774 per place  
Secondary £25,253 per place for expansion to Cromwell Community College

- 10.14 As the development can provide only £2,000 per plot (accepted viability in Fenland due to the evidence base viability study undertaken as part of the emerging plan) this excludes the library provision as proportionately would be a meaningless amount, the remaining proportionate contributions to be included in the Unilateral agreement are as follows:  
£5120 towards the George Clare Surgery.  
£31,360 Early Years provision in east Chatteris,  
£71,680 towards Primary school places in East Chatteris (Glebelands or Kingsfield primary schools)  
£51,840 towards Secondary school at Cromwell School

Total £160,000.

- 10.15 The Unilateral agreement shall also include provision and details of management and maintenance of the open space and LEAP, and 20% affordable housing subject to the final number of houses provided, a maximum of 11 affordable rented and 5 shared ownership homes.

### **Other Considerations**

#### **Archaeology**

- 10.16 No further work is requested by CCC Archaeology therefore no condition is attached.

#### **Biodiversity**

- 10.17 The applicant supplied survey data on reptiles, bats and water voles and a Great Crested Newt District Level provisional license including evidence of payment to Natural England, has been provided. Having received this further information the Wildlife Officer has no objection subject to the necessary conditions which are attached. The

#### **Appropriateness of the Council determining this application.**

- 10.18 Concerns have been raised of the appropriateness of the Council determining applications submitted by Fenland Futures a development company owned by Fenland District Council. However, providing the application is dealt with in the normal way that any application be dealt with, (i.e. appropriately publicised, and determined in accordance with the Development Plan unless material planning considerations indicate otherwise) and providing the committee determining the application has no land management function (the Planning Committee does not) then the council can determine the planning application. The report demonstrates that the application accords with the adopted Local Plan and the applicant will be required to comply with a significant amount of planning conditions including design quality and the provision of an access to the land to the south (with no ransom strip) to enable connectivity to the wider BCP, and a unilateral agreement (to be rigorously tested by the Council's legal support). Therefore, it is considered the determination of this application demonstrates normal local planning authority procedures have been followed regardless of the applicant being owned by the council. Therefore, it is appropriate to determine the application.
- 10.19 Concerns about failure to communicate between landowners and the proposal being premature raised by objectors, should be considered against the length of time the allocation in the adopted plan has been in place, i.e. over 8 years. This application includes measures put in place to ensure links to the land to the south be safeguarded should anyone wish to come forward with a development proposal from the south. Indeed, in progressing this application, perhaps this is more likely

to generate a wider interest to pursue development. Furthermore, the determination of this application need not prevent communication between landowners taking place.

## **11 CONCLUSIONS**

- 11.1 This site is on the edge of Chatteris a Main Settlement within the adopted Development Hierarchy. It is also within a strategic allocation within the Local Plan, with an adopted BCP, and as such the principle of development is acceptable. The critical concern is the compliance with the BCP. Whilst the current proposal will be accessed off The Elm (not envisaged by the BCP) this proposal will provide a potential link to adjoin with the BCP and will provide a pedestrian/cycleway link. Retention of trees highlighted on the BCP will be sought at the detailed stage and a play facility is sought to address BCP aims. Given that in this instance the development of land immediately to the south is yet to come forward, any resulting differences with the BCP are considered to be limited. However, the bulk of the proposal is considered to conform with the allocation. Therefore, in this instance the proposal is considered on the whole to accord with the adopted policy LP10.

The proposal is considered to accord with policies as follows:

LP4 – Housing

LP5 – Meeting Housing Need

LP7 – Urban Extensions

LP10 – Chatteris

LP13 – Supporting and Managing the Impact of a Growing District

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP18 – The Historic Environment

LP19 – The Natural Environment.

## **12 RECOMMENDATION**

1. That the Committee delegates authority to finalise the planning conditions and terms of the S.106 unilateral agreement to the Head of Planning, and
2. Following completion of the S106 obligation to secure the necessary affordable housing and open space and infrastructure contributions as detailed in this report, F/YR22/0967/FDL application be granted

OR

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

## **13 CONDITIONS**

The initially proposed conditions are as follows;

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> <li>i. the layout of the site</li> <li>ii. the scale of the building(s);</li> <li>iii. the external appearance of the building(s);</li> <li>iv. the landscaping</li> </ul> <p>(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development to which this permission relates shall be begun no later than the expiration of two years from the final approval of the reserved matters.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town &amp; Country Planning Act 1990.</p>
3	<p>The residential elements of the development shall be up to and no more than 80 dwellings (Use Class C3). 80 dwellings shall depend on submission of an acceptable layout at the submission of reserved matters stage, No layout of 80 dwellings has been accepted by the granting of this outline permission.</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
4	<p>Prior to the commencement of development, a Construction Environmental Management Plan (CMP), shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include the consideration of the following aspects of construction:</p> <ul style="list-style-type: none"> <li>a) Site wide construction programme.</li> <li>b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers,</li> <li>c) Construction hours and delivery times for construction purposes</li> <li>d) Maximum noise mitigation levels for construction equipment, plant and vehicles</li> <li>e) Dust suppression management including             <ul style="list-style-type: none"> <li>1, identification of person responsible for air quality and dust issues,</li> <li>2, the recording of dust and air quality complaints</li> <li>3, to undertake appropriate measures to reduce emissions in a timely manner</li> <li>4, An agreement for dust deposition, dust flux, or real-time</li> </ul> </li> </ul>

	<p>particulate matter monitoring locations with the Local Authority including baseline monitoring before work commences,</p> <p>5, machinery and dust causing activities to be located away from receptors</p> <p>6, Wheel washing measures to prevent the deposition of debris on the highway and the general environment</p> <p>f) Site lighting</p> <p>g) Location of Contractors compound and method of moving materials, plant and equipment around the site.</p> <p>h) Details and locations of hoardings</p> <p>The Construction Environmental Management Plan shall be implemented in accordance with the agreed details unless minor variations are otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of safe operation of the highway and protection of residential amenity in accordance with policy LP15 and LP16 and LP19 of the Fenland Local Plan, 2014.</p>
5	<p>The submission of a detailed layout as required by condition No 1, shall include noise mitigation scheme. This shall be in accordance with details set out within the submitted noise assessment and shall have regard to the internal and external noise levels as stipulated in British standard 8223:2014 Guidance on sound insulation and noise reduction for buildings and the World Health Organisation (WHO) Guidelines for Community Noise.</p> <p>The noise mitigation scheme shall confirm 'final' details of:</p> <p>a) the façade mitigation performance having regard to the building fabric, glazing and ventilation</p> <p>b) mitigation measures to reduce the level of noise experienced externally</p> <p>The scheme shall be carried out as approved before the residential properties are occupied and shall be retained thereafter.</p> <p>Reason: In the interests of safeguarding the amenity of future residents of the dwellings and in accordance with Policy LP16(I).</p>
6	<p>Prior to the commencement of development, a scheme and timetable to deal with contamination of land and/or groundwater shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme and timetable shall then be implemented on site. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:</p> <p>a) A written method statement for the remediation of land and or groundwater contamination affecting the site. This shall be based upon the findings of phase 2 site investigation and results of the phase 1 risk assessment. This shall include the following:</p> <p>Assessing ground conditions to determine the contamination status at the site (particularly the north of the site);</p> <p>Carrying out groundwater and ground gas monitoring;</p> <p>Assessing ground conditions to inform foundation design, including the depth of the infilled pond;</p> <p>Assessing the presence or absence of shallow groundwater;</p> <p>Assessing potential suitability of the site for infiltration drainage; and</p> <p>Undertaking chemical characterisation of soils in the event they are to be reused or disposed of off-site (e.g., foundation arisings).</p>

	<p>b) No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. The</p> <p>c) The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the Local Planning Authority.</p> <p>Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraph 183 and Policy LP16 of the Fenland Local Plan 2014.</p>
7	<p>The submission of a detailed layout as required by condition No 1, shall include a vehicular access and cycleway/footpath which will abut the southern boundary of the site enabling a future link for development of land to the south within the East Chatteris BCP allocation.</p> <p>Reason: In accordance with Policy LP10 of the Fenland Local Plan adopted 2014, and the adopted East Chatteris BCP, and in the interests of comprehensive development.</p>
8	<p>The submission of a detailed layout as required by condition No 1, shall include as part of the reserved matters, the principal vehicular access into the site being from The Elms, with an emergency vehicle access provided from Green Park.</p> <p>Reason: For the avoidance of doubt and to ensure the reserved matters accords with the supporting Transport Assessment and supporting evidence within this outline planning permission and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
9	<p>Prior to the commencement of development, a Public Rights of Way scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority. Such scheme shall include provision for:</p> <p>a) the design of public rights of way routes, their surfacing, widths, gradients, landscaping and structures.</p> <p>b) any proposals for diversion and closure of public rights of way and alternative route provision</p> <p>Reason: In the interests of amenity and the safety of the public.</p>
10	<p>Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable.</p> <p>Reason - To ensure a satisfactory form of development.</p>
11	<p>No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment &amp; Drainage Strategy prepared by Tetra Tech Limited (ref: 784-B030853) dated February 2023 has</p>

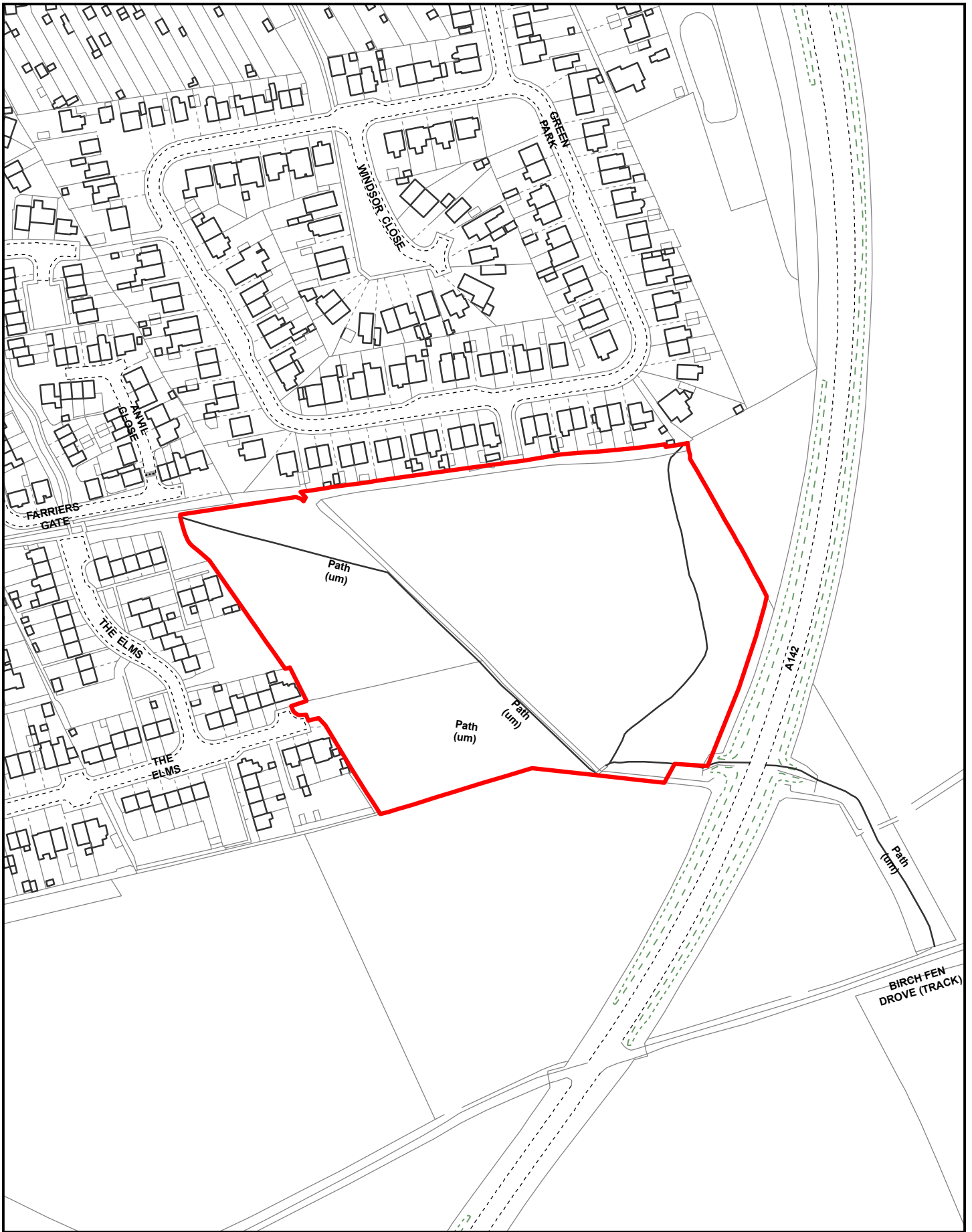
	<p>been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.</p> <p>Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity and in accordance with Policy LP14 of the Fenland Local Plan (2014).</p>
12	<p>Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.</p> <p>Reason: In the interest of satisfactory development and for the avoidance of flooding in accordance with Policy LP14 of the Fenland Local Plan (2014).</p>
13	<p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts and in accordance with Policy LP14 of the Fenland Local Plan (2014).</p>
14	<p>Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason To ensure the effective operation of the surface water drainage scheme following construction of the development.</p>
15	<p>Notwithstanding the indicative layout submitted with the application, the</p>



	<p>submission of a detailed layout as required by condition No 1, shall include details of a LEAP to be provided. The submission shall include full details of specifications and layout of the play area, management and maintenance and a timetable for delivery. The development shall be carried out only in accordance with the approved details.</p> <p>Reason: In the interest of satisfactory development and in accordance with Policy LP16 of the Fenland Local Plan (2014).</p>
16	<p>No development shall take place 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> </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: In the interest of Biodiversity and the safeguarding of protected species and in accordance with Policy LP19 of the Fenland Local Plan (2014).</p>
17	<p>No development shall take place (including any demolition, ground works,) until a method statement for reptile translocation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:</p> <ul style="list-style-type: none"> <li>a) purpose and objectives for the proposed works;</li> <li>b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);</li> <li>c) extent and location of proposed works shown on appropriate scale maps and plans;</li> <li>e) persons responsible for implementing the works;</li> <li>f) initial aftercare and long-term maintenance, as applicable;</li> <li>g) disposal of any wastes arising from works, as applicable.</li> </ul> <p>The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.</p>

	<p>Reason: In the interest of Biodiversity and the safeguarding of protected species and in accordance with Policy LP19 of the Fenland Local Plan (2014).</p>
18	<p>No external lighting shall be erected until, a “lighting design strategy for biodiversity” for all lighting across the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <p>a) identify those areas/features on site that are particularly sensitive for ecological constraints that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</p> <p>b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.</p> <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason: In the interest of Biodiversity and the safeguarding of protected species and in accordance with Policy LP19 of the Fenland Local Plan (2014).</p>
19	<p>Details to be included in accordance with condition 1 shall include the soft landscaping of the site. The scheme shall include the following details:</p> <p>a) Planting plans to all public areas including a tree lined avenue next to the watercourse, retained hedge and trees in accordance with the Arboricultural report, species, numbers, size and density of planting with screen planting adjacent to site boundaries for existing nearby residents.</p> <p>b) Placement, type and number of any recommended biodiversity enhancements.</p> <p>c) Management and maintenance details and a timetable for planting,</p> <p>Development shall be carried out in accordance with the submitted details.</p> <p>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.</p> <p>Reason: In the interest of amenity and biodiversity of the area and in accordance with Policies LP16 and LP19 of the Fenland Local Plan (2014).</p>

20	<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 5837:2012. 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 retained trees are adequately protected.</p>
21	<p>Prior to first occupation of the development, the developer shall be responsible for the provision and implementation of Welcome Travel Packs to be agreed in writing with the Local Planning Authority. The Welcome Travel Packs shall include the provision of bus taster tickets and/or cycle discount vouchers. The Welcome Travel Packs shall be provided to residents upon first occupation of each dwelling.</p> <p>Reason: In the interests of sustainable travel and in accordance with Policy LP15 of the Fenland Local Plan (2014)</p>
22	<p>Notwithstanding the indicative layout submitted with the application, the submission of a detailed layout as required by condition No 1, shall include an assessment of the layout, scale, appearance and landscaping against the sections within the National Design Guide (those relating to residential developments). This is in order to demonstrate and achieve high quality development in accordance with the conclusion within the Design and Access Statement submitted with this application.</p> <p>Reason: In the interest of satisfactory development and in accordance with Policy LP16 of the Fenland Local Plan (2014) and paragraphs 129-134 of the NPPF.</p>
23	<p>The details submitted in accordance with Condition 01 of this permission shall accord with the recommendations in the Tree Survey report (Recommendations section 5.0 – 5.3) and shall include submission of an Arboricultural Impact Assessment, a tree Protection Plan and Arboricultural Method Statement.</p> <p>Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
24	<p>The development hereby permitted shall be carried out in accordance with the approved plans and documents.</p>



Created on: 22/08/2022

© Crown Copyright and database  
rights 2022 Ordnance Survey 10023778

**F/YR22/0967/FDL**

Scale = 1:2,500





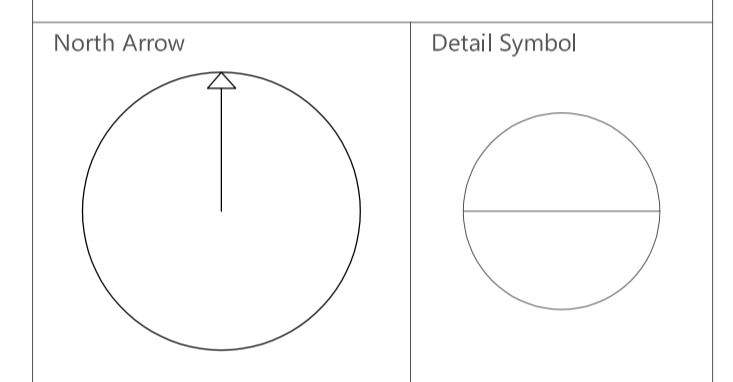
Note: Red line boundary is the planning boundary based upon title information provided by the client body regards their own ownership



DATE	REVISION	REV	DRW	CHK
06.05.2022	FIRST ISSUE FOR COMMENT	A	ME	SB
10.05.2022	MINOR AMEND TO RED LINE	B	SB	LM
JULY 2022	UPDATED FOR PLANNING SUBMISSION	C	SB	LM
09.08.2022	RED LINE & DISCLAIMER AMENDED	D	LM	SB
26.11.2022	UPDATED LAYOUT / ADDITIONAL SUDS	E	LM	SB

This drawing has been prepared solely for the use of: **FENLAND FUTURE LTD** and there are no representations of any kind made by NORR Consultants Limited to any party with whom NORR Consultants Limited has not entered into a contract. This drawing must not be used, reproduced or revised without written permission. This drawing shall not be used for construction purposes until the "CONSTRUCTION" status appears under the Sheet Status. Drawings may be scaled from for planning purposes only (when printed to scale). Constructors must work to figured dimensions which are to be checked on site.

Keyplan



Consultants

**NORR**  
**NORR Consultants Limited.**  
 An Ingenium International Company  
 Percy House, 8th Floor Percy Street  
 Newcastle NE1 4PW  
 England, UK  
 norr.com

Drawn	ME	Date	26.11.21
Checked	SB	Date	26.11.21
Scale	1:500 @ A1		

Client  
**FENLAND FUTURE LTD**

Project  
**THE ELMS, CHATTERIS**  
**HOUSING DEVELOPMENT**

Drawing Title  
**PROPOSED SITE PLAN**  
**WITH ILLUSTRATIVE DEVELOPMENT ZONES**

Sheet Status  
**PLANNING**

Project No.  
**IANC 210089**

Drawing No. (00)304 Rev. E

Illustrative Purposes only