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**F/YR23/0155/F**

**Applicant: Mrs Katie Dowling  
Persimmon Homes East Midlands**

**Agent :**

**Land South Of Caravan Site, Fenland Way, Chatteris, Cambridgeshire**

**Erect 31 x dwellings (6 x 2-storey 2-bed, 6 x 2-storey 3-bed, 5 x 2-storey 4-bed, 4 x 2-storey 5-bed, 8 x 3-storey 3-bed, 2 x 3-storey 4-bed)**

**Officer recommendation: Grant**

**Reason for Committee: Objection from statutory consultee (Waste and Minerals Planning Authority)**

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## **1 EXECUTIVE SUMMARY**

- 1.1 This application is a re-plan of a phase of the wider 'Womb Farm' development which is currently being constructed under the extant permission for 248 dwellings (F/YR19/0834/O and F/YR21/1224/RM), to increase the number of dwellings from 27 to 31, enabling a mix of homes that are more appropriate to the market conditions of the area.
- 1.2 There are no issues to address in relation to the character and visual amenity of the area, residential amenity, highways and parking, flood risk and drainage and ecology, subject to updated and re-imposed conditions. Affordable housing provision and contributions in line with the Local Plan & CIL Viability Assessment 2019 are to be secured through appropriate legal mechanism
- 1.3 The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021. The Minerals and Waste Planning Authority do not consider that Policy 5 has been adequately addressed and as such object to this proposal. The extant permission on this site is a material consideration which is afforded significant weight, and, given that the resources would be lost as a result of the extant development, it is not considered reasonable to refuse the current application on this basis.
- 1.4 As such, it is recommended to grant the application with conditions on the original permissions updated and re-imposed accordingly.

## **2 SITE DESCRIPTION**

The application site is located on the western side of Fenland Way (A141), Chatteris, it is part of a wider development site for 248 dwellings off Doddington Road and Fenland Way, which is currently under construction. When the site was visited some works had been undertaken including the formation of a roadway. The site falls within Flood Zone 1.

### **3 PROPOSAL**

- 3.1 The application seeks full planning permission for 31 dwellings of 2 – 5 bedrooms and 2 – 3 storeys in height, with associated garages, infrastructure and landscaping. House types are as follows:

Almouth x 2 (plots 215 and 216)

2-Storey, 2-bed semi-detached measuring 4.5 x 8.2m and 8.1m in height.

Burnham x 3 (plots 223, 231 and 232)

2-storey, 4-bed detached with integral garage measuring 8.15m x 9m and 7.7m in height.

Charnwood CR x 3 (plots 212, 224 and 238)

2-storey, 3-bed detached measuring 9.2m x 6.5m and 8m in height.

Greenwood x 2 (plots 226 and 227)

3-storey, 4-bed detached measuring 6.4m x 9.45m and 9.5m in height.

Haldon x 4 (plots 249-252)

2-storey, 2-bed semi-detached measuring 4.75m x 9.2m and 8.7m in height.

Kielder x 2 (plots 228 and 237)

2-storey, 5-bed detached measuring 9.1m x 9.2m and 8.2m in height.

Marston x 2 (plots 229 and 230)

2-storey, 5-bed detached with integral garage measuring 8.8m x 8.85m and 8.1m in height.

Rendlesham x 2 (plots 217 and 218)

2-storey, 3 bed semi-detached measuring 5.7m x 8.8m and 8.6m in height.

Saunton x 8 (plots 219-222 and 233-236)

3-storey, 3-bed semi-detached measuring 4.5m x 10.6m and 9.7m in height.

Sherwood x 1 (plot 213)

2-storey, 3-bed detached measuring 6.1 x 9.1 x and 7.9m in height.

Whiteleaf x 2 (plots 214 and 225)

2-storey, 4-bed detached measuring 8.85m x 8.3m and 8.65m in height.

- 3.2 Double garages measuring 6.6m x 6.4m and 4.5m in height serve plots 225-226 and 227-228. Single garages measuring 3.4m x 6.4m and 4m in height serve plots 214 and 237. The remaining plots have timber sheds.
- 3.3 This phase (as previously) is reliant on the wider development, including in relation to drainage infrastructure and open space provision.
- 3.4 Full plans and associated documents for this application can be found at:

[F/YR23/0155/F | Erect 31 x dwellings \(6 x 2-storey 2-bed, 6 x 2-storey 3-bed, 5 x 2-storey 4-bed, 4 x 2-storey 5-bed, 8 x 3-storey 3-bed, 2 x 3-storey 4-bed\) | Land South Of Caravan Site Fenland Way Chatteris Cambridgeshire](#)

#### 4 SITE PLANNING HISTORY

In relation to residential development of the site only:

F/YR23/0596/NONMAT	Non-material amendment: Amendment to house type for Plots 129 and 130 and changes to brick type, relating to planning approval F/YR21/1224/RM (Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR19/0834/O to erect 248 dwellings (1-bed; single-storey 2-bed; 2-storey 2-bed, 3-bed, 4-bed and 5-bed and 3-storey 3-bed and 4-bed including garages) and associated open space and infrastructure)	Approved 7/8/2023
F/YR23/0316/PLANOB	Supplementary Agreement for the inclusion of 4 First Homes in addition to the existing affordable housing requirements set out in the S106 dated 13.10.2020 attached to planning permission F/YR19/0834/O	Granted 15/6/2023
F/YR23/0116/ENQDIS	Application to seek confirmation of compliance in relation to the submission element of conditions 9 (finished floor and site levels), 11 (surface water drainage), 14 (tree protection plan) and 16 (noise technical note) of Planning permission F/YR19/0834/O (Erect up to 248 dwellings...) and associated F/YR22/0205/NONMAT which enabled the submission of details at Reserved Matters stage	Satisfied 20/3/2023
F/YR22/3109/COND	Details reserved by conditions 10 (Welcome travel plan) and 17 parts b and c (Contamination) of Planning permission F/YR19/0834/O (Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure...)	Approved 12/1/2023
F/YR22/3089/COND	Details reserved by conditions 12 (drainage management/maintenance), 15 (fire hydrants) and 20 (open space management/maintenance) of planning permission F/YR19/0834/O (Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure including the creation of new vehicular accesses, internal roads, landscaping, open space (including a new play area), drainage and a new off-site section of footway along the	Approved 24/11/2022

A141 Fenland Way

F/YR22/3088/COND	<p>Details reserved by conditions 5 (phasing plan) of planning approval F/YR21/1224/RM (Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR19/0834/O to erect 248 dwellings (1-bed; single-storey 2-bed; 2-storey 2-bed, 3-bed, 4-bed and 5-bed and 3-storey 3-bed and 4-bed including garages) and associated open space and infrastructure)</p>	Approved 30/3/2023
F/YR22/3087/COND	<p>Details reserved by conditions 3 (refuse), 6 (lighting) and 10 (cycle stores) of planning approval F/YR21/1224/RM (Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR19/0834/O to erect 248 dwellings (1-bed; single-storey 2-bed; 2-storey 2-bed, 3-bed, 4-bed and 5-bed and 3-storey 3-bed and 4-bed including garages) and associated open space and infrastructure)</p>	Approved 12/5/2023
F/YR22/1175/PLANOB	<p>Supplementary Agreement for inclusion of 4 First Homes in addition to the existing affordable housing requirement set out in the S106 dated 13/10/2020 attached to planning permission F/YR19/0834/O</p>	Granted 31/3/2023
F/YR22/0331/NONMAT	<p>Nonmaterial Amendment: Amendment to wording of condition 4 (Highway Works), relating to planning permission F/YR19/0834/O (Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure including the creation of new vehicular accesses, internal roads, landscaping, open space (including a new play area), drainage and a new off-site section of footway along the A141 Fenland Way)</p>	Approved 28/3/2022
F/YR22/0205/NONMAT	<p>Non-material amendment: Amendment of wording to include Conditions 09, 11,14 and 16 within the reserved matters relating to planning permission F/YR19/0834/O (Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure including the creation of new vehicular accesses, internal roads, landscaping, open space (including a new</p>	Approved 21/2/2022

	play area), drainage and a new off-site section of footway along the A141 Fenland Way)	
F/YR21/3140/COND	Details reserved by condition 19 (foul water drainage) of planning permission F/YR19/0834/O (Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure including the creation of new vehicular accesses, internal roads, landscaping, open space (including a new play area), drainage and a new off-site section of footway along the A141 Fenland Way	Approved 18/3/2022
F/YR21/3139/COND	Details reserved by condition 17 (part a) (contamination) of planning permission F/YR19/0834/O (Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure including the creation of new vehicular accesses, internal roads, landscaping, open space (including a new play area), drainage and a new off-site section of footway along the A141 Fenland Way	Approved 9/2/2022
F/YR21/3138/COND	Details reserved by condition 4 (highway works) of planning permission F/YR19/0834/O (Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure including the creation of new vehicular accesses, internal roads, landscaping, open space (including a new play area), drainage and a new off-site section of footway along the A141 Fenland Way	Withdrawn
F/YR21/3137/COND	Details reserved by conditions 5 (street maintenance), 6 (Construction Environmental Management Plan) and 13 (Landscape and Ecological Management Plan) of planning permission F/YR19/0834/O (Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure including the creation of new vehicular accesses, internal roads, landscaping, open space (including a new play area), drainage and a new off-site section of footway along the A141 Fenland Way	Approved 5/4/2022

F/YR21/1224/RM	Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR19/0834/O to erect 248 dwellings (1-bed; single-storey 2-bed; 2-storey 2-bed, 3-bed, 4-bed and 5-bed and 3-storey 3-bed and 4-bed including garages) and associated open space and infrastructure	Approved 10/3/2022
F/YR19/0834/O	Erect up to 248 dwellings (outline application with matters committed in respect of access) with associated site infrastructure including the creation of new vehicular accesses, internal roads, landscaping, open space (including a new play area), drainage and a new off-site section of footway along the A141 Fenland Way	Granted 15/10/2020
F/YR19/0386/SC	Screening Opinion:- Residential Development (Up to 250 dwellings)	Further Details Not Required 3/6/2019

## 5 CONSULTATIONS

### 5.1 Town Council

*Support but as this is a new application request substantial Section 106 payments for the health authority, education and amenities for the town. Houses on the sister estate are selling for between £223,000 and £350,000 so Section 106 payments are viable. The developers must also honour the condition to put in the missing footpath link along Fenland Way from the caravan site to the Tesco's roundabout.*

### 5.2 Ecology Officer (11/5/2023)

*Thank you for your consultation letter received on 13 April 2023 regarding the above planning application.*

*The application provides insufficient evidence to demonstrate the level of impact of the scheme on biodiversity. It is not possible to determine if the scheme accords with Fenland Local Plan 2014 policy LF-19 which seeks to conserve, enhance and promote the biodiversity interest. We therefore recommend refusal until an Ecological Impact Assessment is submitted.*

*Please find further details below.*

#### *Current planning application*

*The site already forms part of outline planning permission F/YR19/0834/O. The current full planning application is seeking full planning permission for erection of 31 dwellings.*

#### *Ecological Impact Assessment*

*No Ecological Impact Assessment has been submitted in support of the application.*

*We note that a number of ecological features were identified as a result of suite of features, notable plants), submitted in support of outline planning application F/YR19/0834/O. And as part of the planning permission, a Landscape and Ecological Management Plan was secured under condition 13 to protect the ecological features, including translocation of rare plant species.*

*Given the historic notable usage of the current application site and wider development by notable / protected species it is likely that the scheme will impact on biodiversity. The 2019 survey work is considered out of date and doesn't specifically relate to the current application site and therefore, it is not clear as to the impact specifically associated with the proposed full application.*

*We therefore recommend refusal until an update ecological survey and submission of an Ecological Impact Assessment to determine the current importance of the site and whether/ or not any mitigation or compensation is required.*

*This information is required to determine whether or not the scheme will adequately protect existing biodiversity features and seek to deliver biodiversity net gain, in accordance with Fenland Local Plan LP-19. And whether any planning conditions are required to conserve biodiversity (e.g. Construction Ecological Management Plan or Landscape and Ecological Management Plan)*

### **5.3 Ecology Officer (1/8/2023)**

*Thank you for your re-consultation letter received on 31 May 2023 regarding the above planning application. We welcome the submission of the additional ecological information, set out in Dr Robert Buisson's letter report dated 23 May 2023.*

*We are satisfied that the proposed re-plan will not have any significant adverse impact on the site (when compared to approved planning permission F/YR21/1224/RM). We note consider there are no ecological grounds to refuse the application.*

*The decision notice for F/YR21/1224/RM states that "reserved Matters permission forms part of the original outline planning permission F/YR19/0834/O and as such conditions imposed upon this original permission should be adhered to". We seek that these conditions also be applied to the current planning application (if permission is granted), including compliance with Condition 13 – Landscape and Ecological management Plan (discharged under F/YR21/3137/COND)*

### **5.4 Arboricultural Officer (FDC)**

*The applicant has submitted a detailed landscape plan for the proposed development.*

*I have no objections to the proposed tree and hedge species or locations. There is good use of fastigate tree forms to allow planting in smaller spaces.*

*There is sufficient management detail to ensure establishment and long term development of the soft landscaping over time. The use of mixed native hedging is also welcome.*

### **5.5 Cambridgeshire County Council Lead Local Flood Authority**

*We have reviewed the following documents:*

• *DRAINAGE REPORT, Infrastructure Design Limited Consulting Engineers, REF 1090-00-002 Dated: January 2023*

*Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development, provided that an agreement in principle to allow connection to existing Anglian Water surface water sewers is obtained.*

*The above documents demonstrate that surface water from the proposed development can be managed through the use of a combination of permeable paved surfaces, swales and an attenuation basin, restricting surface water discharge via flow control to 6.6 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. The site has no local flood risk and this the proposed method of attenuation suffices with overland flows directed away from the development towards either swales or the attenuation basin.*

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

*We request the following conditions are imposed:*

*Condition 1*

*No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Drainage Report prepared by Infrastructure Design Limited Consulting Engineers (ref: 1090-00-002) dated January 2023 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.*

*Reason*

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

*Condition 2*

*No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.*

*Reason*

*To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.*

*Condition 3*

*Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall*



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

*Reason*

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

*Condition 4*

*The surface water drainage scheme shall be constructed and maintained in full accordance with the Drainage Report as submitted (ref: 1090-00-002) dated January 2023.*

*Reason*

*To prevent an increased risk of flooding and protect water quality.*

*Informatives*

*Pollution Control*

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

**5.6 Cambridgeshire Fire and Rescue**

*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  
Hinchingsbrooke Cottage  
Brampton Road  
Huntingdon  
Cambs  
PE29 2NA*

*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.*

## **5.7 Anglian Water (13/3/2023)**

### **ASSETS**

#### *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.*

### **WASTEWATER SERVICES**

#### *Section 2 - Wastewater Treatment*

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

#### *Section 3 - Used Water Network*

*This response has been based on the following submitted documents: DRAINAGE REPORT January 2023 reference REF 1090-00-002 Due to lack of information we are unable to make an informed assessment. The applicant indicates that the foul drainage is to be connected into a private network and therefore a full assessment cannot be made. The applicant has not identified a connection point into the Anglian Water network. We would require a drainage strategy to be submitted indicating the point of connection into Anglian Water network. Therefore, the development has the potential to have an unacceptable risk of flooding/or pollution from the network. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. We therefore request a condition requiring phasing plan and/or on-site drainage strategy* **INFORMATIVE – Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers**

*included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.*

#### *Section 4 - Surface Water Disposal*

*The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. It is quoted that the private network will be to Anglian Water for adoption of these sewers. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals.*

*We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information. <https://www.anglianwater.co.uk/developers/drainageservices/sustainable-drainage-systems/>*

#### *Section 5 - Suggested Planning Conditions*

*Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval. Used Water Sewerage Network (Section 3) .We have no objection subject to the following condition: Condition Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme. Reason To prevent environmental and amenity problems arising from flooding*

*FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:*

#### *Next steps*

*Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.*

*If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>*

*Once submitted, we will work with you in developing a feasible mitigation solution.*

*If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:*

*Foul water:*

*Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:*

*Development size*

*Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)*

*Connecting manhole discharge location (No connections can be made into a public rising main)*

*Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)*

*Feasible mitigation strategy in agreement with Anglian Water (if required)*

## **5.8 Anglian Water (21/3/2023)**

### **ASSETS**

#### *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.*

### **WASTEWATER SERVICES**

#### *Section 2 - Wastewater Treatment*

*The foul drainage from this development is in the catchment of Chatteris-Nightlayer Fen Water Recycling Centre that will have available capacity for these flows*

#### *Section 3 - Used Water Network*

*This response has been based on the following submitted documents: DRAINAGE REPORT January 2023 reference REF 1090-00-002 Based upon the above reference documents, the proposed connection is acceptable.*

*The submitted foul water drainage proposals are part of the drainage strategy already agreed for the entire development site. We do not require a condition in planning for foul water. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.*

*INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. INFORMATIVE - Building near to a public sewer – No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.*

*INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity.*

*Sewers intended for adoption should be designed and constructed in accordance with sewer sector guidance, design and construction guidance for developers, as supplemented by Anglian Water's requirements.*

#### **Section 4 - Surface Water Disposal**

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

*The applicant has indicated on their application form that their method of surface water drainage is via SuDS. It is quoted that the private network will be to Anglian Water for adoption of these sewers. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information. <https://www.anglianwater.co.uk/developers/drainageservices/sustainable-drainage-systems/>*

#### **5.9 Cambridgeshire County Council Highways DM Team (3/4/2023)**

*The proposed changes to the site layout to accommodate the additional four dwelling are largely immaterial in highway safety terms. The only difference of note relates to the turning head extension at Plot 237-238.*

*The turning head represents the maximum extent which may be considered for adoption by the highway authority, but its length is excessive. The length should be curtailed to that which is needed to facilitate turning of a refuse vehicle and no more. The applicant should note that BS 5906:2005 recommends that refuse vehicles reverse no more than 12m while the turning head extension measures approximately 25m (measured from the centreline).*

*I recommend that the applicant propose an alternative design for the turning head, supported by appropriate vehicle tracking. To do otherwise, will not result in a planning objection but may compromise the LHA's ability to adopt the roads in question.*

#### **5.10 Cambridgeshire County Council Highways DM Team (27/4/2023)**

*The revised layout as shown on the drawing WF/CHATT/RPL/001 Revision B as addressed my previous comments. While no refuse vehicle tracking has been provided for the amended turning head, it's size and form are of a standard design.*

*I have no objection to the application. Please re-append all relevant highway conditions from the original development permissions.*

#### **5.11 Cambridgeshire County Council Highways TA Team**

*I have reviewed the submitted Transport note and would conclude that the 4 additional dwellings over and above that permitted previously would not cause any concerns from a Transport Assessment Team point of view.*

## **5.12 Cambridgeshire & Peterborough Integrated Care System - NHS**

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

*The proposed development is likely to have an impact on the services of the 1 x GP Practice operating within the vicinity of the application: George Clare Surgery which has a registered patient list size of 12,114 (as of 01/04/22) and this development of 31 dwellings would see an increase patient pressure of circa 71 new residents which would require additional whole time equivalent GP / Nurse / Admin support workforce to support increase in appointments as follows : GP = 0.04 / Nurse = 0.02 and Admin = 0.07 with a resulting increase on estate demand of 4.87 sqm net internal area.*

*A developer contribution will be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £17,777.52. Payment should be made before the development commences. CAPICS therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.*

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

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

## **5.13 East of England Ambulance Service NHS Trust (EEAST)**

Full comments are available to view on Public Access, the table of contributions requested and concluding comments are provided below:

*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 £9,920.*

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

<i>Additional</i>	<i>Ambulance</i>	<i>Total</i>
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<i>Dwellings</i>	<i>Cost<sup>1</sup></i>	
31	£320	£9,920

*In its capacity as the healthcare provider, EEAST has identified the development will give rise to a need for additional emergency ambulance healthcare provision to mitigate impacts arising from the development.*

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

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

*The terms set out above are those that EEAST deem appropriate having regard to the formulated needs arising from the development. This request is in addition to s106/CIL requests from Cambridge and Peterborough Integrated Care System (CAPICS) for GP Practices.*

*EEAST 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.*

*EEAST looks 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.*

#### **5.14 Designing Out Crime Team (15/3/2023)**

*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 noted my previous comments for the Reserved Matters application dated 9<sup>th</sup> November 2021 which still stand.*

*There is still no lighting plan from a qualified lighting engineer with lux levels and calculations – solar bollards have been proposed for the private drives which are not suitable. Please note my previous comments in relation to lighting. I have no further comment at this time.*

#### **5.15 Designing Out Crime Team (9/8/2023)**

*Thank you for the opportunity to comment on this revised planning application with the details of the proposed garden shed/cycle store provided from SB Sheds & fencing LTD, the information listed within the documents that the shed will be 1.8m x 1.2m, with no windows and will be fitted with the addition of*

- *Coach Bolted Hinges For Security,*
- *Upgrade Lock To Rimlock ,*
- *Add A Fitted bike Bracket To HA Plots Only.*

*N.B. (If space is of a concern within the sheds and to offer residents more flexibility, we are happy for sheds to be fitted with ground anchors to Sold secure standards as listed below).*

For reference:

- Sheds for cycle storage residential gardens –
  - The issues we are trying to prevent are cycle hoops bolted into the ground; they need to be cemented 300mm into the floor and should be within view of active windows (to make you aware there is now a Sheffield stand that has been SBD accredited)
  - Door hinges should be coach-bolted through the shed structure or secured with security/non-return screws.
  - Two hasp and staples that meet 'Sold Secure' Silver should be used. One positioned 200mm - 300mm down from the top of the door, and one positioned 200mm - 300mm up from the bottom of the door. Additionally, hasp and staples should be coach bolted through the shed structure or secured with either security or non-return screws.
  - Both padlocks should meet 'Sold Secure' Gold or LPS 1654 Issue 1.1:2014 Security Rating 1.
  - Shall be securely fixed to a suitable substrate foundation. See "Secured by Design" (SBD) website link. <https://www.securedbydesign.com>
  - Within secure garden sheds care must be taken to ensure that this will be robust and secure enough to protect what is being stored in it, particularly cycles or similar e.g. (gardening equipment).
  - There should be No Windows.
  - Sold Secure Ground anchors.

I am happy to discharge this condition.

Having read the documentation, I note my colleagues' comments dated 15<sup>th</sup> March 2023 relating to lighting, this office would like to see the full lighting plan proposals including lux levels and calculations. Please see notes below.

Lighting.

Our recommendation is that access roads and footpaths, car and cycle parking and loading areas/service yards should be lit by 1.6m columns designed to BS5489-1:2020 or BS EN 12464-:2014. 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. Security lights both to the front and rear should be dusk to dawn bulkhead LED lights. I would like to see the lighting plan when available including lux levels and calculations.

Bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads or parking areas, where they are also prone to damage.

I have no further comments.

#### **5.16 Cambridgeshire County Council Definitive Map Team**

Public Byway 16, Chatteris runs to the south-west of the site. To view the location of the byway please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has no objection to this proposal, the byway must remain open and unobstructed at all times.

Informatives

Should you be minded to grant planning permission we would be grateful that the following informatives are included:



- *Public Byway 16, Chatteris must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).*
- *No alteration to the Byway's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).*
- *Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).*
- *The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).*
- *Members of the public on foot, horseback and pedal cycle have the dominant right of passage along the public byway; private vehicular users must 'give way' to them*
- *The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of the Byway is damaged as a result of increased motorised vehicle usage, the Highways Authority is only liable to maintain it to a Byway standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.*

*Furthermore, the applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/>*

#### **5.17 Cambridgeshire County Council Archaeology**

*The development area has been subject to archaeological investigation previously. The investigations revealed Roman quarrying potentially associated with rural settlement activity (Cambridgeshire Historic Environment Record reference. ECB3102). However the area covered by the proposed development was found to have been extensively quarried during the post-medieval to modern periods, which would have likely truncated any archaeological remains which were to have survived. Therefore, we have no objections or requirements for this development.*

#### **5.18 Housing Strategy (FDC)**

*Fenland Local Plan Policy LP5 Requirements*

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

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

*The Fenland Viability Report (March 2020)*

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

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

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

*Since this planning application proposes the provision of 31 number of dwellings, our policy seeks to secure a contribution of 8 affordable dwellings in this instance.*

*Based on the provision of 20% affordable housing provision we would seek a contribution of 6 affordable dwellings in this instance. I note that the Design & Access Statement submitted with this application proposed 20% affordable housing.*

*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 6 affordable rented homes and 2 shared ownership based on the provision of 25% affordable housing or 4 affordable rented homes and 2 shared ownership based on the provision of 20% affordable housing.*

*I note the house types proposed as part of this application are 4 x 2 bedroom dwellings and 2 x 3 bedroom dwellings.*

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

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

*Since 2016 Fenland has had arrangements in place to mitigate the difficulty of implementing an on-site policy for sites with a planning obligation to deliver less than 10 affordable homes. These arrangements are regularly reviewed to ensure that they continue to accurately reflect the challenges of securing small scale on site affordable housing delivery through planning obligations.*

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

*Accordingly, Fenland's current approach is to agree that sites that yield less than 10 (i.e. 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision, in the*

*event that the owner provides reasonable written evidenced of its attempts to secure on-site affordable housing which will include seeking negotiations with all such local affordable housing providers as the Council may recommend. The application of this arrangement is not dependent on the total number of dwellings seeking consent for delivery, instead, it is triggered by the number of affordable homes that are deliverable.*

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

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

#### **5.19 Environmental Health (FDC)**

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

*In terms of ground contamination, I note the Health Impact Assessment report submitted confirms in section 3.5 that ground contamination condition (17) for this site was discharged by this service, under planning reference F/YR22/3109/COND.*

*I also note that the Health Impact Assessment report submitted includes a Construction Environmental Management Plan (CEMP) that was approved by this service under planning reference F/YR22/3109/COND (condition 6). I should take this opportunity to advise that should this planning permission be granted, it does not indemnify against action being taken by this service in the event that complaints are received, and subsequent investigation proves the existence of a statutory nuisance relating to excessive noise/dust/smoke during the construction phase.*

#### **5.20 Cambridgeshire County Council Waste and Minerals (27/3/2023)**

*Thank you for consulting Cambridgeshire County Council, in its role as the Minerals and Waste Planning Authority (MWPA), on the above application. Having reviewed the available documentation, the MWPA wishes to make the following comments:*

*The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised. Policy 5 sets out a number of exemptions (criteria (a) – (h)), for when Policy 5 is not applicable, none of which relevant in this case. It then goes on to set out that that development will only be permitted in certain circumstances (criteria (i) – (k)). The application documentation does not appear to make any reference to the safeguarded minerals, or Policy 5. Consequently, compliance with criteria (i) – (k) has not, at this time, been demonstrated.*

*The MWPA notes that planning permission has been granted on this site in the past for similar uses to that which is proposed above. However, with the adoption of the Cambridgeshire and Peterborough Minerals and Waste Local Plan in July 2021, the mineral safeguarding areas were revised and updated and Policy 5 became relevant to any development proposed on this site. As Policy 5 has not been adequately addressed in the application, the MWPA wishes to object to this proposal.*

*To establish whether the Policy 5 can be met, the applicant is asked to provide a short statement that includes the following:*

- a) Details of the extent, estimated tonnage, and potential value of any mineral resource within the site;*
- b) Establish if prior extraction in whole or part of the mineral resource is practicable; and*
- c) Identify all opportunities for incidental extraction that may occur through proposed groundworks.*

*If prior extraction is practicable:*

- d) An estimate of type of mineral(s) and tonnage to be extracted;*
- e) An estimate of the type of mineral(s) and tonnage that will be sterilised by the development;*
- f) the proposed timescales for extraction;*
- g) a scheme detailing how the mineral will be extracted and reused on site or sold to the wider market, and the tonnages proposed for each use;*
- h) where prior extraction is to occur: a plan detailing the areas in which extraction is to take place;*

*For reference, the Cambridgeshire and Peterborough Minerals and Waste Local Plan can be found on our website at:*

*<https://www.cambridgeshire.gov.uk/business/planning-and-development/planning-policy/adopted-minerals-and-waste-plan>.*

#### **5.21 Cambridgeshire County Council Waste and Minerals (17/4/2023)**

*The application being made is for planning permission and is not a reserve matter or a variation of condition. Between the determination of the F/YR19/0834/O outline permission and the submission of this application, the Cambridgeshire and Peterborough Minerals and Waste Local Plan was adopted in July 2021.*

*Applications must be considered against the development plan at the time of determination, and whilst an extant permission may be material to the LPAs decision, it does not make a new proposal compliant in circumstances such as this, where policy has changed since the approval of a previous proposal.*

*The application has not sought to address the policy, and until such time as is adequately does so, the objection is maintained.*

#### **5.22 Cambridgeshire County Council Planning and Sustainable Growth Service**

Full comments are available to view on Public Access, the summary is provided below:

*We note that this planning application is a re-plan of a development block containing 27 dwellings approved under reserved matters application F/YR21/1224/RM and that the outline planning consent has a s106 signed for 249 dwellings under F/YR19/0834/O.*

If F/YR23/0155/F were considered in isolation, table 1 below summarises the contributions requested by the County Council. Subsequent sections of this response provide the detailed explanation as to how these contributions have been calculated. The County Council provides a cost for the proposed education mitigation projects calculated in accordance the standards as set out in Building Bulletin 103. Where there is no project cost available, the most recent Department for Education scorecard costs will be used.

Table 1: s106 Contributions – Summary Table

	Contribution	Project	Indexation date	Payment Trigger
Early Years	£47,468	Additional Early Years Places in Chatteris	1Q2022	100% prior to commencement
Primary	£136,403	Additional Primary School Places in Chatteris	1Q2022	
Secondary	£136,366	Expansion of Cromwell Community College	1Q2022	
Libraries	£4,573	Remodel Chatteris Library to increasing the floorspace available to the community	1Q2021	100% prior to occupation of 50% of the development
Strategic Waste	n/a	n/a	n/a	n/a
Monitoring Fee	£150			
<b>Total</b>	<b>£324,960</b>			

### 5.23 Local Residents/Interested Parties

None Received

## 6 STATUTORY DUTY

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

## 7 POLICY FRAMEWORK

### National Planning Policy Framework (NPPF)

### National Planning Practice Guidance (NPPG)

### National Design Guide 2021

Context – C1

Identity – I1, I2

Built Form – B2

Movement – M1, M2, M3

Nature – N1, N2, N3  
Public Spaces – P1, P2, P3  
Uses- U2, I3  
Homes and Buildings – H1, H2, H3

#### **Fenland Local Plan 2014**

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

#### **Emerging Local Plan**

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

Policy LP1 – Settlement Hierarchy  
Policy LP2 – Spatial Strategy for the Location of Residential Development  
Policy LP5 – Health and Wellbeing  
Policy LP7 – Design  
Policy LP8 – Amenity Provision  
Policy LP11 – Community Safety  
Policy LP12 – Meeting Housing Needs  
Policy LP20 – Accessibility and Transport  
Policy LP22 – Parking Provision (Appendix 6)  
Policy LP24 – Natural Environment  
Policy LP25 – Biodiversity Net Gain  
Policy LP27 – Trees and Planting  
Policy LP28 – Landscape  
Policy LP29 – Green Infrastructure  
Policy LP31 - Open Space and Recreational Facilities  
Policy LP32 – Flood and Water Management  
Policy LP46 – Residential Site Allocations for Chatteris  
Policy LP46.10 – Womb Farm

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

DM2 – Natural Features and Landscaping Schemes  
DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area  
DM4 – Waste and Recycling Facilities  
DM6 – Mitigating Against Harmful Effects

## **Developer Contributions SPD 2015**

## **Cambridgeshire Flood and Water SPD 2016**

## **The Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021** Policy 5: Mineral Safeguarding Areas (MSAs)

### **8 KEY ISSUES**

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Highways and parking**
- **Flood Risk and Drainage**
- **Ecology**
- **Developer Contributions**
- **Other matters**

### **9 BACKGROUND**

- 9.1 This application relates to a phase of the wider 'Womb Farm' development which is currently being constructed under the extant permission for 248 dwellings (F/YR19/0834/O and F/YR21/1224/RM). This phase originally consisted of 27 dwellings and this application seeks to increase this to 31; the applicant advises that this is to enable a mix of homes that are more appropriate to the market conditions of the area.

### **10 ASSESSMENT**

#### **Principle of Development**

- 10.1 As referred to above, this site has an extant permission for 27 dwellings obtained under F/YR19/0834/O and F/YR21/1224/RM and as such the principle of development is already established.
- 10.2 Policy LP4, Part B sets out the criteria for assessing housing development proposals and advises that large scale proposals (250 dwellings or more) on the edge of market towns are directed to the identified specific or broad locations for sustainable growth. The application site is not such an allocation, the wider site has permission for 248 dwellings and the increase of 4 within this phase would increase this to 252, in excess of that accepted by LP4. However, this increase is considered inconsequential when viewed in the context of the wider development and would not therefore render the revised scheme unacceptable if it is justifiable in all other respects.

#### **Design considerations and visual amenity of area**

- 10.3 Given the overall scale of the wider development and with its main access from Doddington Road and Fenland Way, the wider development itself will form its own character area and as such the development is not considered to result in any conflict with the existing character and appearance of the area.
- 10.4 The layout proposed is of a similar arrangement to that previously approved, with the dwellings of a comparable scale and appearance. The revised layout does however result in the loss of a dwelling facing onto the terminus of the southern private road, with the rear boundary treatment of plot 228 now in this location, this does somewhat diminish this element of the scheme, however it would not be

visible from the primary roads and is not considered sufficiently detrimental to warrant a refusal in this regard.

- 10.5 With regards to external materials, a mix of buff and red bricks and cream render are proposed for the walls and grey and brown plain tiles for the roof, these are as previously approved for the wider site and are as such considered acceptable.
- 10.6 The Finished Floor Levels are comparable to those previously approved under the F/YR21/1224/RM (Drawing 1090-00-05 RM Application Finished Levels (included within Conditions Information Pack)) which were considered acceptable.
- 10.7 A detailed landscape plan has been submitted for the proposed development. With regards to hard landscaping, the secondary and private roads, and parking spaces propose to utilise the same material (brindle block paving), it was requested that some variation was provided to differentiate, however it was advised that this is as previously approved for the wider site, following further review this does not appear to be the case. The primary road appears to be tarmac, however this is not confirmed, and a condition will be re-imposed in relation to construction details with the addition of materials to ensure a suitable finish is secured for all roads. Boundary treatments are in the main 1.8m high close boarded fences, however walls are proposed where large extents of enclosure are in prominent locations and knee rails separate private and public areas. With regards to soft landscaping the Council's Arboricultural Officer has no objections to the proposed tree and hedge species or locations, considering that there is good use of fastigiate tree forms to allow planting in smaller spaces and sufficient management detail to ensure establishment and long-term development of the soft landscaping over time; the use of mixed native hedging is also welcomed.

#### **Residential Amenity/Health and wellbeing**

- 10.8 Each property is served by policy compliant levels of private amenity space (a minimum of a third of each plot) and dwellings are spaced and oriented so as to avoid overlooking and overbearing impacts.
- 10.9 The Designing Out Crime Team consider that the sheds/cycles stores are acceptable, but note that no lighting scheme is submitted with the application. A lighting scheme was conditioned under F/YR21/1224/RM and discharged under F/YR22/3087/COND, however the applicant has advised that this is required to be updated and as such a condition in this regard will be re-imposed.
- 10.10 As per the previous permissions conditions will be imposed in relation to noise mitigation, securing a Construction Environmental Management Plan, contamination, fire hydrants and refuse collection.

#### **Highways and parking**

- 10.11 The road layout is predominately the same as approved, with the exception of the southern private road being extended to accommodate additional dwellings. The primary spine road and secondary roads are proposed to be built to adoptable standard whereas the tertiary roads are intended to be privately managed.
- 10.12 The Local Highways Authority (LHA) have advised that the proposed changes to the site layout to accommodate the additional four dwelling are largely immaterial in highway safety terms. The turning head at plot 238 was amended following LHA comments and on this basis they have no objections to the application and



recommend re-appending all relevant highway conditions from the original development permissions (including that in relation to the footpath link highlighted by the Town Council).

- 10.13 Each plot has the required number of parking spaces to comply with Policy LP15 and Appendix A of the Fenland Local Plan. It is acknowledged that that the garages fall short of the internal space standards to be considered a parking space, however these are usable and reflective of the previously approved scheme.
- 10.14 In terms of cycle parking, all dwellings have access to either a garage or a shed, which can be used to safely store cycles.

#### **Flood Risk and Drainage**

- 10.15 The Lead Local Flood Authority (LLFA) have reviewed the submitted Drainage Report and have no objection in principle to the proposed development, advising that the submitted details demonstrate that surface water from the proposed development can be managed through the use of a combination of permeable paved surfaces, swales and an attenuation basin (much of which is off site and forms part of the wider development).
- 10.16 The LLFA originally recommended 4 conditions in relation to 1) a detailed surface water drainage scheme, 2) surface water during construction 3) submission of evidence the scheme has been constructed in accordance with the approved details and 4) surface water drainage scheme in accordance with the drainage report. The requirement for these conditions was queried given that the detailed design was approved under F/YR21/1224/RM and the information submitted with this application advises that this would remain unchanged, with only the catchment areas changing to suit the new layout with no detriment to the overall drainage model. On this basis the LLFA advised that condition 1 was not required and a condition linking this phase to the wider drainage infrastructure (and in accordance with the submitted drainage strategy) would provide sufficient certainty in this regard. Conditions 2 and 3 were not imposed on the original applications, under which the land subject of the application could be developed for 27 dwellings, and as such it is not considered reasonable to impose these additional conditions.
- 10.17 Anglian Water originally raised concerns regarding the scheme, however following liaison with the applicant, provided revised comments advising the Drainage Report is acceptable and the foul water drainage proposals are part of a strategy already agreed for the wider development. Conditions will be reimposed accordingly.

#### **Ecology**

- 10.18 The Ecology Officer originally objected due to the lack of information submitted to accompany the application. An ecology update was subsequently submitted and on this basis the Ecology Officer is satisfied that the proposed re-plan will not have any significant adverse impact on the site (when compared to approved planning permission F/YR21/1224/RM) subject to relevant conditions being re-imposed, including compliance with Condition 13 securing the Landscape and Ecological management Plan (discharged under F/YR21/3137/COND).

#### **Developer Contributions**

- 10.19 Housing Strategy have advised that on the basis of 20% affordable housing provision for the proposed development a total of 6 affordable dwellings are

required, consisting of 4 affordable rented homes and 2 shared ownership. The submitted site plan indicates that plots 217-218 and 251-252 are proposed to be affordable rented and plots 249-250 shared ownership, consistent with this requirement. The additional 4 dwellings proposed would not necessitate any additional affordable housing provision for the wider development which remains at 50 (the calculation is rounded to the nearest whole dwelling and in this case would be rounded down from 50.4 to 50 whereas it was previously rounded up from 49.6 to 50). The affordable housing is to be secured by appropriate legal mechanism (either a variation of the original agreement and/or a separate legal agreement as appropriate).

- 10.20 The Cambridgeshire & Peterborough Integrated Care System (CAPICS) advises that a developer contribution of £17,777.52 will be required to mitigate the impacts of this proposal in relation to primary healthcare provision, specifically in relation to George Clare Surgery and additional workforce to support an increase in appointments and resultant estate demand.
- 10.21 The East of England Ambulance Service advise that the contribution required to create additional ambulance services to support the population arising from the proposed development is calculated to be £9,920, a list of projects that this could support have been indicated.
- 10.22 The Cambridgeshire County Council Planning and Sustainable Growth Service have requested a total contribution of £324,960 in relation to this development to be split between Early Years, Primary and Secondary education, and Libraries.
- 10.23 In addition to the above the Developer Contributions SPD 2015 sets out that 22% of a development site area should make provision for open space. Given that the site is no larger than the previous application there is no additional requirement in this regard over and above that which has already been secured for the wider site.
- 10.24 The applicant has put forward a draft Heads of Terms advising that the contributions secured on the development of 248 dwellings on the wider site have already been paid (which has been confirmed with the Head of Planning) and as such, contributions shall only be sought in respect of the additional 4 dwellings now proposed, at £2000 per dwelling in line with the Local Plan & CIL Viability Assessment 2019.
- 10.25 It is therefore necessary to establish where the £8,000 of S106 contributions are to be allocated, as it is clear that this would not cover the contributions requested, and in doing so it is necessary to consider the following tests:
- 10.26 Planning obligations must be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 10.27 The contributions secured on the wider development were in relation to Education, Libraries and Life Long Learning, as such it is not proposed to allocate any further contribution to this area.
- 10.28 The NHS were not allocated any contributions as part of the wider development as at that time as they were unable to provide comments, as such it is considered

the contributions should be allocated here. Unfortunately, the EEAST have not identified a specific capital project to which contributions can be allocated. The CAPICS have identified contributions in relation to George Clare Surgery and the additional workforce to support increased appointments and resultant estate demand as a result of the development, as such it is proposed to allocate the £8000 contribution towards this, to be secured via appropriate legal mechanism.

## **Other matters**

### Minerals and Waste

- 10.29 The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021. This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised.
- 10.30 The Minerals and Waste Planning Authority (MWPA) acknowledges that planning permission has been granted on this site in the past for a similar proposal. They advise however, that with the adoption of the Cambridgeshire and Peterborough Minerals and Waste Local Plan in July 2021, the mineral safeguarding areas were revised and updated and Policy 5 became relevant to any development proposed on this site. The MWPA do not consider that Policy 5 has been adequately addressed and as such object to this proposal.
- 10.31 The extant permission on this site is a material consideration which is afforded significant weight. The wider development is currently under construction and the site can be developed as approved without any consideration or requirements in relation to the policy aforementioned at paragraph 10.29 above. Hence, whilst it is acknowledged that the application does not address this policy, given that the resources would be lost as a result of the extant development, it is not considered reasonable to refuse the current application on this basis.

### Archaeology

- 10.32 Cambridgeshire County Council Archaeology has advised that the development area has been subject to archaeological investigation previously and as such they have no objections or requirements for the development.

### Conditions

- 10.33 Should the application be successful, the conditions on F/YR19/0834/O (attached for reference as Appendix A) and F/YR21/1224/RM (attached for reference as Appendix B) will be updated and re-imposed accordingly, to take into account those details already approved under discharge of conditions where relevant and the revised details under this application.

## **11 CONCLUSIONS**

- 11.1 This application is a re-plan of a phase of the wider 'Womb Farm' development which is currently being constructed under the extant permission for 248 dwellings (F/YR19/0834/O and F/YR21/1224/RM), to increase the number of dwellings from 27 to 31, enabling a mix of homes that are more appropriate to the market conditions of the area.
- 11.2 There are no issues to address in relation to the character and visual amenity of the area, residential amenity, highways and parking, flood risk and drainage and ecology, subject to updated and re-imposed conditions. Affordable housing provision and contributions in line with the Local Plan & CIL Viability Assessment 2019 are to be secured through appropriate legal mechanism

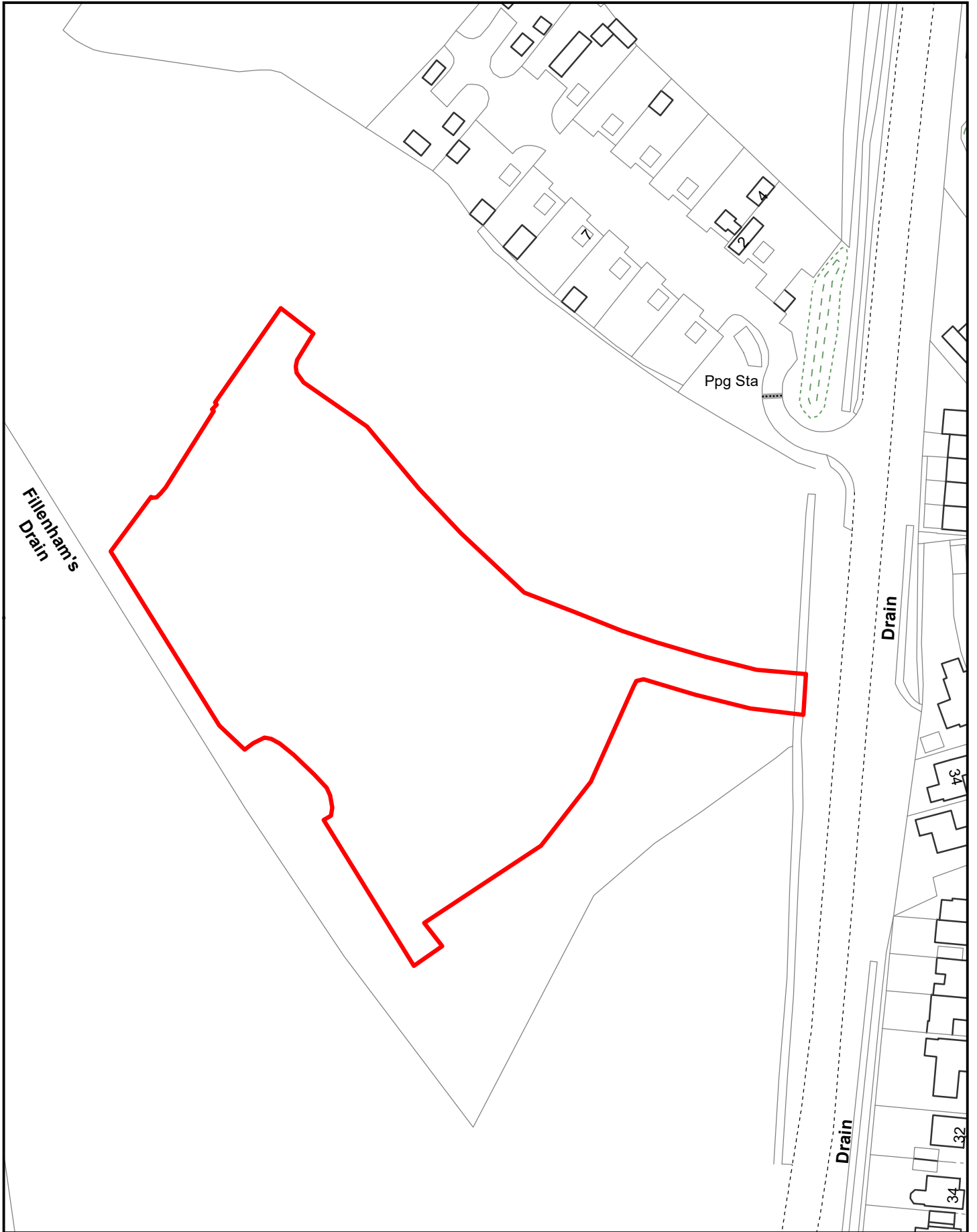
- 11.3 The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021. The Minerals and Waste Planning Authority do not consider that Policy 5 has been adequately addressed and as such object to this proposal. The extant permission on this site is a material consideration which is afforded significant weight, and given that the resources would be lost as a result of the extant development, it is not considered reasonable to refuse the current application on this basis.
- 11.4 As such, it is recommended to grant the application with conditions on the original permissions updated and re-imposed accordingly.

## **12 RECOMMENDATION**

**GRANT** with delegated authority to the Head of Planning to finalise the planning conditions and terms of the S.106 agreement

**OR**

**REFUSE** the application in the event that the S.106 agreement referred to above has not been completed within 3 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.



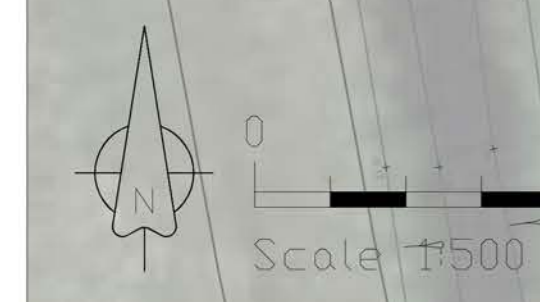
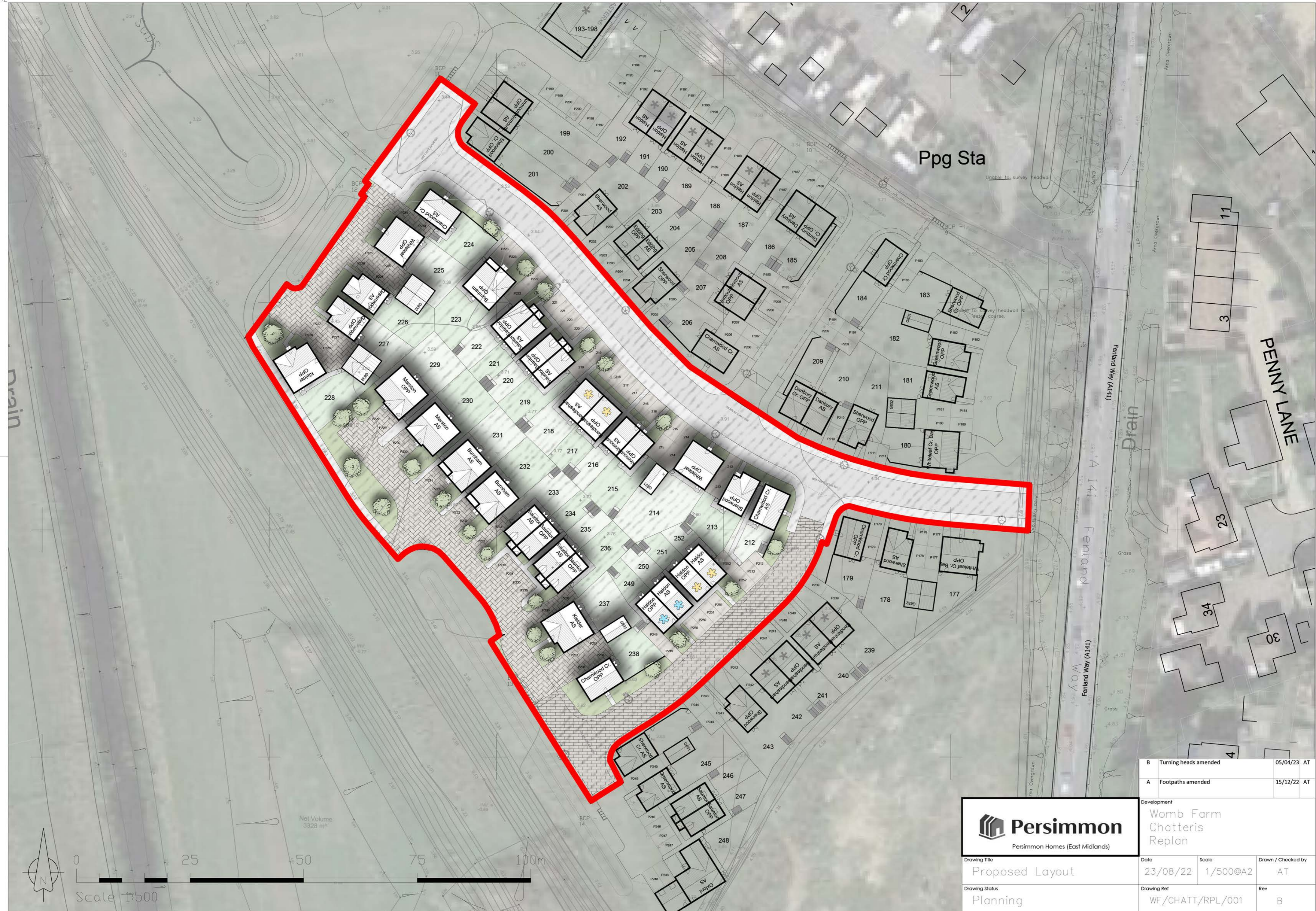
Created on: 07/03/2023

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F/YR23/0155/F

Scale = 1:1,250





Net Volume  
3328 m<sup>3</sup>

B	Turning heads amended	05/04/23	AT
A	Footpaths amended	15/12/22	AT



Development  
Womb Farm  
Chatteris  
Replan

Drawing Title	Date	Scale	Drawn / Checked by
Proposed Layout	23/08/22	1/500@A2	AT
Drawing Status	Drawing Ref	Rev	
Planning	WF/CHATT/RPL/001	B	



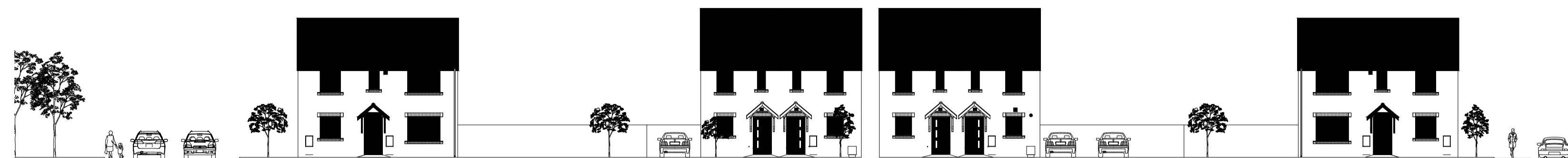
Plots 224-228



Plots 229-236

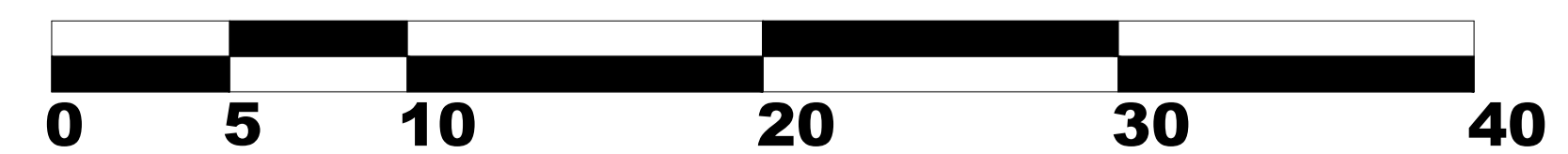


Plots 212-224



Plots 238-212

**SCALE BAR 1:200**



Rev	Street scenes updated	11.09.23	AT
	A	Street scenes updated	11.05.23 AT
		Date	By

**PERSIMMON**  
 Persimmon Homes Ltd.  
 Persimmon House  
 19 Commerce Road  
 Lynchwood Business Park  
 Peterborough  
 PE2 6LR  
 Tel: 01733 397200

Site Name:  
**Womb Farm  
 Chatteris**

Drawing:  
**Street Scenes**

Scale@A1: 1:200	Drawn By: AT	Date: 18/01.23
Version: --	Drawing No: WF/CHAT/RPL/SS/100	Rev: B