
F/YR21/1360/O

Applicant: Showfields Ltd

**Agent : Mr Adam Tuck
Cheffins**

Land North East Of 3-31, Hemmerley Drive, Whittlesey, Cambridgeshire

Erect up to 58 no dwellings (outline application with matters committed in respect of access)

Officer recommendation: Grant subject to completion of S106 agreement

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

1 EXECUTIVE SUMMARY

- 1.1 The application seeks Outline planning permission (with all matters save access reserved) for up to 58 dwellings.
- 1.2 The site lies adjacent to the built form of Whittlesey comprising an area of land previously partly cultivated as a market garden, adjacent land to the east is currently being developed.
- 1.3 The principle of developing this site is supported by Policy LP3 and LP4 which seeks to direct growth to the main Market Towns in the district.
- 1.4 The indicative access and layout of the development is considered acceptable having regard to the general character of the area.
- 1.5 The proposal is not considered to have a significant detrimental impact on the surrounding properties and raises no technical issues, albeit most technical matters would need to be considered at future reserved matters stages.
- 1.6 The application is recommended for approval subject to completion of a S106 agreement.

2 SITE DESCRIPTION

- 2.1 The site is currently a 1.8 ha greenfield site currently owned by Showfields Ltd, abutting the current Persimmon Homes site on East Delph.
- 2.2 The overall site area is 1.8 ha (4.45 acres). The site is generally flat and comprises open grass fields and scrub land. The high point of the site is a plateau that is at circa 6m AOD and is within the south-eastern part of the site. The lowest part of the site is the north-western boundary that lies within flood zone 3 at circa 4.8m AOD. All development is situated above the 5m level.

- 2.3 The site itself is surrounded by residential development with the Persimmon site to the east, from which the site access is taken. This adjacent site was previously owned by Showfields Ltd prior to being purchased by Persimmon Homes in 2020 and work to implement the consent referred to in the history section below is underway.
- 2.4 To the north of the site is open space that is associated with the adjacent housing site, to the south is existing residential development on Hemmerley Drive and to the west is existing residential development on East Delph and Wash Lane.
- 2.5 The site is separated from the adjacent site by a hedgerow and trees along the eastern boundary and the submission indicates that these will be retained where possible.
- 2.6 The application site is within a Minerals Safeguarding Area (MSA) for sand and gravel in the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) where its Policy 5 seeks to safeguard minerals of local and/or national importance. In this instance, the County Council has determined that the proposed development will not be resisted as extraction will not be possible due to the proximity of the site to existing residential properties.

3 PROPOSAL

- 3.1 The application is submitted in outline form with access committed and an illustrative site layout accompanies the submission detailing 58 dwellings with associated access, car parking and landscaping.
- 3.2 The Design and Access statement identifies that this equates to a net density of 32 dwellings per hectare with the anticipated residential mix providing for a range of dwelling sizes from 1-bedroom to 4-bedrooms.
- 3.3 All dwellings shown on the indicative masterplan are 2-storey, however within the Design and Access statement this is caveated that 'at reserved matters stage limited use of 2.5-storey or 3-storey development may be appropriate for legibility, feature buildings and termination of key vistas'. The layout shows a mixture of detached, semi-detached and short terraces of housing with on plot parking.
- 3.4 Access to the site is proposed from the adjacent new housing site via an extension to an existing turning head. The submission notes that '*the whole of that scheme, including the estate roads, the spine road, and the junction on East Delph, have been designed to also serve this further development land and the relevant roads have already been approved via the outline consent and subsequent detailed reserved matters submission*'.
- 3.5 A new area of public open space including a wet/dry balancing pond to serve the new housing for surface water drainage purposes is indicated along the north-eastern boundary.
- 3.6 Full plans and associated documents for this application can be found at: [F/YR21/1360/O | Erect up to 58 no dwellings \(outline application with matters committed in respect of access\) | Land North East Of 3-31 Hemmerley Drive Whittlesey Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/development/outline-application/2021/1360/0)

4 SITE PLANNING HISTORY

Application Site

No planning history.

Relevant planning history of adjacent land.

F/YR19/0158/RM	Reserved Matters application for 220 dwellings.	Approved 13.09.2019
F/YR17/1231/VOC	Removal or variation of conditions of planning permission F/YR15/0134/O.	Granted 25.01.2019
F/YR15/0134/O	Hybrid application: Outline application for the erection of 220 dwellings (max) and full application for vehicular access road.	Granted 29.02.2016
F/YR13/0714/O	Erection of 249 no dwellings with associated infrastructure, vehicular and pedestrian access, public open space and associated flood mitigation works	Refused 20.12.2013 Appeal dismissed.

5 CONSULTATIONS

5.1 Whittlesey Town Council (14.12.2021)

'The Town Council recommend refusal of the above development on the following grounds:

- 1. This site was not included in the Local plan for development. (FDC 6-year land supply).*
- 2. This was originally one site with planning for a maximum of 249 dwellings which is the site limit, the site has now been split 220 on the existing site and further 58 on this part, therefore making a total of 278 dwellings, far more than the site can accommodate.*
- 3. The site is not suitable due to its low level, there will be more water that will need to run off to an area that already floods, however should FDC be minded approving this application an essential condition must be enforced, and that be NO build-up of the existing site as this will create issues in the adjoining properties.*
- 4. There will be significant additional pressure put on the junction at the exit of Hartley Grange on the B1040 and in turn East Delph. Once again if FDC approve this application, a condition must be put in place that the developers build a roundabout.*
- 5. The developers are trying to squeeze so many properties into a constricted site and there is no doubt that this will cause significant overlooking issues to existing properties.*

6. *FDC passed a declaration that there will be no additional building north of the town and this extends past the building line to the North and is after the development of the showfield site.*
7. *Should the development be approved, further archaeology needs to be carried out as initial test pits revealed items of interest.'*

Whittlesey Town Council (05.05.2022)

'Cllr Boden advised members he believed the applicant on this planning application is connected to a company that he rents from, but this has not affected his recommendation on this application in any way.

Cllr Boden advised members that the site was not allocated for housing in the 2014 Local Plan and 20 % of the area is in flood zone 3, and under the new emerging local plan this site is not allocated for housing before 2040.

The Town Council recommended refusal on the grounds detailed above, Cllr Mrs Mayor abstained from the vote.'

5.2 **Ward Councillor (Bassenhally) - Councillor Chris Boden**
Objects to the Planning Application

- Access
- Density/Over development
- Drainage
- Flooding
- Traffic or Highways

As one of the District Councillors for the area which contains the application site, I write to object to this planning application. I request, if Officers are inclined to approve this application under delegated powers, that the application instead be submitted for determination to the Full Planning Committee.

I have seven principal reasons for my objection:

1. *The site is not within the area identified in the current Local Plan as being designated for residential development, and there is no local shortage of other sites in the area to meet future local housing need.*
2. *This site was previously part of a larger plot, part of which has subsequently received planning permission for residential development (Hartley Grange). The combined number of houses for the two parts of that original plot exceeds the number of houses which may be built under the current Local Plan's 'windfall' exception. That limit should not be allowed to be exceeded by stealth by dividing the original land area into two.*
3. *The Applicant's site does not have satisfactory road access - the Hartley Grange access to the B1040 is going to be full to capacity just serving the needs of the Hartley Grange development.*
4. *The Applicant's site is known to flood, and insufficient alleviation is provided by the applicant, leading to the danger that properties on the site and neighbouring properties would suffer flooding if this development were to go ahead.*
5. *The development is very cramped as too many houses are proposed within the site's area. There is overdevelopment.*

6. *Many existing neighbouring properties to the site are bungalows. The development of this site with two-storey houses will be inappropriate and will lead to problems of overlooking.*
7. *Drainage issues are well-known in the area and this development would exacerbate an already difficult problem’.*

5.3 **Cambridgeshire County Council Highways Authority (Strategic Transport)**
(10.01.2022)

Undertook an assessment of Transport Statement Revision A dated August 2021 produced by JPP Consulting Limited and requested the following updated/ additional information:

- *‘It should be investigated whether the walking and cycling distance to key facilities and amenities within Whittlesey can be further reduced rather than having to route through the consented adjacent development as proposed.’*
- *The applicant should demonstrate that the baseline counts obtained for Junctions 1 and 2 are representative of pre-Covid baseline counts. An uplift to baseline turning counts may be required at Junctions 1 and 2 to consider the impact of Covid should this be demonstrated to be required.*
- *The committed development traffic flows used within the assessment are not agreed. In addition to the committed developments currently included within the assessment, the Highway Authority are aware of the following developments which may impact onto the study area and should be considered:*
 - *F/YR21/0654/F - Land North of Gildenburgh Water, Whittlesey (203 dwellings)*
 - *F/YR21/1028/F - Land South of Eastrea Road, Whittlesey (1,315sqm retail foodstore)*

It was noted that ‘the junction capacity assessments cannot be reviewed until such a time as the additional information requested has been submitted for review. Capacity assessments should be undertaken using Junctions 9 and LinSig software where appropriate. The Junctions 9 models should use the DIRECT profile as this provides the most accurate results and does not rely on assumptions to be made. Furthermore, the provision of figures showing the geometric measurements input into the models is required in order for the models to be checked. The baseline queue length survey data should also be appended to the Transport Statement for review so the base model calibration can be checked.’

In conclusion the TA team advised: ‘The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. 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.’

Cambridgeshire County Council Highways Authority (05.04.2022)

‘Background

The document reviewed is the Technical Note dated April 2022 produced by JPP Consulting Limited. The proposals comprise the erection of up to 58 dwellings on the land northeast of 3-31 Hemmerley Drive, Whittlesey.

Transport Statement Review

Site Access

Vehicular access into the site is proposed to form an extension to one of the internal roads taken off the main spine road of the consented adjacent residential development. Vehicular access into the adjacent development is taken off Teal Road and East Delph. It is noted footways will be provided on both sides of the vehicular access into the site. Such footways will be of minimum 2m in width. It is noted pedestrian and cycle access will be provided via the approved pedestrian facilities through the adjacent residential development. Site access and servicing details should be agreed with Highways Development Management who will provide separate comments.

Trip Generation

The development is anticipated to generate 47 new vehicle trips in the AM peak and 40 new vehicle trips in the PM peak. The development is also anticipated to generate 3 walking, 2 cycling, and 3 public transport trips in the peak periods.

Traffic Impact

The following junctions included within the junction capacity assessments are agreed:

- o J1 - Site Access/B1040 East Delph (S)/B1040 East Delph (N) junction*
- o J2 - B1040 East Delph/Bassenhally Road/Broad Street/Stonald Road signal junction*
- o J3 - Orchard Street/A605 Syers Lane/Broad Street/A605 West End roundabout*

The revised junction capacity assessments undertaken are acceptable for use within this assessment. Junction 1 and Junction 2 are both anticipated to operate within capacity during all future year assessment scenarios.

Junction 3 is anticipated to operate over capacity during all assessment year scenarios. The development, however, is not anticipated to cause severe detriment to the operation of the junction adding a maximum 3 additional vehicles to queues. The Highway Authority are aware that the operation of Junction 3 functioning over capacity is a strategic issue and as per the NPPF (2021), it is not reasonable for this development to fix this issue.

Mitigation

The developer should produce and deliver Welcome Travel Packs to the first occupants of each residential dwelling. Such Welcome Packs should include incentives such as bus taster tickets and/or cycle discount vouchers to promote sustainable travel. The Welcome Travel Packs will be subject to a condition should approval be given.

Conclusion

*The Highway Authority do not object to the proposals subject to the following:
Condition*

1. *Prior to first occupation, 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 be provided to the first occupants of each residential dwelling and shall include the provision of bus taster tickets and/or cycle discount vouchers.'*

Also confirmed that their comments dated 5th April located on the planning portal relate to the Technical Note on the planning portal dated 22nd April.

5.4 **Cambridgeshire County Council Highways Authority (Development Management)**

(21/12/2021) *'The site will be accessed via the adjacent site granted planning permission for the layout under F/YR19/0158/RM - access for this site having been determined by the associated outline applications.'*

The main issue that needs to be addressed within this application is the number of dwellings accessed off a single point of access. The part of the site under 19/0158 between plots 31 and 36 already serves 99 dwellings and the 58 dwellings proposed will take this part of the site over 100 and therefore requiring a second point of access (emergency link) as set out in 4.4.2 vi - "Highway Development Management, General Principles for Development, CCC (May 2021)."

[..] Layout is a reserved matter but I make the following general comment for information on the indicative layout.

1. *The layout is showing visitor parking spaces which should be removed from the future layout as CCC do not accept these within an adoptable layout. Please consult with me when the revised plans are received.'*

5.5 **Environment Agency**

(22.12.2021) 'Environment Agency position

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition on any planning permission.

The development permitted by this planning permission shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) for proposed Development At Land Adjacent to B1040 (East Delph), Whittlesey, prepared by JPP Consulted dated August 2021, REF: R-FRA-22292-01-A, Revision A: August 2021, which states

- Development to be outside of the Whittlessey/Nene washes extent and below the 5m contour, as stated in section 3.1.4 of the FRA

Reason To reduce the risk of flooding to the proposed development and future occupants.'

Sequential test - advice to LPA regarding the application of the sequential test

(29.04.2022) 'We have reviewed the amendments submitted and have no further comment to make'.

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

(23.12.2021) Initially objected to the scheme raising issues relating to (1) Flow Control and (2) Impermeable Area, noting that in respect of (2) the attenuation basin should be classed as impermeable as any water stored within the basin will prevent any subsequent rainfall from infiltrating, and therefore increase the volume of water that is required to be attenuated.

Requires hydraulic calculations to that include the area of the attenuation basin in the impermeable area. Provides informatives relating to Ordinary Watercourse Consent and Pollution Control.

CCC (Lead Local Flood Authority) (06.05.2022)

Following review of 'Flood Risk Assessment, JPP Consulting Ltd, Ref: R-FRA-22292-01-D, Dated: April 2022' advised that they were '*able to remove our objection to the proposed development*'. Noting that:

'The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving and an attenuation basin, restricting surface water discharge to 1.7 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 proposed attenuation basin will also provide surface water treatment, amenity, and biodiversity benefits.

The proposed outfall from the attenuation basin will consist of an orifice plate protected by a perforated riser to minimise the risk of blockage by litter and debris.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.'

The LLFA requested **conditions** requiring:

- (a) The submission of a detailed design of the surface water drainage of the site
- (b) Details of measures indicating how additional surface water run-off from the site will be avoided during the construction works
- (c) An inspection of the surface water drainage system to demonstrate that it had been constructed in accordance with the approved details.

and requested **informatives** regarding:

- (a) Ordinary watercourse consent, noting that the council does not regulate ordinary watercourses in Internal Drainage Board areas.
- (b) Pollution Control

5.7 Anglian Water Services Ltd

Originally noted that there were 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 and asked for text relating to this be included in any decision issued. However, the latest consultation response (05.05.2022) advises that no assets were affected; as the remainder of the consultation response duplicated the earlier comments only the latest iteration is detailed below:

Section 1 – Assets affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Whittlesey Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Section 3 - Used Water Network

This response has been based on the following submitted documents: Drainage Strategy The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

Section 4 – Surface water disposal

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

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. [..]

5.8 **North Level Internal Drainage Board (13.12.2021)**

'My Board objects to the above application as the surface water is proposed to be discharged to a riparian drain running to the north-east of the site boundary. As with the adjoining site, I would prefer to see the surface water discharged into a Board maintained watercourse rather than a riparian drain which ensure the year of year maintenance of the receiving watercourse.'

'My suggestion is to join the surface water into the existing surface water system serving the neighbouring Showfields site.'

'A formal Land drainage application will be required for any new outfall created and a development levy in accordance with the enclosed will be payable for dealing with the additional run-off from the site.'

5.9 **Leisure Services (FDC)**

(27.01.2022) 'From an open spaces perspective, it is clear that the development has limited open space made available, particularly due to the necessary attenuation site. As this development is some distance from a play area, I would expect to see a limited number of pieces of informal play equipment added into one of the open spaces to allow local children and families to play close to home.'

5.10 **Wildlife Officer**

(08.12.2021) *'Recommendation: The application scheme is acceptable but only if conditions are imposed.*

Assessment/Comment:

This site presents several ecological constraints in the form of reptiles and no net loss issues that are material concerns for the Local Planning Authority.

These concerns however have been adequately answered through suitable survey and methods with the above conditions clearing up further ongoing concerns. For example the new area of grassland is welcome however nowhere is the ongoing management and establishment methodology discussed.

A few questions still remain however which have likely already been answered within the application for the previous phase of this development:

- *The site partly lies within Coastal and Floodplain Grazing Marsh Priority Habitat for the Nene Washes according to the DEFRA MAGIC website. While it is clear that this habitat is not actually present has the possibility that this site is used by over wintering birds been considered in the first phase?*
- *The area lies within the SSSI Impact Risk Zone for several sites. Has potential impact been discounted in the previous application?*

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

5.11 **Arboricultural Officer (FDC)**

(26/01/22) Refuse: The proposed development is to erect up to 58 no dwellings (outline application with matters committed in respect of access) on Land North East Of 3-31 Hemmerley Drive Whittlesey.

The applicant has submitted an Arboricultural Impact Assessment and Method Statement detailing the likely impact on the existing tree population and methods for the protection of retained trees during construction.

I have no objection to the findings of the reports and they are a fair representation of the quality of the existing vegetation.

The Peterborough Wildlife Officer has made comprehensive requirements regarding ecological mitigation and management of the proposed offsite habitat.

I have concerns regarding the lack of proposed screening to existing properties, particularly on the south and west boundaries.

The Indicative Masterplan (drawing RDC1156-101) shows some proposed planting but nothing that would address screening issues.

5.12 **The Wildlife Trust**

(17.12.2021) *'Thank you for consulting with the Wildlife Trust BCN on the above application. I have discussed with Rowan Rumball at PCC as I can see he has already provided input and comments on the ecological aspects of this application to Fenland DC. In my role at the Wildlife Trust I will be restricting my*

comments on this particular application to the Wash Road Pollard Willows County Wildlife Site (CWS)[...]

This CWS appears to overlap the location for vehicular access to the proposed development site. I would therefore request that, if you are minded to grant approval for this application, that a Construction Environmental Management Plan (CEMP) be included as part of a planning condition and that this CEMP include specific reference to the Wash Road Pollard Willows CWS with accompanying appropriate measures to ensure no damage occurs during the construction phase. Consideration should also be given to whether there is potential for any impacts to this CWS once the site is built and occupied (operational impacts) with appropriate mitigation measures set out, if needed'.

5.13 Natural England

(13.12.2021) 'Thank you for your consultation on the above dated 02 December 2021 which was received by Natural England on 02 December 2021. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Please refer to Natural England's letter dated 12 July 2019 (copy attached) regarding appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI) Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us'.

5.14 Cambridgeshire County Council (Growth & Economy)

Table 1 below summarises the contributions requested by the County Council

	Contribution	Project	Indexation date	Trigger
Early Years	£225,566*	Additional Early Years places at New Road Primary school	1Q2019	50% prior to commencement 50% prior to occupation of 50% of the scheme

Primary	£492,144*	Additional primary school places at New Road Primary school	1Q2019	
Secondary	£360,195*	Expansion of Sir Harry Smith Community College	1Q2019	
Libraries	£8,410	Enhancement of Whittlesey Library	1Q2020	100% prior to occupation of 50% of the development
Strategic Waste	N/A			
* indicative contribution				

Detailed comments are available on public access, together with further comments in respect of the Education Needs Assessment commissioned by the applicant to challenge the contributions listed above.

5.15 **County Development, Minerals & Waste Planning Group:** The County Council has accepted the applicant's position as detailed in its Minerals Safeguarding Assessment (GWP Consultants 26 January 2022) that owing to the size of the site, the depth of the sand and gravel and the constraints presented by proximity to residential properties it would not be practical to extract the sand and gravel as a stand-alone operation. However, the County Council supports the proposal that suitable sand and gravel excavated during the construction phase be retained for use on the site.

5.16 **Senior Archaeologist (CCC)**

'This site that was subject to archaeological evaluation in 2013 Historic Environment Record number ECB4099 owing to the presence of archaeological assets within the scheme area. The report of this work can be found in this link: https://archaeologydataservice.ac.uk/archiveDS/archiveDownload?t=arch-822-1/dissemination/pdf/cambridq3-166934_1.pdf

Figures 5, 6 and 9 of the report show that the evaluation trenches contained evidence of Roman activity in the western half of the field. This was defined as 'Site 1' and we provided advice regarding the need for excavation of these remains in planning consultation responses in 2014 for F/YR13/0714/O.

Excavations concluded last year for a large development to the east of this current application area (planning permission F/YR17/1231/VOC (Removal or variation of conditions of planning permission F/YR15/0134/O (Hybrid application: erection of 220 dwellings and associated works/infrastructure) at Land North Of Whittlesey East Of East Delph Whittlesey, Cambridgeshire), finding extensive remains of Iron Age to Roman settlement - roughly 600 years of settlement evidence (HER ref ECB6143). The analysis phase for that work is currently in progress.

While the zone of known archaeological evidence within the current application area suggests a discrete area of activity outside the main Roman settlement, perhaps denoting a task site or that it had a specific land use at that time, it is necessary that appropriate mitigation of these remains takes place in advance of development.

Recommendation

We do not object to this development but advise the use of the following condition on any planning consent given to the scheme to secure an appropriate archaeological investigation programme:

Archaeology Condition

No development shall commence until the applicant has implemented a programme of archaeological work that has been secured in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:

- a. The statement of archaeological significance and research objectives;*
- b. The programme, methodology and timetable of fieldwork and the nomination of a competent person(s) or organisation to undertake the agreed works;*
- c. Implementation of fieldwork;*
- d. A post-excavation assessment report to be submitted within six months of the completion of fieldwork;*
- e. An analytical archive report to be completed within two years of the completion of fieldwork and submission of a draft publication report (as necessary);*
- f. Preparation of the physical and digital archaeological archives for deposition at accredited stores approved by the Local Planning Authority.*

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

Informatives: Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development and the continuation of the post-fieldwork components of the WSI. Part e) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

Archaeological programmes of work are led by archaeological briefs issued by Cambridgeshire County Council's Historic Environment Team.'

5.17 Designing Out Crime Officers

(13.12.2021) 'Thank you for the opportunity to comment on this application. I have viewed the documents in relation to crime, disorder and the fear of crime and completed a search of the Constabulary crime and incident systems for the Hemmerley Drive, and surrounding streets covering the last 12 months. I consider this to be an area of low vulnerability to crime.'

It is encouraging to read the documents and note the comments of the NPPF, Paragraph 130f (previously 127f) "Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience" is being considered for this proposed development, along with the Fenland Local Plan, LP17 - Community Safety (Page 14 - 3.25).

The proposed layout appears to be acceptable in relation to crime prevention and the fear of crime providing good levels of natural surveillance from neighbouring properties with many of the homes facing each other. Pedestrian and vehicle routes are aligned together, well overlooked and pedestrian safety has been considered. This should encourage some level of territoriality amongst residents. Most of the vehicle parking is in-curtilage between and to the side of properties, some are to the front but do not appear to dominate the street scene, and most homes have been provided with some defensible space to their front.

It would appear some measures have been considered. However, I do have the following comments: -

- I would like to see an external lighting plan when available, our recommendation is that all adopted and un-adopted roads, private roads and parking areas should be lit by columns to BS5489:1 2020. Home security lights to the front and rear of the properties should be dusk to dawn LED bulkhead lights. Care should be taken in relation to the location of lighting columns with the entry method for the majority of dwelling burglary being via rear gardens. Lighting columns located next to rear/side garden walls and fences with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens.*
- Plots 16/17, 21/22 & 41/42 – Any footpaths to the rear of properties should be gated as close as possible to the front building line, shared gates should be fitted with self-closers, private gates fitted with self-closers and lockable from both sides*
- Plot 14 & 28 - Consideration should be given to reducing the height of rear fence to 1.5m with 300mm of trellis to increase surveillance over their parking spaces.*
- Consideration should be given to the planting of trees close to fencing as they can also act as a climbing aid to gain entry to rear gardens. It is also important to ensure that any landscaping to soften the on-street parking is maintained and the tree crown is raised above 2m in height to allow for natural surveillance.*

Our office would be happy to discuss Secured by Design, which I believe could be achieved with consultation and measures to reduce the risk to vulnerability to crime'.

5.18 Housing Strategy (FDC)

(07.12.2021) 'Since this planning application proposes the provision of 58 number of dwellings, we would expect a contribution of 15 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 4 shared ownership in this instance.

I can see from the Design & Access Statement submitted as part of this application, that 25% affordable housing in accordance to policy LP5 above is already being considered. I also note that a proposed indicative mix has been provided in the D&A below:

*2 x 1b2p maisonette GF
2 x 1b2p maisonette FF
7 x 2b4p houses
4 x 3b5p houses*

I am happy to have further in detail discussions about a housing or tenure mix at a later date, if required. However, initial thoughts on the above would be that I am happy to support this mix.'

5.19 NHS England (East) (16th November 2021)

1. *'Thank you for consulting East of England Ambulance Service NHS Trust (EEAST) on the above planning application.*
2. *Further to a review of the application details the following comments are made in regard to the provision of ambulance services.*
3. *Existing Healthcare including Emergency Ambulance Service Provision Proximate to the Planning Application Site*
 - 3.1 *Any new housing development requires assessment of the suitability of existing ambulance station(s) within the locality, with potential to redevelop or extend and in certain instances relocate to a more suitable location.*
 - 3.2 *The proposed development, combined with others in the Fenland area, is highly likely to have an impact on EEAST providing service nationally set response times for accident and emergency services around the geographical area associated with the proposed application site. EEAST does not have capacity to meet the additional growth resulting from this development and cumulative development growth in the area.*
 - 3.3 *Non-emergency patient transport services are commissioned by Cambridgeshire and Peterborough CCG to take patients who meet set eligibility criteria from their usual place of residence to hospital for appointments (which may be provided in a hospital, diagnostic hub or primary care setting) in sufficient time for their appointment and then returned to their usual place of residence. As with emergency services, location and siting of PTS sites is important to meet the needs of the population.*
 - 3.4 *The proposed development will be likely to have an impact on the NHS funding programme for the delivery of emergency and non-emergency healthcare service provision within this area and specifically within the health catchment of the development. EEAST would therefore expect these impacts to be fully assessed and mitigated.*

4. *Review of Planning Application*

- 4.1 *This additional housing will impact on emergency ambulance services.*
- 4.2 *EEAST acknowledges the planning application includes a Health Impact Assessment (HIA) and supports the comments made. However, the HIA did not consider the impact of this development has on both emergency and non-emergency ambulance services. Fenland ranks as the 4th least healthy district in the Eastern Region and around 2,500 people in Fenland in receipt of Carer's Allowance (well above the regional average).*
- 4.3 *The HIA states the site is in Flood Zone 1 at low risk of flooding. EEAST would request the developer reviews the potential to include water re-use systems such as water butts at each dwelling. In addition, ensuring sufficient green space curtilage and alongside residential roads helps reduce localised flooding. Planting local flora would encourage wildlife around the attenuation basin which also supports future residents' sense of community, physical and mental health and well-being. In addition, exploration of living green roofs on appropriate structures further supports any potential localised flooding.*
- 4.4 *EEAST would request the developer consider the impact of COVID-19 and the increased likelihood of at least one resident in each dwelling working from home at least one day per week and that appropriate space should be made available to enable comfortable working conditions which supports both physical and mental health and well-being. An opportunity to encourage a sense of community by exploring the potential of creating a community garden and/or seating in the planned open spaces would be welcomed.*

5. *Transport, Design and Access Assessment of Development Impact on Existing Healthcare Provision*

- 5.1 *EEAST notes the Transport Statement and has no further comments.*

6 *Assessment of Development Impact on Existing Healthcare and Ambulance Service Provision*

- 6.1 *EEAST are in a unique position that intersects health, transport and community safety and does not have capacity to accommodate the additional growth resulting from the proposed development combined with other developments in the vicinity. This development is likely to increase demand upon existing constrained ambulance services and blue light response times.*
- 6.2 *Table 1 shows the population likely to be generated from the proposed development. The capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £10,449.*

Table 1 Capital Cost calculation of additional health services arising from the development Proposal

<i>Additional Population Growth</i>	<i>Rate 2</i>	<i>Ambulance</i>	<i>Total</i>
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<i>(43 dwellings)¹ (excludes social housing)</i>		<i>cost ³</i>	
103	0.15	£675	£10,449

¹ Calculated assuming 2.4 persons for each dwelling average household 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number).

² Calculated using per head of population in Cambridgeshire & Peterborough 1996 of 0.9m and emergency activity volume in 2018/19 (131,363)

³ Calculated from EEAST ambulance data

6.3 *EEAST therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission.*

7 Conclusion

7.1 *In its capacity as a healthcare and emergency service EEAST has identified that the development will give rise to a need for additional healthcare provision to mitigate impacts arising from this development in addition to other proposed developments in the local area.*

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

5.20 **NHS Cambridgeshire and Peterborough Clinical Commissioning Group** (20.01.2022)

1.0 Introduction

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

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

2.0 Existing Healthcare Position Proximate to the Planning Application Site

2.1 *The proposed development is likely to have an impact on the services of the GP Practice operating within the vicinity of the application site, Lakeside Healthcare, Whittlesey. Upon reviewing the existing estate footprint and registered patients, this practice does not have existing capacity to support this development.*

3.0 Review of Planning Application

3.1 *CAPCCG acknowledge planning application does include a Health Impact Assessment (HIA)*

3.2 *The HIA acknowledges that healthcare contributions would be a consideration to support and address health and wellbeing matters.*

4.0 Assessment of Development Impact on Existing Healthcare Provision

- 4.1 *The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development would generate approximately 139 residents and subsequently increased the demand and healthcare pressures upon the existing services..*
- 4.2 *The primary healthcare services directly impacted by the proposed development and the current capacity position is shown in Table 1.*

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

<i>Premises</i>	<i>Weighted list size ¹</i>	<i>NIA (m2) ²</i>	<i>No of GPs ³</i>	<i>Patients per GP ⁴</i>
<i>Lakeside Healthcare Whittlesey</i>	20,018.82	1258	6.5	3,079.8

1. The weighted list size of the GP Practice (as of 1st April 2021) based on the Carr-Hill formula, this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.

2. Current Net Internal Area occupied by the Practice

3. General Practice Workforce 30 November 2021. NHS Digital: digital.nhs.uk

4. Based on existing weighted list size

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

5.0 Healthcare Needs Arising From the Proposed Development

- 5.1 *The intention of CAPCCG is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View.*
- 5.2 *The development would give rise to a need for improvements to capacity, in line with emerging STP estates strategy; by way of improvements to, reconfiguration of, redevelopment of, or extension or providing additional resource to support residents of this development.*
- 5.3 *Table 2 provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.*

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

<i>Premises</i>	<i>Additional Population Growth ⁵</i>	<i>Occupancy Multiple for Fenland x2.4 ⁶</i>	<i>Total Mitigation Required £</i>
<i>Lakeside Healthcare Whittlesey</i>	139	£864 per dwelling	£50,112

Notes:

5. Calculated using the Fenland District average household size of 2.4 taken from the 2011 Census: Rooms,

bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number).
6. Applying NHS PS methodology of Occupancy x number of units x Based on standard m² cost multiplier for primary healthcare in the East Anglia Region from the Building Cost Information Service (BCIS), Public Sector Q1 2020 price and cost Index, adjusted for professional fees, fit out and contingencies budget (£3,652/m²), rounded to nearest £100.

5.4 *A developer contribution will be required to mitigate the impacts of this proposal. CAPCCG calculates the level of contribution required, in this instance to be £50,112 .Payment should be made before the development commences.*

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

6.0 *Conclusions*

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

6.2 *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.*

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

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

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

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

5.21 **FDC Environmental Health**

(23.12.2021) 'I confirm that I have received a copy of the above application for the development of 58 dwellings and would advise that the following conditions should be attached to any planning consent granted.

National and local planning policy states that new developments should "identify, manage and mitigate against any existing or proposed risks from sources of noise, emissions, pollution, contamination, odour and dust." Works to implement this application have the potential to cause nuisance over a considerable period from all the above sources to nearby residents .

1. *Demolition and Construction Environmental Management Plan (DCEMP)*

No development, including demolition, shall commence until a site wide Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority.

The DCEMP shall include the consideration of the following aspects of demolition and construction:

- a) Demolition, construction and phasing programme.*
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.*
- c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.*
- d) Delivery times and collections / dispatches for construction/demolition purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the Local Planning Authority*
- e) Soil Management Strategy having particular regard to potential contaminated land and the reuse and recycling of soil on site, the importation and storage of soil and materials including audit trails.*
- f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites.*
- g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate.*
- h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition – Greater Cambridge supplementary planning guidance 2020.*
- i) Use of concrete crushers.*
- j) Prohibition of the burning of waste on site during demolition/construction.*
- k) Site artificial lighting including hours of operation, position and impact on neighbouring properties.*
- l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.*
- m) Screening and hoarding details.*
- n) Access and protection arrangements around the site for pedestrians, cyclists and other road users.*
- o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.*
- p) External safety and information signing and notices.*
- q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures.*
- r) Membership of the Considerate Contractors Scheme.*

Development shall be carried out in accordance with the approved DCEMP.

Reason: To protect the amenity of the adjoining properties.

I note that the previous land use includes that of a nursery which gives rise to the potential for agricultural contaminants to exist

2. Contaminated Land

No development shall commence until the landowner commissions an investigation and assessment of the site, including the findings of a site walkover, to ascertain the nature and extent of potential land contamination arising as a consequence of the former use(s) and a Phase 1 report detailing the findings of the this investigation and assessment, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate any risk to the public, buildings and the natural environment and to ensure the land is suitable for its intended land use.

The provision of 58 houses provides an opportunity to provide infrastructure and power generation which will mitigate the production of pollutants to air from traffic movement and the heating of homes.

3. Low Emission Strategy (LES)

No development shall commence until a site-based Low Emission Strategy is submitted to and approved in writing by the Local Planning Authority. The LES shall include the following:

- a. Provision of Electric Vehicle Charging Points for all dwellings with on-site parking*
- b. An implementation plan for each of the above measures. The details to be provided shall include location of charging unit, capacity, charge rate, details of model, location of cabling and electric infrastructure drawings.*

The development shall be carried out in accordance with the approved LES and retained as such.

Reason: In the interests of reducing impacts of developments on local air quality and encouraging sustainable forms of transport in accordance with the Health and Wellbeing Strategy 2018-2021 and the Air Quality Action Plan 2018.

4. Emission Ratings (Boilers & Combined Heat and Power System)

- a. No gas fired combustion appliances shall be installed until details demonstrating the use of low Nitrogen Oxide (NO_x) combustion boilers, (i.e., individual gas fired boilers that meet a dry NO_x emission rating of ≤40mg/kWh), have been submitted to and approved in writing by the local planning authority.*
- b. If the proposals include any gas fired Combined Heat and Power (CHP) System, the details shall demonstrate that the system meets the following emissions standards for various engines types:
 - (i) Spark ignition engine: less than or equal to 150 mg NO_x/Nm³*
 - (ii) Compression ignition engine: less than 400 mg NO_x/Nm³*
 - (iii) Gas turbine: less than 50 mg NO_x/Nm³**
- c. The details shall include a manufacturers Nitrogen Oxides (NO_x) emission test certificate or other evidence to demonstrate that every appliance installed meets the emissions standards above.*
- d. The approved appliances shall be fully installed and operational before the development is occupied or the use is commenced and retained as such.*

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are

kept to a minimum during the lifetime of the development in accordance with the Health and Wellbeing Strategy 2018-2021 and the Air Quality Action Plan 2018

5.22 Cambridgeshire Fire & Rescue Service (01.12.2021)

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

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to: Water & Planning Manager, Community Fire Safety Group [..]

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

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007. Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

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

5.23 Royal Society for the Protection of Birds

“Thank you for consulting the RSPB on the above application. We have no objections to the proposal, but do wish to make the below comment regarding the Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ) associated with the Nene Washes. The Nene Washes holds SSSI, Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar status. The SSSI/SPA designations are of particular note to this application, with the designated area providing habitat for nationally and internationally important assemblages of wintering and breeding wetland species and waterfowl, for example Bewick’s Swan, which feed on functionally-linked fields in the surrounding farmland. Whilst we agree the development site is unlikely to be suitable to support these bird assemblages, it was noted that the SSSI IRZ was not mentioned in the Preliminary Ecological Appraisal dated June 2021. IRZs were developed by Natural England to flag areas where development could impact on the interest features of particular sites. In this case this could include potential disturbance impacts of increased recreation activity from the new development. The proposed site lies within approx. 0.5km of the Nene Washes and within the IRZ. Along with Natural England’s IRZ update letters, dated July 2019 and December 2021, and the Wildlife Officer queries, dated December 2021, we believe this planning application should fully consider any direct or indirect impacts on the SSSI. This will ensure protection and enhancement is in line with the National Planning Policy Framework (NPPF) and development plan policies.

We will be happy to answer any queries in relation to this.”

5.24 Local Residents/Interested Parties

The original consultation prompted 26 letters of objection from 23 households (1x Broad Street, 1 x Bassenhally Road, 3 x East Delph, 1 x Elm Park, 1 x Larkspur Way, 1 x Low Cross, 6 x Hemmerly Drive, 1 x Moorhen Road, 1 x Pinewood Avenue, 1 x Ramsey Road, 1 x Snowley Park, 2 x Wash Lane (3 letters) , 1 West Delph, 1 x Willow Lane and 1 x Whiteacres) these may be summarised as follows:

Character, appearance and residential amenity

- Density/Over development: adjacent development has a lower density reducing numbers would lessen negative impacts.
- *'The application appears to be focused on maximum housing density rather than sympathetic integration with the existing surrounding homes'*.
- Design/Appearance.
- Proximity to property.
- Visual Impact
- Shadowing/loss of light
- Will impact on the character of the town.
- Out of character/not in keep with area.
- Overlooking/loss of privacy; noting all the houses in Wash Lane are bungalows.
- Loss of view/outlook, Light pollution and noise generated by new houses.
- The layout of dwellings on Drawing RDC1156- 101 indicate very close proximity and overlooking in Hemmerley Drive which would cause [...] a reduction in quality of life for residents.
- Development inappropriate for a historic market town and revisions should be sought if LPA are in favour of the principle of development to reduce numbers and bring them away from existing properties. First floor windows should be conditioned as obscure glazed.
- Noise, smell, waste and litter; note that residents have already experienced disruption from existing construction activity.
- There will be additional pollution, congestion and traffic noise on local roads at the detriment to the health of residents.

Policy Considerations

- Scheme reneges on earlier decisions and exceeds the number of properties originally applied for (249) to 278 which contradicts the original refusal by the Planning Inspectorate.
- Combining the approved scheme of 220 dwellings and that now proposed 58 results flouts the decision of the Planning Inspectorate noting that large scale developments i.e. 250 or more should be directed to the broad locations for growth identified in Policy LP11
- *'WTC Neighbourhood Plan clearly states 'No Further Development to the North of Whittlesey'*
- *'Given the Council are engaged in producing a new Local Plan it is considered that the current application is premature and that rather than pursuing this site as a windfall development, the applicants should submit the site for consideration as part of the new Local Plan review process where it can be assessed against other sites in the district and the most appropriate locations for development can then be allocated.'*

Access, Traffic, Highways and parking arrangements

- Access is from Teal Road which is already significantly congested at school times with a volume of traffic and parked cars which result an increasingly dangerous environment for primary school children. The road calming scheme and traffic control measures in place were introduced to ensure that road users would feel safer and encourage more parents to walk to school, with their children, whilst these measures appear to have had a limited impact, more traffic is highly likely to have a detrimental impact on road safety.
- The B1040 is prone to flooding and when the entrance to Wetland Way is under water vehicles will have to use the Teal Road entrance - this development will create further pressure on Teal Road
- The B1040, although 30 miles per hour at the Junction with Wetland Way, vehicles frequently do not abide by the speed limit and the additional amount of vehicles coming in and out of this junction will create a hazard for motorists.
- Will generate additional traffic on roads that already are unable to cope, replicating what has happened in Peterborough Road with the new developments there
- Alternate access is via the B1040 which will be closed for periods of time due to flooding, it must therefore be assumed that all traffic will use Teal Road, which as highlighted is not capable of accommodating additional traffic flow safely
- Traffic access especially when b1040 floods
- *'The Council's attention is drawn to the traffic congestion in Whittlesey. From living in Whittlesey, there is already significant traffic congestion at the B1040/A605 roundabout and the junction of the B1040 to Stonald and Bassenhally road which would be exacerbated by the proposed. The junction forming the Hartley Grange exit onto the B1040 will also add to this congested, thus creating delays and compromising highway safety.'*
- Construction work currently on the outskirts at Whittlesey Green for 158 residential dwellings (Taylor Wimpey), will add further pressure on the town, so to add 58 more is just too much.

Flooding/Drainage

- The area is part of the flood defence system and the additional run off will create a pressure of the existing flood management area.
- Why build on/right near flood plains putting so many peoples properties at jeopardy increasing the risk of flooding. Last year was bad enough I'm dreading this year and with the climate changing and more rain each year it's scary. If we get flooded what will the council actually do to help or rectify it. Last winter alone we had at least 4 Floodline warnings and it scares me what we will have to face in future.
- More and more development in this region is bound to affect the flood plain which not only caters for our locality but also, we are impacted by the developments taking place in Northamptonshire. We have suffered from flood surges in the recent past brought about by all the hard surface runoff that you get from housing/road developments that the powers that be seem to overlook during their planning decision making!.
- The local water table will definitely be influenced by such developments
- We were told the land adjacent to us would never be built on as it lays low. Last year we had water up to our fence, our concern is of flooding with more houses, hard landscaping and surface water.

- *'We are very concerned about the flooding issue on the B1040, as earlier this year the flood water came up to Huntley Grange entrance, (Persimmon Housing) closing the B1040 for some considerable time, adding extra housing to the site will increase water runoff, thereby exacerbating an already serious problem'.*

Wildlife concerns/Trees/Environmental Concerns

- Also, a large proportion of wild land was destroyed by the estate being built, the last remaining part being destroyed by this planned work.
- There is a lack of areas for wildlife and for walkers to take exercise. This development will encroach on habitat and will remove a local community resource
- We have lost the wildlife that use to visit the garden when they cleared the land for the planting of wildflowers which never happened but would of encouraged the birds back

Other matters:

- Devaluing property
- Precedent
- *'The building work granted for F/YR15/0134/O planning permission is still in full swing and will take several months yet before being fully complete. As such there has not been any significant time allowed for Whittlesey to adjust / recover/ embrace the additional 220 dwellings within its infrastructure, before any further additional planning requests at this site can be sensibly considered'.*
- Local services/schools unable to cope – *'The infrastructure in the town is currently under pressure; more houses will create undue pressure on roads, dentists, doctors and school'*
- *'Whittlesey is becoming/has become over-populated and is need of investment in its infrastructure not more housing'*
- No consultation or engagement with residents, lack of consultation by FDC for those who live along the road
- Planning permission for the current estate was justified by it NOT being next to Wash Lane/Willow Lane. The estate isn't even finished yet and the deal has already been compromised
- It would be interesting to understand how the council plan to recompense residents for the effect on their houses both in quality of life and financial value of their property. We bought a house in the countryside for a reason and it's not acceptable to turn it into a housing estate
- Three residents in Hemmerley Drive have questioned the boundary as shown, noting that the site includes land within their ownership/control; as has a resident of Wash Lane who considers a tree shown within the application site is within their boundary.
- Agricultural land
- Access road is unsuitable to cater for hundreds of cars via what is a quiet lane – will cause huge traffic problems for those that live on the lane and huge traffic turning out onto what is already a busy unsafe road - owners on Wash Lane were given an agreement that a field would be left empty between them and the new houses already built by permission - the opposite is now being said, loss of wildlife and local greenery - houses over looked
- We have already endured several periods of road works for drainage and gas pipes, and just recently the pavement work, without once ever being informed of the work taking place prior to workmen arriving and digging

directly outside our property. On several occasions lorry's have tried to drive up Wash Lane to the development and then needed to back out onto the B1040 which is extremely hazardous due to the curve in the road and the speed of traffic. Both Wash and Willow Lanes are unmade, single track, unlit access road to the existing properties and are not suitable for access to this development. There is no pavement or room to make a pavement in either Lane, however as the pavement that has been put in on the B1040 does not have a drop curb at the Wash Lane end it is not useable for people in wheelchairs or with prams and therefore they will likely use Willow Lane to get into town. This creates a hazard for pedestrians.

In response to the re-consultation further representations have been received from 4 households in Hemmerley Drive (Nos 3, 5, 19 & 31) and from 31 Low Cross reiterating their earlier comments and providing updated comments on the revised/additional information submitted:

- Whilst the revisions seek to address a number of technical issues they do not remove or reduce the fundamental objection relating to large scale housing on the edge of Market towns
- Agree with FDC Tree Officer comments relating to lack of screening for existing properties.
- Notes that the junction counts contained in the TA although taken when there were no official Covid restrictions in place were at a time when a significant number of residents were working from home – this represents a potential risk to highway capacity in the future.
- Existing issues (Junction 3 roundabout from Syers Lane) should be addressed before the expansion of the town is permitted.
- Note that CCC Highways have dropped the requirement for a second emergency access to be provided to the dwellings – concern that public safety is being ignored.
- Maintain that the site boundaries are incorrect and consider the application should not be entertained as a consequence of this.
- Reiterate that there is a lack of infrastructure in the town.
- Should not be considering double the number of houses originally refused on this site.
- Consider more trees should be planted instead to offset the carbon. emissions from 220 houses which you allowed to be built on partial flood plain.
- Care should be taken regarding loss of light to existing properties.
- Development at the adjacent site has illustrated drainage issues in the locality, concerns regarding where the water has gone to, suggest that it is into these fields and queries what will happen when this build commences.
- Concern re potential flooding
- If the development is permitted, please ensure our house isn't abutted by three houses and garages and the scheme incorporates a green border.
- Consideration should be given to the fact that the B1040 is closed at times due to flooding and the traffic on the A605 will flow non-stop to the roundabout junction with the B1040 causing gridlock at peak hours due to the new railway bridge.

Together with additional objections received from 31 Low Cross and 17 Hemmerley Drive on the grounds of

- Density/Over development
- Lack of infrastructure within the town

- Access roads within the town already struggle with volume of traffic, Whittlesey needs a bypass in addition to the long-awaited railway bridge
- Previously concern has been expressed by the Council regarding access onto Teal Road and the formation of a cut through from the B1040 (East Delph) to Teal Road and therefore the only proposed access to and egress from this Site is to be from the existing adjoining Persimmon Development and therefore all the traffic will be onto the B1040 (East Delph) which is already a busy road with vehicles travelling in excess of 30 miles per hour despite the traffic restriction,
- The Site is not within an area identified in the current Local Plan as being designated for residential development indeed it is not allocated for development, and it is understood that Fenland District Council have already resolved that there should be no additional development north of Whittlesey because of the risk of flooding
- The new draft local plan until 2040 does not allocate the site for housing
- It is a known fact that the Site floods in the winter months and retains standing water for much of the winter even more so since the current development of the adjoining site
- The Site was previously included in an application as part of a larger site, part of which has subsequently received planning permission for residential development and is currently being developed but the number of dwellings applied for were subsequently reduced as a condition of that approval. The application to develop this Site seeks to increase that number of dwellings to a level which was deemed unacceptable by Fenland District Council in the previous application. That limit set by Fenland District Council should not be exceeded by stealth by dividing the original application into two sites. A further 58 dwellings would amount to overdevelopment.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para. 7 – The purpose of the planning system is to contribute to the achievement of sustainable development.

Para. 8 – Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental)

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. 12 – The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning

authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Para. 29 – Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. Footnote: Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.

Para. 30 - Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

Para. 34 – Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure)

Para. 37 - Neighbourhood plans must meet certain 'basic conditions' and other legal requirements before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.

Para. 38 – Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Para. 39 - Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

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

Para. 48 - Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

Para. 55 - Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Para. 56 - Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Para. 58 - Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable.

Chapter 5. Delivering a sufficient supply of homes

Para. 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Chapter 11 - Making effective use of land

Para. 124 –Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places.

Chapter 12 - Achieving well-designed places

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

Chapter 15 - Conserving and enhancing the natural environment

Para. 212 - Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working.

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

7.3 **National Design Guide 2021**

Context: C1 Understand and relate well to the site, its local and wider context; C2 Value heritage, local history and culture Identity:

I1 Respond to existing local character and identity;

I2 Well-designed, high quality and attractive;

I3 Create character and identity Built Form:

B1 Compact form of development;

B2 Appropriate building types and forms Movement:

M2 A clear structure and hierarchy of connected streets;

M3 Wellconsidered parking, servicing and utilities infrastructure for all users

Nature:

N1 Provide high quality, green open spaces with a variety of landscapes and activities, including play;

N3 Support rich and varied biodiversity Public Spaces:

P2 Provide well-designed spaces that are safe Uses:

U2 A mix of home tenures, types and sizes;

U3 Socially inclusive Homes and Buildings:

H1 Healthy, comfortable and safe internal and external environment;

H3 Attention to detail: storage, waste, servicing and utilities Lifespan:

L3 A sense of ownership

7.4 **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
LP5 – Meeting Housing Need
LP11 – Whittlesey
LP13 – Supporting and Managing the Impact of a Growing District
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP19 – The Natural Environment

7.5 Delivering and Protecting High Quality Environments SPD
Policy DM2

7.6 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, LP2, LP7, LP8, LP12, LP18, LP20, LP22, LP24, LP27, LP28, LP31, LP32

7.7 The Whittlesey Draft Neighbourhood Plan 2021-2040

This neighbourhood plan has been through independent examination and found to meet the basic conditions required by legislation subject to the incorporation of the examiners recommended modifications. The plan was successful at referendum on 23rd February 2023 and therefore carries full weight.

The following policies of the plan are of relevance to this application:

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

8 KEY ISSUES

- **Principle of Development**
- **Character and visual amenity**
- **Residential amenity**
- **Flood risk**
- **Highways**
- **Biodiversity**
- **Planning Obligations**
- **Viability**
- **Other matters-resident comments**

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9 BACKGROUND

- 9.1 A Hybrid planning permission was granted to Showfields Limited for up to 220 dwellings under F/YR15/0134/O for development of Land North Of Whittlesey East Of, East Delph, Whittlesey; this being land immediately to the east of the site currently under consideration.
- 9.2 This adjacent site had previously been the subject of an appeal relating to an earlier outline planning application for up to 249 dwellings with associated works (including land compensation works) (F/YR13/0714/O). This earlier application was refused on the basis of there being insufficient information at that time in relation to: flood risk; landscape and highway safety matters. In the lead up to the Public Inquiry the Council withdrew, following the receipt of additional details, its objections in relation to highways and landscape matters and, therefore the appeal was contested by the Council solely on flood risk grounds.
- 9.2 The appeal proposals included some housing within the functional floodplain (Flood Zone 3b) and the appeal was dismissed in November 2014 on the basis that the appellant had not undertaken a sequential based assessment of other sites, at lower risk of flooding, where the housing could be located.
- 9.3 In response to the appeal the 2015 submission submitted in Hybrid form (a combination of Outline and Full details) reduced the proposal to a maximum of 220 dwellings. That submission sought full planning permission for engineering works in order to facilitate the vehicular access from the B1040 (East Delph) with outline planning permission, with all matters reserved except for the access, for up to 220 dwellings.
- 9.4 All of the proposed dwellings were shown to be situated within Flood Zone 1 and were therefore on land which is at the lowest risk of flooding. As part of the appeal the Council contended that the sequential approach is only engaged for housing that was not within Flood Zone 1; the Inspector agreed with this approach. The sequential approach was therefore not engaged for the purposes of the application. The remaining planning considerations were, except for the access details on to East Delph and Teal Road, submitted in indicative form at that time and a series of planning conditions were considered necessary in order to ensure that any future reserved matters submissions adhered to the principles of the masterplan.
- 9.5 Subsequent to the approval of F/YR15/0134/O there has been a reserved matters submission relating to detailed matters of layout, scale, appearance and landscaping pursuant to the outline permission (F/YR19/0158/RM) and a number of supplementary submissions relating to conditions discharge; together with an application under S73 of the Town and Country Planning Act which sought to vary the conditions of the extant consent F/YR15/0134/O in terms of adopting a phased approach to the development whilst also making a viability case, with both these elements having been accepted by the LPA. The consequences relating to viability were a reduced affordable housing offer but with all other contributions e.g. educational and transport being secured. Additionally, the commuted sum towards the Internal Drainage Board was deleted as the applicant proposed to secure a Management Company to oversee the management and maintenance of drainage and open space which

is considered to be acceptable. The reduced affordable housing offer was 9% across the site (i.e. 20 units in total)

- 9.6 It should be noted that although representations made in respect of this proposal indicate that the site currently put forward formed part of the original refused scheme this is not correct. Whilst the land was detailed to be 'land within the applicants ownership/control', i.e. blue land, it did not form part of that submission.

10 ASSESSMENT

Principle of Development

- 10.1 The development proposes up to 58 houses on the edge of the market town of Whittlesey, accordingly it must be assessed under policies LP3 and LP4.
- 10.2 In respect of the Whittlesey Neighbourhood Plan it is accepted that full weight must be given to this development plan; however, it must be noted that Policy 1 ("Significant new housing development should be located predominantly east of the town"....) could be viewed as potentially in conflict with the FLP which allows for windfall development of up to 250 houses on the edges of towns under Policy LP4 (Part B).
- 10.3 There is nothing within LP4 (B) that indicates proposals with contiguous boundaries should be viewed cumulatively and this follow-on, yet stand-alone scheme, enacts the same policy considerations of the earlier proposal yet it is unaffected by the earlier grant of planning permission which is in the process of being implemented.
- 10.4 Furthermore there is no direct reference in either development plan document which categorically embargoes development to the north of Whittlesey.
- 10.5 It is considered that the scheme as presented should be considered under LP4 (B) and as a development of under 250 houses on the edge of a market town the principle of the scheme is acceptable, subject to technical considerations relating to flood risk, highways, biodiversity and amenity.

Character and visual amenity

- 10.6 As already described, the site comprises a parcel of land previously used as a market garden which abuts established housing to the west and south, and new development to the east. There is therefore a transition between the urban (south) and rural (north) with the application site contained between the two characteristics.
- 10.7 In terms of character and visual impact it is important to note the following with regards to the proposed scheme;
- It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland; and
 - The proposal is of a scale and in a location that is in keeping with the core shape and relates well to the existing built up area, and will not adversely harm its character and appearance; and

- The site retains and respects natural boundaries such as trees, hedgerows, embankments and drainage ditches; and
 - Biodiversity is respected and enhanced.
- 10.8 The development of this site when viewed in the context of the larger development allowed to its east is not considered to adversely affect the character or visual amenity of the area.
- 10.9 Given the larger development, and incursion past the urban fringe, permitted originally under F/YR15/0134/O, and that the current proposals merely form an infill between the western boundary of that development and existing dwellings the earlier assessment of the impact on the landscape is a material consideration.
- 10.10 The principle of the larger development in terms of impact on visual amenity and landscape was acceptable and it is notable that the associated appeal was not contested on this basis. In essence that development was sufficiently well screened to render the visual impacts acceptable. Set against this context, where the current proposal is significantly smaller in size with little or no incursion into the rural north it must also hold that visual impacts cannot be significant.
- 10.11 In summary, the proposal is not considered to result in significant adverse impact to the character and appearance of the area, although it will result in the gap between existing development and that approved under F/YR15/0134/O being infilled. The proposal will be harmful in the sense that arguably all new development result in change and harm, but the benefits of the scheme are on balance considered to outweigh any harm when assessed against the objectives of the development plan.

Residential amenity

- 10.12 Again it must be accepted that the detailed elements of the layout and design of dwellings would come forward for reserved matters approval should outline planning permission be granted.
- 10.13 Given that only access is committed, potential impacts on existing residents e.g. loss of light, overlooking, overbearing, noise and light pollution cannot be fully considered. However, the indicative layout sufficiently indicates that a scheme could likely be secured which would not result in significant harm to the residential amenity of existing neighbouring properties in accordance with Policy LP16.

Flood risk

- 10.14 It is noted within the submission that within the site all housing development is to be located above the 5m contour and therefore in Flood Zone 1. Whilst the main access onto East Delph does lie within the Nene Washes flood storage area and it is noted that under F/YR17/1231/VOC a signed warning system is to be installed.
- 10.15 Given that this site links into the adjacent sites approved road network in the event that East Delph is flooded vehicular access can be obtained via Teal Road

- 10.16 As part of the earlier appeal it was contended that the sequential approach is only engaged for housing that was not within Flood Zone 1; the Inspector agreed with this approach. The sequential approach is not therefore engaged for the purposes of this application.
- 10.17 It is noted that representations have been received from the Town Council, the Ward Councillor and neighbouring occupiers indicating that the site is not suitable for development and that there will be more water that will need to run off to an area that already floods.
- 10.18 There is nothing within the drainage strategy or wider proposals that suggest the site will be raised being within Flood Zone 1, nonetheless a condition is recommended which requires details of finished floor levels of all buildings and associated external ground levels to be submitted as part of reserved matters.
- 10.19 Both the Environment Agency and the LLFA have accepted the submitted FRA and raise no objection to the scheme. Whilst the NLIDB have raised objection to the use of the riparian drain this appears largely driven by concerns relating to ongoing maintenance. Their preference for a connection into the adjoining approved housing development system and for discharge into the Board maintained watercourse is noted it must be acknowledged that the LPA has to consider the scheme as submitted and as this has been found to be acceptable by the LLFA, the statutory consultee, there would be no grounds to resist the scheme on this basis.

Highways

- 10.20 Policies LP15 and LP16 of the FLP seek to ensure that development can be served by adequate highways infrastructure – avoiding identified risks, maximising accessibility and helping to increase the use of non-car modes by giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. Paragraph 110 of the NPPF (July 2021) requires development to take account of opportunities for sustainable transport modes, provide safe and suitable access for all people and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 10.21 Access to the site will be taken from the adjacent new housing site via an extension to an existing turning head.
- 10.22 The submitted Transport Statement has been accepted by the CCC Transport Assessment team and there would be no technical grounds to withhold consent.
- 10.23 It is accepted within the CCC TA review of the Transport Statement that the Orchard Street/A605 Syers Lane/Broad Street/A605 West End roundabout will operate over capacity during all assessment year scenarios. However, it is noted by the CCC TA team that this is not anticipated to cause severe detriment to the operation of the junction adding a maximum 3 additional vehicles to queues. Furthermore, it is noted within the consultation response of the Highway Authority that they are aware that the operation of this junction functioning over capacity is a strategic issue and as per the NPPF (2021), it is not reasonable for this development to fix this issue.

- 10.24 Both the Town Council and Ward Councillor have indicated that they consider that *'there will be significant additional pressure put on the junction at the exit of Hartley Grange on the B1040 and in turn East Delph'* and requests that should permission be granted a roundabout should be conditioned. It is noted that the CCC TA team have not raised this junction as an issue, nor sought such provision, as such there would be no justification for the same.
- 10.25 During the consideration of the application initial feedback from the Highways Development Management team was that the total quantum of development exceeded 100 units and would therefore require a secondary access. The agent responded to highlight that it was their understanding that *'the adjacent Persimmon development approved under RM application (F/YR19/0158/RM – 220 units) are duty bound to provide two vehicular access points. The first and main vehicular access point will form onto East Delph Road, and the secondary access point onto Teal Road.'* It was also highlighted that *'a Phasing Plan prepared by Persimmon, in respect of the above application, confirms at what stage the access each of the access points will be provided. As such, the current application for 58 units directly interfaces with an approved application and will duly be afforded with the benefit of two vehicular access points serving the external highway network.'*
- 10.26 In response the LHA advised that *'the point on the Teal Road and East Delph Road is noted but to get to the development you have to pass through the section of the Persimmon site which has 99 dwellings on it. Adding the development of 58 means that there will essentially be a 157 dwelling Cul de sac which was the reason I made the comment requiring an emergency link'*.
- 10.27 Highways sought advice from the fire service [CFRS] following comments received from the agent however no direct response was received; supplementary comments were provided by Highways as follows:
- 'Ultimately the requirement for a second emergency access is based on prior advice we've received from the Fire & Rescue Service so strictly speaking you could argue that this is their requirement rather than ours. I will try again but if [CFRS] doesn't wish to raise any objection after a reasonable timeframe than I think we may have to progress on the basis that the single access is ok.'*
- 10.28 It is noted that CFRS had been consulted on the scheme and that they had responded solely to request the provision of fire hydrants and caveated their comments to advise that *'access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access'*. In addition, Highways confirmed that CFRS had not responded to the LHA team in this regard and as such they considered *'it can be safely assumed that this is not an issue which is overly contentious'* going on to state that *'in light of everything, I think that while a second emergency access is preferable, it is not essential. Therefore, if the applicant is insistent that they cannot/won't provide a secondary emergency access I don't believe that in isolation provides sufficient grounds for an objection'*.
- 10.29 The concerns of local stakeholders are noted with regard to traffic generation and the likely impact of a further 58 dwellings in this location. However, it must be noted that the LPA relies on the LHA to provide specialist input in relation to such matters in order to consider matters including potential traffic congestion and analysis of accident data. Whilst it is understandable that local residents raise concerns, as clearly this proposal will create additional traffic, the 'severe'

threshold as detailed within paragraph 111 of the NPPF is not considered to be breached and accordingly there would be no grounds to withhold consent in this regard.

Biodiversity

- 10.30 The proposal is supported by a reptile survey, arboricultural assessment, landscape management plan, preliminary ecological appraisal and biodiversity report (additional information), in-line with policy LP16 and LP19.
- 10.31 The application site is about 0.4km to the south of the Nene Washes, and 1.4km to the west of Bessenhally Pits. The RSPB and Natural England have not objected but refer to direct and indirect impacts on these sensitive sites and the need to ensure their protection and enhancement.
- 10.32 With regards to biodiversity the development of this site needs to be viewed in conjunction with the development allowed on land immediately adjacent and to the east (F/YR15/0134/O & F/YR17/1231/VOC) which provides for up to 220 dwellings on land covering some 15 ha.
- 10.33 F/YR15/0134/O is subject to a requirement for an ecological mitigation and enhancement strategy and the accompanying S106 stipulates the provision of a minimum of 3.6ha on site as public open space. It is notable that neither the RSPB nor Natural England objected to F/YR15/0134/O.
- 10.34 The open space provision provided under F/YR15/0134/O creates a sizable buffer zone around that development, and between and beyond this proposal. Arguably, this buffer zone provides the protection and enhancement sought for the sensitive sites, and caters for additional recreational needs generated by this development. Furthermore, any extra pressures generated by the proposal for 58 houses will be marginal when seen in the context of the 220 dwellings approved to the east, and insignificant when set against the context of Whittlesea's population of around 13,000.
- 10.35 The open space provision for this application, and that for the neighbouring development, has been assessed and found to be adequate for the purposes of the local plan and it is considered that the proposed development should not adversely affect the conservation objectives of the Nene washes, or Bessenhally Pit.
- 10.36 The supporting ecological information concludes as follows:
- A low population of reptiles is present in one field. It is recommended that these are trapped and relocated to neighbouring land.
 - There are no significant arboricultural impacts associated with the proposed development, subject to the implementation of mitigation planting and tree protection measures and working method statements set out.
 - A schedule of annual maintenance and a 20-year management plan for the proposed open spaces continuing the previously approved management regime for the earlier phase.
 - The habitat creation which forms part of Phase 1 will provide a significant contribution to habitat enhancement in the north Whittlesey area.
- 10.37 The Wildlife Officer finds the scheme acceptable subject to conditions relating to:

- Implementation of the recommendations of the Reptile Survey.
- Requirements for a Construction Environmental Management Plan (CEMP: Biodiversity).
- Method Statement for the establishment and management of the proposed 9.72 ha of off site habitat.
- Scheme of soft landscaping.
- Local native species to be used in the local habitats.
- Installation of mammal holes.

10.38 It is concluded that the development, if designed similarly to the indicative layout but with the above enhancements, would respect ecological and biodiversity features in-line with FLP policy LP16 (b) and LP19, and that the necessary enhancements can be reasonably secured by conditions and obligations.

Planning Obligations

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

10.40 It is noted that Policy LP5 Part B indicates that if a scheme is followed by an 'obviously linked subsequent development scheme at any point where the original permission remains extant, or up to 5 years following completion of the first scheme, then if the combined total of dwellings provided by the first scheme and the second or subsequent scheme provides 5 or more dwellings, then the above thresholds will apply cumulatively. The precise level of affordable housing to be provided will be 'back dated' to include the first scheme.

10.41 It is noted that the adjoining development whilst on land originally owned by the applicant for this current scheme is being delivered by a separate developer. Whilst the developer has retained rights to deliver the access to the adjoining site there is nothing to suggest that they are obviously linked.

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

10.43 The following contributions have been agreed and will be subject of the S106.

Affordable housing

The applicant has agreed to provide 25% affordable housing on the site with tenure mix to be agreed. On a scheme of 55 dwellings 15 units will be affordable (although 13.75 units are required as a percentile). The over-provision must be viewed in the context that the Local Plan Viability report which indicates that south of the A47 20% affordable housing delivery would usually be the viable and acceptable level of delivery.

The local plan refers to the application of thresholds cumulatively if an original

scheme did not require the provision of affordable housing but was then followed by a 'linked' scheme within 5 years. It would be unreasonable to consider the application site and that adjacent (Persimmon) as 'linked' even though they were once under the same ownership. This is because the earlier scheme attracted considerable infrastructure costs which rendered it unviable, and as the current scheme overprovides in the context of the Viability Report.

Education: £1,077,905

Open Space Provision/Contribution/Maintenance

Contribution/Management of off site habitat

East of England Ambulance Service: £10,449,

NHS Cambridgeshire & Peterborough CCG: £50,112

Library Provision: £8,410

Surface Water Drainage (Adoption/Management).

Transport Improvement Contribution.

Waste Management Contribution.

Other matters

- 10.44 **Education Contributions:** The applicant considers that the level of education contributions required in total by the County Council to be excessive and not based on falling registers. Nonetheless, to resolve an impasse, the applicant has agreed the contributions sought for education and libraries (£1,086,318) as detailed under para 5.14 above, but will stipulate a clause in the S106 which will make the final contributions dependent on final numbers and types of dwellings and updated school attendance figures.
- 10.45 **Land ownership:** Matters relating to the boundaries of the site and encroachment have been raised with the agent for the scheme on several occasions with the agent revisiting this aspect and they have confirmed that they own the site as shown. Whilst this continues to be an issue for local residents the LPA have used their best endeavours to resolve this matter. That said the granting of any consent does not override such matters from a legal perspective and this would be a civil matter for the affected householders to take forward.
- 10.46 **Archaeology:** CCC Archaeology have requested a condition be imposed to secure archaeological investigation on this site and their recommended condition is included in the recommendation below. Such a stance accords with Policy LP19 of the FLP (2014) and the requirements of the NPPF (2021).
- 10.47 **Minerals and Waste:** The County Council has accepted the applicant's position as detailed in its Minerals Safeguarding Assessment (GWP Consultants 26 January 2022) that owing to the size of the site, the depth of the sand and gravel and the constraints presented by proximity to residential properties it would not be practical to extract the sand and gravel as a stand-alone operation. However,

the County Council supports the proposal that suitable sand and gravel excavated during the construction phase be retained for use on the site.

- 10.48 **Informal Play Equipment:** The request by Leisure Services for informal play equipment to be added to one of the open spaces could potentially be dealt with under the S106 agreement. However, on sites of under 2ha there is no policy requirement for the delivery of on-site play provision.
- 10.49 **Arboricultural Officer:** Concerns expressed about lack of screening on the south and west boundaries can be addressed when considering the detailed scheme which would be submitted at the Reserved Matters stage.
- 10.50 **Duration of consent:**
It was indicated within the submission that in order to tie in with the Persimmon build programme a longer duration within which to secure reserved matters approval would be sought, i.e. 4 years. However, noting that there has been some slippage with the application given the need to address consultee responses this no longer appears necessary or warranted.
- 10.51 **Representations:**
Considerable comment has been received about detailed matters such as density, design, separation distances, loss of light and privacy etc. These issues are more appropriately addressed at reserved matters when the requisite detail is presented for assessment and approval.
- 10.52 A tranche of objections raise concerns about disturbance through noise and dust arising from the construction phase. Such adverse impacts will be addressed through a construction management plan secured by condition, but are also subject to controls in legislation administered by the Council's Environmental Protection team. Such issues, would, however, not be grounds on which a planning application could be reasonably refused.
- 10.53 A volume of representation refer to the proposal being contrary to policy with particular reference to the Whittlesey Neighbourhood Plan. It is accepted that there could be a possible conflict interpreted between the Neighbourhood Plan and the Local Plan in terms of where development is preferred to be sited. However, Policy LP4 of the Local Plan allows up to 250 dwellings on edge of town locations and this limit is not predicated on exceedance being cumulative. Furthermore, in circumstances where precedence has been set in allowing development to the east there are no technical reasons to resist development which essentially represents infill. Therefore, there are no sustainable policy or development management reasons to resist the proposal.

11 CONCLUSIONS

- 11.1 It is considered that the site meets with strategic settlement hierarchy set out under Policies L3 and LP4 of the Local Plan which seek to focus growth in and around the market towns and in that it adjoins the continuous built settlement.
- 11.2 In respect of the application site and its suitability for housing development, the site has a number of factors in its favour in terms of potential suitability for residential development as it:

- Dwellings are sited within flood zone 1, the lowest risk category for fluvial flooding and that to which the NPPF directs residential development in preference,
- can be served by safe and effective access,
- is accessible to green space, and play space thereby promoting leisure and health opportunities,
- historic and proposed biodiversity impacts will be mitigated so as not to result in substantial harm
- is in suitable proximity of local services which can be accessed on foot, cycle and via public transport,
- is of sufficient scale to incorporate affordable housing within the site.

11.3 The proposal would increase the supply of housing - including a 25% provision of affordable housing, this has substantial social benefits.

12 RECOMMENDATION

1. That the Committee delegates authority to finalise the planning conditions and terms of the S.106 agreement to the Head of Planning, and
2. Following completion of the S106 obligation to secure the necessary contributions as detailed in this report, application F/YR21/1360/O be granted.
3. Refuse the application in the event that the S.106 agreement referred to above has not been completed within 4 months and that the applicant is unwilling to agree to an extended period of determination to accommodate this, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

13 PROPOSED CONDITIONS

The initially proposed conditions are as follows;

1	<p>Approval of the details of:</p> <ol style="list-style-type: none"> i. the layout of the site; ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the landscaping (hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development). <p>Reason: To enable the Local Planning Authority to control 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</p>

	development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.
3	<p>The development shall not exceed 58 dwellings (Use Class C3).</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
4	<p>The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in the Reptile Survey (Green Environmental Consultants, June 2021 (Report Number:844/7) which details the methods for maintaining the conservation status of Grass Snakes and Slow Worms, unless otherwise approved in writing by the local planning authority.</p> <p>Reason - In the interests of protecting and enhancing biodiversity in and around the site in accordance with policy LP16(b) and LP19 of the Fenland Local Plan, 2014.</p>
5	<p>No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following: 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.</p> <p>Reason: To ensure that the recommended mitigation and compensation suggested in section 6 of the Preliminary Ecological Appraisal (Green Environmental Consultants, June 2021) are followed correctly. This will ensure that the development aligns with the National Planning Policy Framework and Fenland Local Plan 2014.</p>
6	<p>The details required by condition1 shall include 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; 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</p>

	<p>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>Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.</p> <p>Reason: To ensure that the recommended mitigation and compensation suggested in section 6 of the Preliminary Ecological Appraisal (Green Environmental Consultants, June 2021) and the Note covering the Fenland Biodiversity Checklist (Green Environmental Consultants, November 2021) are followed correctly. This will ensure that the development aligns with the National Planning Policy Framework and Fenland Local Plan 2014.</p>
7	<p>The development hereby permitted shall not be occupied until at least 10 bird boxes and 10 bat boxes have been suitably designed into the scheme in accordance with best practice methodology as set out by the Royal Society for the Protection for Birds and Bat Conservation Trust, evidence of the inclusion of these boxes should be provided to the Local Planning Authority.</p> <p>Reason - In the interests of protecting and enhancing biodiversity in and around the site in accordance with policy LP16(b) and LP19 of the Fenland Local Plan, 2014.</p>
8	<p>No development, including demolition, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the consideration of the following aspects of construction: a) Construction and phasing programme. b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures. c) Construction hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. d) Delivery times and collections / dispatches for construction/demolition purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the Local Planning Authority e) Soil Management Strategy having particular regard to potential contaminated land and the reuse and recycling of soil on site, the importation and storage of soil and materials including audit trails. f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-</p>

	<p>2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate. h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction - Greater Cambridge supplementary planning guidance 2020. j) Prohibition of the burning of waste on site during construction. k) Site artificial lighting including hours of operation, position and impact on neighbouring properties. l) Drainage control measures including the use of settling tanks, oil interceptors and bunds. m) Screening and hoarding details. n) Access and protection arrangements around the site for pedestrians, cyclists and other road users. o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures. p) External safety and information signing and notices. q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures. r) Membership of the Considerate Contractors Scheme. Development shall be carried out in accordance with the approved CEMP.</p> <p>Reason: In the interests of residential amenity protection and highway safety in accordance with polices LP15 and LP16 of the Fenland Local Plan, 2014.</p>
9	<p>No development shall commence until an investigation and assessment of the site, including the findings of a site walkover, to ascertain the nature and extent of potential land contamination arising as a consequence of the former use(s) and a Phase 1 report detailing the findings of the investigation and assessment, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of residential amenity protection and highway safety in accordance with polices LP15 and LP16 of the Fenland Local Plan, 2014.</p>
10	<p>Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply and access arrangements for the fire and rescue service shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be; implemented, made available for use and the Local Planning Authority notified in writing of its completion, all prior to the occupation of the first dwelling.</p> <p>Reason: In the interests of the safety of the occupiers in accordance with policy LP2 and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
11	<p>The development permitted by this planning permission shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) for proposed Development At Land Adjacent to B1040 (East Delph), Whittlesey, prepared by JPP Consulting dated August 2021, REF: R-FRA-22292-01-A, Revision A; August 2021, which states:</p>

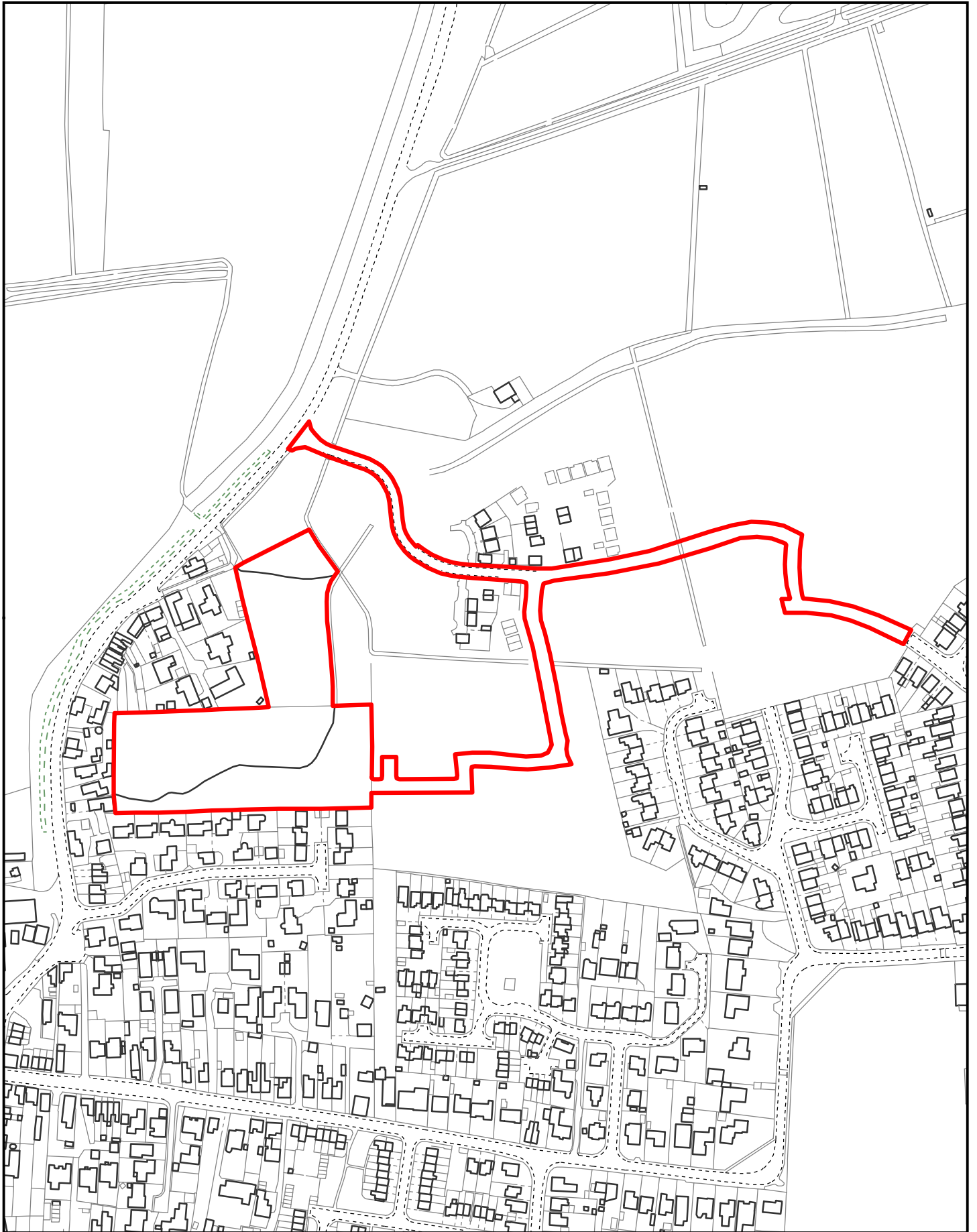
	<ul style="list-style-type: none"> • Development to be outside of the Whittlesey/Nene washes extent and below the 5m contour, as stated in section 3.1.4. of the FRA <p>Reason: To reduce the risk of flooding to the proposed development and future occupants and in accordance with Policy LP14 of the Local Plan.</p>
12	<p>Prior to the commencement of any development, a scheme and timetable for the provision and implementation of foul water drainage shall be submitted and approved in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and thereafter retained in perpetuity.</p> <p>Reason - To prevent environmental and amenity problems arising from flooding and in accordance with Policy LP14 of the Local Plan.</p>
13	<p>The details required under condition 1 shall also include details of a detailed design of the surface water drainage of the site.</p> <p>Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.</p> <p>The scheme shall be based upon the principles within the agreed Flood Risk Assessment prepared by JPP Consulting Ltd (ref: R-FRA-22292-01-D) dated April 2022 and shall also include:</p> <ol style="list-style-type: none"> Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; Full results of the Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance; Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it); Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections); Site Investigation and test results to confirm infiltration rates; Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants; Demonstration that the surface water drainage of the site is in accordance with DEFRA non_statutory technical standards for sustainable drainage systems; Full details of the maintenance/adoption of the surface water

	<p>drainage system; i) Permissions to connect to a receiving watercourse or sewer; j) Measures taken to prevent pollution of the receiving groundwater and/or surface water</p> <p>Reason - To prevent the increased risk of flooding on and off the site and in accordance with Policy LP14 of the Local Plan.</p>
14	<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 prevent the increased risk of flooding on and off the site and in accordance with Policy LP14 of the Local Plan.</p>
15	<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 and to prevent the increased risk of flooding on and off the site and in accordance with Policy LP14 of the Local Plan.</p>
16	<p>Prior to first occupation, 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 be provided to the first occupiers of each residential dwelling and shall include the provision of bus taster tickets and/or cycle discount vouchers.</p> <p>Reason: In the interests of encouraging sustainable transport modes in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
17	<p>No development shall commence until the applicant has implemented a programme of archaeological work that has been secured in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the Local Planning Authority in</p>

	<p>writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ul style="list-style-type: none"> a. The statement of archaeological significance and research objectives; b. The programme, methodology and timetable of fieldwork and the nomination of a competent person(s) or organisation to undertake the agreed works; c. Implementation of fieldwork; d. A post-excavation assessment report to be submitted within six months of the completion of fieldwork; e. An analytical archive report to be completed within two years of the completion of fieldwork and submission of a draft publication report (as necessary); f. Preparation of the physical and digital archaeological archives for deposition at accredited stores approved by the Local Planning Authority. <p>Reason - To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).</p>
18	<p>All gates serving private rear gardens to dwellings shall be self-closing and lockable, the details of which shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any dwelling.</p> <p>Reason: In the interests of visual appearance, privacy and security in accordance with policy LP16 of the Fenland Local Plan</p>
19	<p>The details required under condition 1 shall also include details of the finished floor level of all buildings and associated external ground levels.</p> <p>Reason: In the interests of visual and residential amenity in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
20	<p>The details required under condition 1 shall also include a scheme, including dimensioned plans for the protection of retained trees and hedges, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:</p> <ul style="list-style-type: none"> (a) a layout plan which shows the position, crown spread and Root Protection Area (section 4.6 of BS5837:2012) of all trees to be retained and which also shows those proposed to be removed; (b) a Tree/ hedge Constraints Plan showing the Root Protection Area/s (RPA) and the crown radius in relation to the proposed development layout; (c) a schedule of works for those trees/ hedges to be retained, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons;

	<p>(d) the location, alignment and specification of tree/ hedge protective barriers, the extent and type of ground protection, and any other physical protection measures. The protection measures must be erected/ installed prior to work commencing with that plot or phase and shall remain in place for the duration of construction works;</p> <p>(e) details of the alignment and positions of underground service runs;</p> <p>(f) any proposed alteration to existing ground levels, and of the position of any proposed excavations, that occurs within the root protection area of any retained tree/ hedge.</p> <p>The development shall be undertaken in accordance with the approved details.</p> <p>Reason: In the interests of visual amenity and environmental quality in accordance with policy LP16 and LP19 of the Fenland Local Plan, 2014.</p>
21	<p>The details required under condition 1 shall also include details of the proposed arrangements for future adoption, management and maintenance of the proposed streets within the development.</p> <p>The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 198 and/ or a Private Management and Maintenance Company has been established.</p> <p>Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
22	<p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining highway.</p> <p>Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy LP15 of the Fenland Local Plan, 2014.</p>
23	<p>Prior to the commencement of any development, a scheme for the provision, implementation and long-term management and maintenance of surface water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained and maintained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p>
24	<p>The development hereby permitted shall be carried out in accordance with the following approved plans</p>

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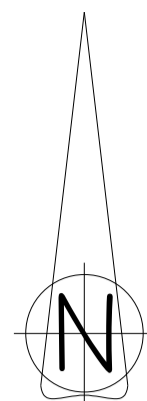
Created on: 02/12/2021

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F/YR21/1360/O

Scale = 1:3,500





5.2m

5m contour
Equals to maximum flood
level of Whittlesey/Nene
washes storage area.

Flow restriction to 1.5 l/s
IL = 3.17m

Top of Bank = 5.00m
Top of Bank = 5.06m

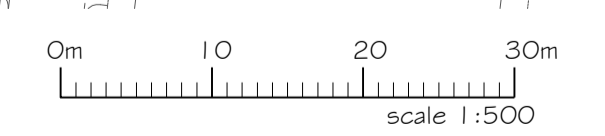
Surface Water Attenuation
1 in 100 year = 40% climate
change event
Drained area = 8,731m²
10% urban creep (to residential
areas) = 608m²
Total drained area = 9,339m²

Online detention basin:
Top of bank = 5.4m
Depth of freeboard = 0.4m
Maximum water level = 5.00m
Depth of storage = 1.5m
IL = 3.50m
Volume provided = 993m³

Low flow channel and
micropool to be provided.

Highways details approved under Reserved Matters
Persimmon FYR 19/0158/RM and associated
conditions discharge.

Foul water outfall to foul
water network within
adjacent Persimmon site
(currently under
construction).



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Project:
**Land off of East Delph
Whittlesey**

Client:
Showfields

Drawing:
Indicative Masterplan

Scale:
1:500@A1

Drawing No:
RDC1156-101

Revision:
-
Date:
14.07.21

Drawn By:
MA
Checked By:
SC
Cad Ref:

Rev. No.	Date	Amendment	Initial