

APPLICATION NO: F/YR24/0468/O

**Applicant: Mr D Dalrymple
Beauville Properties Ltd**

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

SITE LOCATION: Land South Of 116 - 122 New Road, Chatteris

PROPOSAL: Erect up to 20 x dwellings (outline application with matters committed in respect of access)

UPDATE

1. Background

- 1.1. This application was previously reported to the Planning Committee meeting of 2nd April 2025, when Members had concerns regarding the following matters:
- Contamination
 - Refuse collection (adoptable road)
 - Dwellings (scale)
- 1.2. Members resolved to defer determination of the application requesting that Officers returned to the agent for additional information and to enable Members to make an informed decision on the application.
- 1.3. For reference, the original Committee Report, recommendation and suggested conditions are included as an appendix following this update.

2. Agent response

- 2.1 The applicant's agent has submitted a further statement in support of the application, which is available on the Council's website. This addresses:
1. Road and refuse vehicles; setting out that discussions have taken place with officers at CCC Highways, and the illustrative road layout reflects those discussions. Additionally, tracking details were submitted with the application showing a refuse vehicle would be able to enter and turn round within the site.
 2. Boundary confirmation and judicial review; title plans have been provided showing that the application site is within the ownership of the applicant. The judicial review referenced by an objector was a planning appeal.
 3. Contamination; confirming that the applicant has spent approximately £100k on decontamination costs relating to the 2005 planning permission (F/YR03/0054/F).
 4. Dwelling scale and mix; clarifying that while they are not committed as part of the application illustrative street scenes have been submitted as part of the application showing bungalows along the western side of the site adjacent to Green Park.

3. Officer Comment

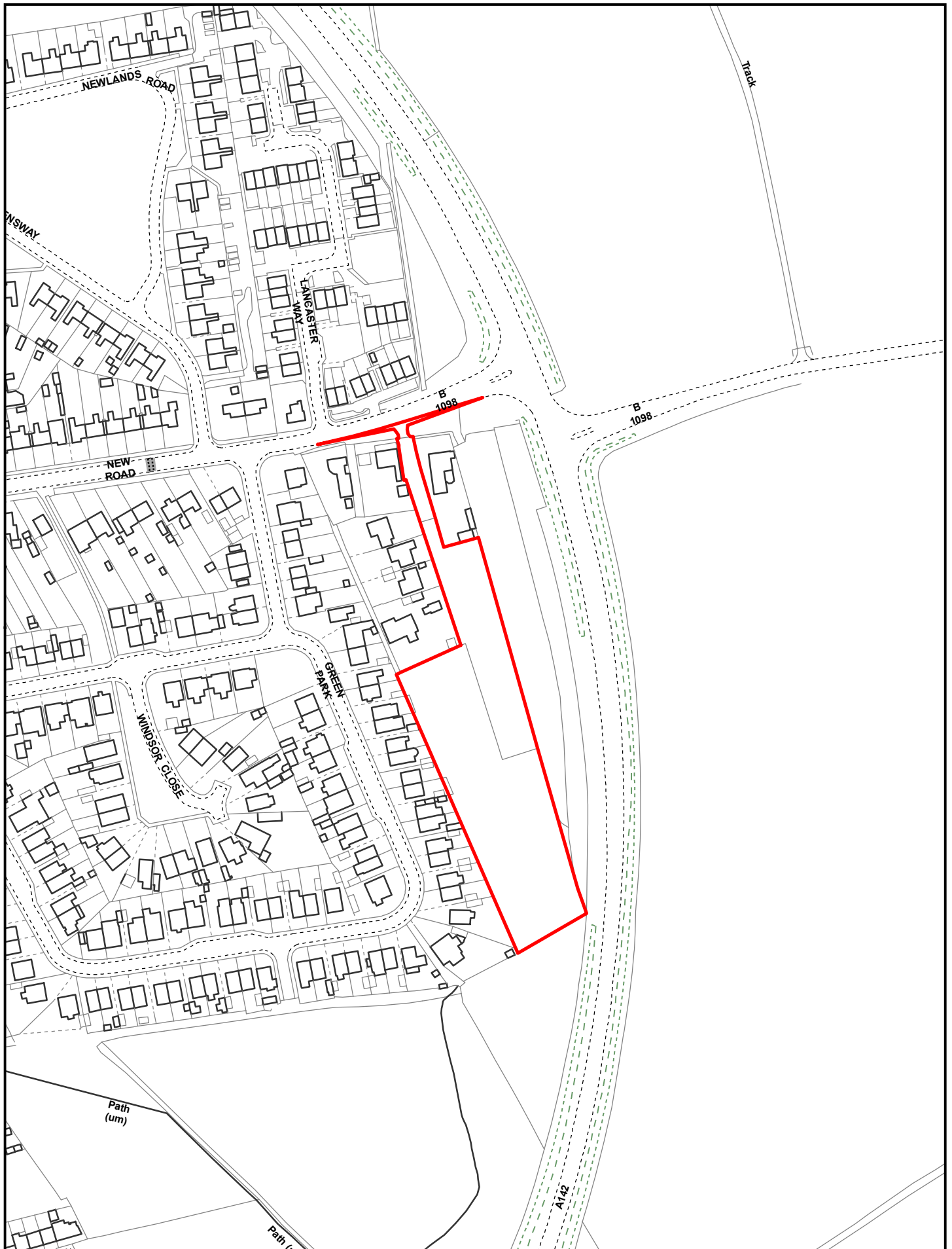
- 3.1 This is an outline application with all matters reserved other than access. As such the details submitted in terms of site layout (roads) and scale are illustrative only, however, as set out in the original report, these are considered to show that an appropriate development could come forward at reserved matters stage.
- 3.2 As a clarification to the 'Planning History' section of the original report, refused planning application F/YR01/0939/F was the subject of an appeal which was dismissed in July 2003.

4. Conclusion

- 4.1 On the basis of the above, and as concluded within the original Officer report, it is considered that there are no reasonable material planning reasons to refuse outline planning permission.

Recommendation: GRANT – The above update does not alter the recommendation as set out within the original report, contained within Appendix 1.

Appendix 1, containing the original Committee Report, follows this page.



Created on: 06/06/2024

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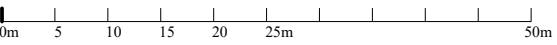
F/YR24/0468/O

Scale = 1:2,500



 **Fenland**
CAMBRIDGESHIRE
Fenland District Council

Scale: 1:500



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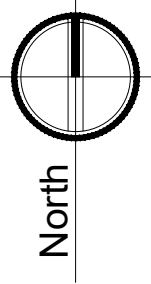
ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES ARCHITECTS LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED. IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

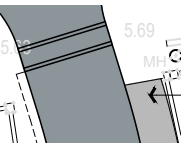


NOTE
Drawing to be read in conjunction with MTC Engineering Drawing Number 3272-08 showing Indicative Access Design

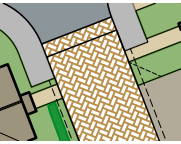


KEY TO SYMBOLS

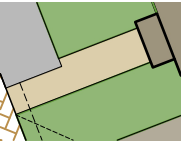
SURFACING



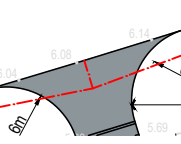
New 5m wide Minor Estate Road with drainage to avoid discharge onto public highway (5m road + 2m footpath + 0.5m buffer)



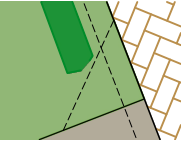
Shared Surface Street (6m + 0.5m paved maintenance strips)



Indicative paths and patios

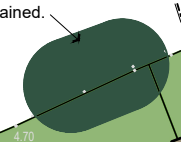


Entrance visibility splay to be 2.4m x 43m vehicle to vehicle splay. All planting that falls within visibility splay to be a maximum of 600mm high

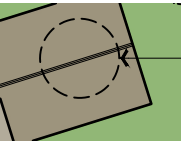


2m x 2m pedestrian to vehicle visibility splays.

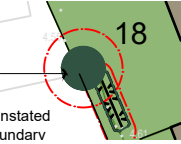
INDICATIVE SOFT LANDSCAPING



Existing trees to be retained/ off-site trees.



Existing trees to be carefully removed shown dotted.



Root Protection Zones. (Refer to Hayden's Arboricultural Consultants Tree Report and AIA)



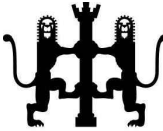
Proposed new tree planting

Rev D Feb. 25 On-site reptile receptor noted.

Rev C Aug. 24 Amendments to access from New Road.

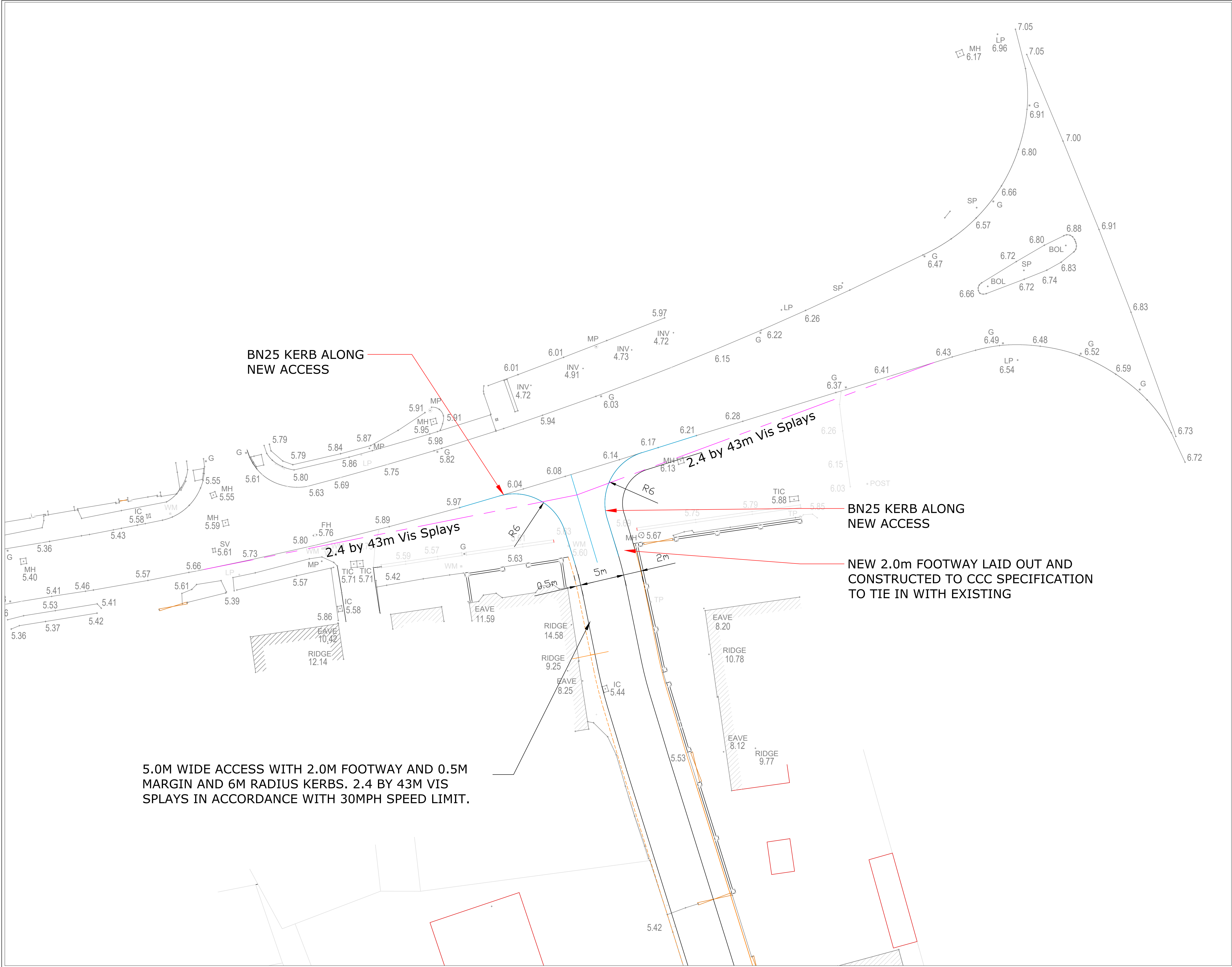
Rev B Feb. 24 Amendments to trees and boundaries.

Rev A Jan. 24 Amendments to layout.



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DRAWING STATUS	PRELIMINARY	<input type="checkbox"/>	CONSTRUCTION	<input type="checkbox"/>
	PLANNING	<input checked="" type="checkbox"/>	FILE COPY	<input type="checkbox"/>
CLIENT	Beauville Properties Ltd			
PROJECT	Land South of 122 New Road, Chatteris, Cambridgeshire.			
DRAWING TITLE	Illustrative Site Layout			
(ACCESS COMMITTED)				
SCALE	DATE	DRAWN	CHECKED	
1:500 @ A2	Jan. 2024	LB		
DRAWING NUMBER	CH23/LBA/649/OP-1-102			
REVISION	D			



North Arrow

NOTES

- This drawing is to be read in conjunction with 3272-03 and 3272-04.
- The contractor shall check all tie-ins for line and level with existing before commencing any works. The Engineer shall be notified immediately, in writing, should any errors be found.
- Any discrepancies, of whatever nature, must be reported to the Engineer prior to the commencement or continuance of any further works.
- All private drainage works to be in accordance with the requirements of Building Regulations 2010, Part H, "Drainage and waste disposal", (01st October 2015).
- All pipes to be bedded and backfilled in accordance with Part H, Diagram 10. Shallow pipes shall be protected in accordance with Part H, Diagram 11.
- Unless otherwise stated, all private drainage to be 100mm diameter. Gradients have been shown where there are pipe capacity issues and these should be regarded as minimums. Unless there are constraints dictating otherwise, gradients shall generally be 1 in 60. 150mm diameter pipes shall not be laid flatter than 1 in 80. 150mm diameter pipes shall not be laid flatter than 1 in 150.
- All pipes, chambers and fittings to be installed strictly in accordance with the manufacturers instructions.
- Pipes which run adjacent to buildings shall be installed in strict accordance with Part H, Clauses 2.23 to 2.25 and Diagram 6.
- All private manholes, inspection chambers and drainage channels to comply with BS EN124. Cover strengths to be:
 - Class D400 in heavy trafficked areas (access roads, service yards etc.)
 - Class C250 in lightly trafficked areas (car parks, driveways etc)
 - Class B125 in Non trafficked areas
 - Class A15 in landscaping areas
- All drains in the vicinity of existing or proposed trees to be constructed in accordance with the requirements of NHBC Practice Note 3.
- Private drainage frames must be tied to manhole risers by use of manufacturers ties (e.g. Polypipe ref. FR4500 fixing kit and FR4501 black ties.) The ground works contractor will be held fully responsible for any accidents due to incorrect fitting or failure to use the correct manufacturers fixing equipment.
- All existing land drains encountered on site during construction to be re-connected.
- All dimensions in metres unless otherwise stated.
- All existing services, sewers and drains indicated on this drawing and any other related drawings are shown only indicatively, and shall have their positions and level confirmed on site by the Contractor.
- The invert levels of all existing sewers, drains, ditches, tanks or other features and apparatus where a new connection is to be made shall have their precise position and level confirmed on site by the Contractor prior to commencement of any construction work. The results of the investigations shall be confirmed to MTC Engineering (Cambridge) Ltd so that the design can be verified.

FOR APPROVAL

A	24.03.25	REVISED DRAWING STATUS TO FOR APPROVAL	A.Y
REV	DATE	DESCRIPTION/REASON FOR ISSUE	APPR

MTC ENGINEERING
MTC Engineering (Cambridge) Ltd.
Ground Floor, 24 High Street
Whittlesford, Cambridgeshire, CB22 4LT
Tel (01223) 837270, fax (01223) 835648
E-mail office@mtcengineering.co.uk

PROJECT
Land South of 122 New Road,
Chatteris

TITLE
Site Access

ORIG	JTC	DATE	07.08.24
CHKD		SCALE	1:200 @A1
APPR		DRAWING NO	3272-08
		REV	A

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F/YR24/0468/O

**Applicant: Mr D Dalrymple
Beauville Properties Ltd**

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

Land South Of, 116 - 122 New Road, Chatteris, Cambridgeshire

Erect up to 20 x dwellings (outline application with matters committed in respect of access)

Officer recommendation: Grant

Reason for Committee: Six or more written opinions received which differ from the Officer recommendation

Government Planning Guarantee

Statutory Target Date for Determination: 3 September 2024

EOT in Place: Yes

EOT Expiry: 4 April 2025

Application Fee: £6,240

Risk Statement: This application must be determined by 4 April 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission for the erection of up to 20 x dwellings (outline application with matters committed in respect of access)
- 1.2 The planning history shows that permission was previously granted for 20 houses on the site. This permission has lapsed.
- 1.3 The principle of housing development on the proposed site on the edge of Chatteris Market Town would accord with the Spatial Strategy as set out policy LP3 of the adopted Local Plan. Whilst the housing proposed would further exceed the approximate housing figure for Chatteris given in Part A of Local Plan policy LP4, this would not in itself be contrary to that part of the policy and would further increase supply and as detailed below would contribute to off-site affordable dwellings. The number of homes applied for in this location is considered acceptable and is therefore in conformity with Part B of policy LP4 of the adopted Local Plan.
- 1.4 The application is in outline form with matters committed in terms of Access. The proposed access from the south side of New Road utilises the existing access to

the site and would be upgraded as shown on the access plan submitted with the application. The Highway Authority have no outstanding objection subject to a condition requiring junction improvements.

1.5 There are no outstanding statutory consultee objections.

1.6 The application is therefore recommended for approval.

2 SITE DESCRIPTION

- 2.1 The application site comprises an area of approximately 0.94 hectares in size and is located off the eastern end of New Road (B1098) in the town of Chatteris, just west of the A142 by-pass around the eastern side of Chatteris.
- 2.2 The application site includes an existing point of access on the south side of New Road that leads southwards between two houses (118 and 122 New Road). The site then opens up beyond the rear of 122 New Road and then further beyond the southern boundary of 4 The Pasture's where the site continues to its southern boundary in line with rear of the properties forming the southern end of Green Park to the west.
- 2.3 Bordering the application site is a grazing paddock, tree belt and the A142 by-pass to the east. To the south of the site is a small paddock and grazing land. The neighbouring land use to the west comprise the existing residential development at Green Park and The Pastures which are comprised of bungalows.
- 2.4 The application site is currently unmanaged scrubland with some limited trees around the periphery, mainly Lawson Cypress and hedge trees.
- 2.5 The land is generally level but has a cross fall of approximately 400mm from the northern to the southern boundary and 250mm fall from the eastern boundary to the western boundary.
- 2.6 There are no environmental or historical designations either on or within close proximity to the site and the site is not crossed by any public rights of way. The site is completely in Flood Zone 1, the lowest risk.

3 PROPOSAL

- 3.1 The planning application is made in outline with all matters reserved other than those concerning access. Thus, details of the proposal relating to the final layout of the development, its scale, external appearance of buildings and landscaping are the subject of a future reserved matters application, or applications, should outline consent be granted.
- 3.2 The submitted application seeks consent for up to 20 open market dwellings with a singular vehicular and pedestrian access point being proposed from New Road. An Illustrative Site Plan has been submitted with the application, along with a detailed access plan. This shows a 5-metre-wide minor estate road and footpath located to the rear of the four properties forming 'The Pasture's' with dwellings

proposed to the east. To the south of 4 The Pasture's the Illustrative Plan shows a turning area beyond which down the middle of the site is a 6-metre-wide shared surface road with turning head. Either side of this shared surface are dwellings, some detached and some semi-detached, with driveways and garages set in their own plots with private gardens. With the exception of the southernmost plot, all the dwellings shown to the rear of Green Park are shown as being bungalows, although scale is not committed.

- 3.3 Plans and associated documents for this application can be found at:
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR18/0577/F	Erection of 20 dwellings comprising of: 2 x 2-storey 3-bed, 6 x 3-storey 3-bed, 7 x 2-storey 4-bed, 2 x single-storey 4-bed, 3 x 2-storey 5-bed, with associated garages, parking and landscaping Land South Of 116 - 122 New Road Chatteris	Withdrawn	18.10.2018
F/YR03/0054/F	Erection of 20 dwellings comprising 2 x 4-bed semi-detached houses with double integral garages, 4 x 4-bed detached houses with single integral garages, 5 x 2 and a half-storey 4-bed semi-detached houses with integral garages, 1 x 4-bed detached house with detached garage, 2 x 5-bed detached houses with detached double garages with storage over, 2 x 4-bed detached bungalows with detached garages, 4 x 4-bed detached chalet bungalows with detached garages Land South Of 122 New Road Chatteris	Granted	12.10.2004
F/YR01/0939/F	Erection of 20 dwellings comprising 4 x 4-bed semi-detached houses, 3 x 4-bed terraced houses, 6 x 4-bed detached houses, 3 x 5-bed detached houses, 2 x 3-bed semi-detached chalet bungalows, 2 x 3-bed detached chalet Land South Of 122 New Road Chatteris	Refused	28.10.2002

5 CONSULTATIONS (SUMMARISED OR VERBATIM)

5.1 Chatteris Town Council

Councillors are not opposed to development of the land in principle but believe the development should be all single storey dwellings as two-storey dwellings would be out of character in the area. Drainage issues and possible contamination of the site must be carefully managed.

5.2 CCC - Local Lead Flood Authority (28/08/24)

[Following submission of further details in response to initial objections]

We have reviewed the following documents:

- *Sustainable Drainage Strategy, prepared by MTC Engineering, ref: 3272 – FRA & DS. Rev: B, dated July 2024.*
- *Letter title: Drainage Strategy for the Proposed Development at Land South of 122 New Road Chatteris, prepared MTC Engineering, ref: AY/3272, dated 15th August 2024.*

Based on these, as Lead Local Flood Authority (LLFA) we can remove our objection to the proposed development.

The applicant proposes to discharge to a public surface water sewer at a rate of 1.2 l/s for all events up to a 1% Annual Exceedance Probability (AEP) storm event, with an appropriate allowance for climate change. Geocellular crates and permeable paving are proposed. The LLFA is supportive of the use of permeable paving as an addition to controlling the rate of surface water leaving the site as it also provides water quality treatment. Pumping of surface water is proposed as part of the proposals. In addition, water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

Responses then suggest conditions are imposed requiring both a detailed design of the surface water drainage of the site and details of measures indicating how additional surface water run-off from the site will be avoided during the construction works. Informatives also requested to be attached to any permission granted.

5.3 CCC - Highways Development Management (23/08/24)

[Following submission of further details in response to initial objections]

Recommendation

After a review of the re-submitted plan shown the access arrangement, I have no further objections subject.

Recommended Conditions

Junction Works: Prior to first occupation the junction works with the highway will be completed to Drawing Number: 3272-8 (Indicative Access Design).

5.4 Anglian Water

Response notes that the foul drainage from this development is in the catchment of Chatteris-Nightlayer Fen Water Recycling Centre that will have available capacity for the flows from the proposed growth. In respect of surface water disposal they state that Anglian Water needs to ensure the surface water hierarchy has been followed and we will not agree, even in principle, to a surface water connection into the combined network until all other options have been proven unfeasible. Go on to recommend a condition requiring a surface water management strategy to be submitted to and approved in writing by the Local Planning Authority prior to development commencing as well as Informatives.

5.5 FDC Housing Officer

Policy LP5 of the Fenland Local Plan (adopted May 2014) seeks 25% affordable housing on developments where 10 or more homes will be provided on. Tenure Mix - 70% affordable housing for rent (affordable rent tenure) and 30% other affordable routes to home ownership tenure (shared ownership housing).

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 20 number of dwellings, our policy seeks to secure a contribution of 25% affordable housing which equates to 5 affordable dwellings in this instance. Based on the provision of 20% affordable housing 4 affordable dwellings would be required 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 4 affordable rented homes and 1 shared ownership based on the provision of 25% affordable housing or 3 affordable rented homes and 1 shared ownership based on the provision of 20% affordable housing.

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. 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.*

5.6 Tree Officer consultant

I have no objection to this outline planning application.

The arboricultural information provided is only a tree constraints plan and survey, which identifies the trees as lower quality apart from a couple of trees off site which are better quality.

This information will need to be used to provide a detailed layout design, to determine what impact the proposed layout will have on the trees and how the trees could impact on the new layout to avoid conflicts where possible. New landscaping will need to consider the space available and ensure any new tree planting has sufficient space to develop to be sustainable to prevent future residents wanting to remove them due to over dominance / shading amenity spaces or other conflicts such as berry drop or root disturbances over paths / drives etc.

With a detailed layout an arboricultural report in accordance with BS5837:2012 will be required to identify impacts and protection measures to work around tree constraints, as well as areas where new planting will be proposed to ensure the ground is suitable for this.

5.7 FDC Environmental Health Officer

The Environmental Health Team note and accept the submitted information and have 'No Objections' in principle to the proposal.

Construction Noise, Dust and Vibration: There are certain aspects that need to be considered given the nature and scale of the proposed development, with the issues of primary concern to this service during the construction phase being the potential for noise, dust and possible vibration to adversely impact on the amenity of the occupiers at the nearest residential properties. Therefore, this service would welcome a condition requiring the submission of a robust Construction Environmental Management Plan (CEMP) that shall include working time restrictions in line with the template for developers, now available on Fenland District Council's website

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 may also be relevant, as would details of any piling construction methods / options, as appropriate.

Unsuspected Contamination: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority (LPA)) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

Noise Impact: The content of the Acoustic Assessment report provided by Cass Allen (Report Ref: RP02-18225-R0) issue date 01.03.2024 is noted and accepted.

The methodology and recommended noise mitigation measures appear sufficient to ensure compliance with nationally recognised acoustic standards, notably BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' for both internal and external amenity areas.

Whilst the report is accepted, confirmation will be required to ensure that in the event planning permission is granted, the recommended noise mitigation measures are then incorporated into the design to ensure adequate protection for future residents, as the report identifies areas of the proposed development where noise levels will otherwise exceed accepted parameters of BS8233:2014. This will be most appropriately achieved by securing a condition so that a noise mitigation scheme in accordance with the recommendations of Report Ref: RP02-18225-R0 is submitted in writing and agreed by the Local Planning Authority prior to the commencement of habitation. This shall include external amenity protection measures such as the inclusion of the close-boarded timber fencing, with a minimum surface mass of 10kg/m² around the eastern and southern edge of the site as shown in Appendix 4, and those for internal amenity protection, namely ensuring glazing and ventilation is provided to specifications at least to those standards stated in section 5.21 (Table 3).

5.8 CCC Archaeological Officer

Response notes that the proposed development is located in an area of archaeological potential to the east of Chatteris, but still on the 'Fen Island'. State that whilst they do not object to development from proceeding in this location, they consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG. Such a condition requiring the implementation a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority in writing

5.9 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.

5.10 Designing Out Crime Officer

Having read the documents whilst this is at an early stage of development and it appears security has been considered, there doesn't appear to be mention of security or crime prevention within the documents. It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, and the environment provide a safe place for residents and visitors this should be considered as an integral part of any initial design for proposed development's, it should incorporate the principles of "Secured by Design", to design out crime and reduce the opportunities for crime.

Whilst the officer withholds formal comment until reserved matters application they outline a number of points for the developer to consider.

5.11 East of England Ambulance Service

This development, should the application be successful, will affect March and St Ives ambulance stations and Ely, Peterborough Hub and ambulance stations which respond to emergency incidents within the local area as well as impact on the regional call centres.

Travel times from March and St Ives Ambulance Stations in rush hour traffic to the development location are circa 20 minutes and 30 minutes from Ely Ambulance, Peterborough Hub and ambulance stations (Reference ShapeAtlas) (NB this is a standard reference point and does not mean ambulances come from these locations in order to respond to calls).

For these reasons, in order to make this development acceptable it is requested a capital contribution from developers is made towards the provision Emergency Ambulance Service Infrastructure which may be the nearest Hub, local ambulance station(s), provision of additional ambulance vehicles to support the population growth from this development.

In this instance, the response states that the capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £6,540 and are for the impact of this development only.

5.12 NHS - Cambridgeshire & Peterborough Integrated Care System

The proposed development is likely to have an impact on the services of the 1 x GP Practices operating within the vicinity of the application: George Clare Surgery. This practice does not have capacity to take on additional patients and this development of number of dwellings would see an increase patient pressure of circa 48 new residents which would require additional Whole Time Equivalent GP/ Nurse / (Admin support) workforce to support increase in appointments as follows: GP = 0.02 / Nurse = 0.02 and Admin = 0.05 with a resulting increase on estate demand of 3.29 sqm net internal area.

The ICB has sought advice from its NHS partner, NHS Property Services Ltd, on recent costs benchmarks for healthcare developments for a single storey extension to an existing premises and refurbishment. This equates to £5,224 per m² (once adjusted for professional fees, fit out and contingency). Having rebased this cost to Fenland using BCIS Tender Price Index, the cost remains the same at £5,224 per m².

A developer contribution will therefore be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £17,194.42 (3.29 sqm at £5224 per sqm).

5.13 CCC – Development and Policy Team

Response statement has been prepared to provide a justification for the education and library mitigation measures necessary to be included within a planning obligation that Cambridgeshire County Council requires in its' role as Local Children's Services Authority, and Library Authority. The following contributions are requested:

Early Years - £54,435
Primary Education - £145,496
Secondary Education - £126,265
Libraries - £2,950

5.14 Wildlife Trust

Further protected species survey work is required for reptiles and possibly Great Crested Newts before this application is determined. The Great Crested Newt surveys may not be required if the applicant signs up to the Natural England District Level Licencing Scheme for this species and provides a certificate to Fenland DC demonstrating they have done so. The presence of these protected species may bring into question the suitability of this site for development.

The Wildlife Trust is also concerned about the Biodiversity Net Gain assessment. We request to see a copy of the original Defra Biodiversity Metric spreadsheet behind the Samsara Ecology analysis. At this stage we would point out that predicting good condition scrub and grassland habitats on-site post development is completely unrealistic and assumptions regarding provision of biodiverse green roof may also be optimistic and therefore the biodiversity offsetting requirement is likely to be significantly higher than currently stated. This will need to be factored into the design of the development and the developers' business case.

5.15 CCC – Ecology (30/01/25)

[Following submission of further details in response to initial objections]

We welcome email correspondence from the applicant / their agent regarding the concerns raised within our previous consultation response.

Great Crested Newt Given this is an outline application, we agree with the approach to delay submission of the Great Crested Newt mitigation strategy, with details of their application to the district level licensing scheme (including submission of the Impact Assessment and Conservation Payment Certificate from Natural England). This information must be secured prior to or as part of first reserved matters application.

Reptiles

The outline scheme does not provide sufficient mitigation for reptiles and translocation of reptiles to an off-site receptor will be required. Details of the reptile mitigation strategy will need to be secured prior to or as part of first reserved matters application. However, it will be important that prior to approval of this planning application, that the location of the off-site reptile receptor is provided to the LPA and incorporated into the Section 106 agreement. This information will need to demonstrate how the proposed location is suitable as a receptor site.

Mandatory Biodiversity Net Gain

We welcome additional information provided regarding Biodiversity Net Gain The scheme will result in a net loss of biodiversity value and as such, does not accord with local policy LP16 / LP19 which see to conserve biodiversity. If permission is granted, then the applicant has confirmed the BNG shortfall and 10% BNG will be addressed through the purchasing of BNG units or statutory credits. This information will need to be submitted, along with the detailed on-site BNG metric calculations, as part of the mandatory Biodiversity Gains conditions.

Planning conditions

If permission is granted, biodiversity compensation / mitigation measures and enhancements recommended within the ecological report(s) should be secured through a suitable worded condition(s) to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:

- 1. Construction Environment Management Plan (CEMP: biodiversity)*
- 2. Landscape and Biodiversity Enhancement Plan detailing how the biodiversity features will be incorporated into the scheme design*
- 3. Great Crested Newt and Reptile Mitigation Strategy*
- 4. Natural England Great Crested Newt licence*
- 5. Time limit until update ecological surveys required Planning obligations will also be required to secure any off-site compensation for reptiles.*

5.16 Local Residents/Interested Parties

Objectors

Thirteen responses have been received from residents of Chatteris (ten from Green Park, one from New Road, one from Lode Way and one from The Pastures) with the main concerns summarised are as follows:

- No more houses needed in Chatteris
- Increase risk on highways safety issues – point of access onto New Road and also at the junction of New Road and the A142. Concern that site is served by single point with no emergency access.
- Flooding issues – site and surrounding areas prone to surface water flooding, development would make situation worse. Sewers cannot cope with increased flows.
- Environmental impact – Loss of greenspace and biodiversity resulting in habitat loss and harm to protected species such of great crested newts and reptiles. Loss of trees.
- Insufficient infrastructure in Chatteris to accommodate extra residents, roads, doctors and dentists.
- Land may be contaminated as result of previous land uses
- Amenity concerns – noise from extra traffic and residents. Light – increase in light and loss of light from higher buildings. Impact on privacy due to proximity of proposed property and potential height. Want all properties to be bungalows.
- Development is too dense and would have a negative impact on the character of the area.

Supporters

Three responses have been received from residents of Chatteris (two from London Road and one from Railway Lane) with the main points summarised are as follows:

- Unused site that can be put to good use.
- Development would make positive contribution to regeneration of Chatteris.
- Need for more housing in Chatteris and could lead to improved facilities in the town.
- Scheme is attractive and limited in size with mix of house types.

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) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7 POLICY FRAMEWORK – please delete as appropriate

National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

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

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

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

Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

Policy 14 - Waste management needs arising from residential and commercial Development

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

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 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP4: Securing Fenland's Future
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination
- LP34: Air Quality
- LP46: Residential site allocations in Chatteris

8 KEY ISSUES

- **Principle of Development in this location**
- **Suitability of proposed access**
- **Consideration of matters relating to layout, appearance, scale and landscaping**
- **Amenity considerations**

- **Drainage considerations**
- **Biodiversity**
- **Affordable housing, community infrastructure and planning obligations**

9 BACKGROUND

- 9.1 No pre application was submitted. During the course of the application amendments have been received to overcome LLFA, Highways and Ecology concerns.

10 ASSESSMENT

Principle of Development in this location

- 10.1 The development proposes up to 20 dwellings on an unallocated site on the edge of the market town of Chatteris, accordingly it must initially be assessed against policies LP3 and LP4 of the adopted Local Plan. Policy LP3 sets out a Spatial Strategy, as well as a Settlement Hierarchy and what development is acceptable in the Countryside within Fenland District. In this respect Chatteris is designated as an 'Other Market Town' under the 'Market Towns' classification of the Spatial Strategy hierarchy that the policy identifies as being settlements where *'The majority of the district's new housing, employment growth, retail growth and wider service provision should take place'*.
- 10.2 Part A Policy LP4 of the adopted Local Plan identifies housing targets to be built in the district between 2011 and 2031. With respect to Chatteris, the approximate target for this period is 1,600 dwellings. The Council's Planning Policy Team has provided figures that 466 dwellings have been built in Chatteris since 2011, with a further 1,315 having planning consent. Therefore, the approximate target for Chatteris has already been exceeded in respect of completions and planning permissions combined and would be further increased by the dwellings proposed in this application. Also, from a wider District perspective, the Council can demonstrate a 5-year housing land supply.
- 10.3 In relation to this matter, the findings of a Planning Inspector who decided an appeal for 110 dwellings at Upwell Road in March earlier in the year made the following comments:
- 'I accept that, the Council being able to demonstrate a 5-year housing land supply, means that there have been homes provided on the ground for local people over and above the identified need. Nevertheless, the PPG states that the standard method for calculating local housing need provides a minimum number. This is echoed in the Framework (paragraphs 61, 76 and 77), and there is no reason that it should be considered a ceiling.'*
- 10.4 Thus, it is considered that further sustainable housing beyond the approximate housing figure given in Part A of policy LP4 would not in itself be contrary to that part of the policy; particularly where this could secure the delivery of much needed affordable housing, as supported by the Council's Housing Strategy & Enabling Officer in their response to the application (paragraph 5.2 above).

- 10.5 Part B, Policy LP4 of the adopted Local Plan then sets out criteria for assessing housing development proposals. In January 2015 the District Council produced a 'Guidance and Clarification Note' in relation to Part B of Policy LP4. This Note sets out the following with respect to new development on non-allocated sites in Market Towns other than Strategic Allocations and Broad Locations for Growth:

'For proposals for fewer than 250 dwellings (small scale sites) which are either in or adjacent to a market town and not within a Strategic Allocation or Broad Location, the reader is referred in the first instance to the criteria in Policy LP16 - Delivering and Protecting High Quality Environments across the District. Under Policy LP4 Part B any site for between 1 to 249 dwellings may be considered as having potential for development.'

- 10.6 As this proposal is adjacent to a market town and under 250 dwellings it is considered to have the potential for development, subject to assessment against the criteria in policy LP16. Policy LP16 of the adopted Plan seeks to ensure high quality environments will be delivered and protected throughout the district and this be achieved by assessing proposed development against 15 criteria where relevant to the proposals under consideration. Consideration of the relevant criteria applicable for this planning application are described under the headings of the remaining 'Key Issues' highlighted below.

- 10.7 In conclusion, subject to the consideration of matters as described below, the principle of a housing development would accord with the Spatial Strategy as set out policy LP3 of the adopted Local Plan. Whilst the housing proposed would further exceed the approximate housing figure for Chatteris given in Part A of Local Plan policy LP4, this would not in itself be contrary to that part of the policy and would further increase supply and as detailed below would contribute to off-site affordable dwellings. The number of homes applied for in this location is acceptable and is therefore in conformity with Part B of policy LP4 of the adopted Local Plan.

Suitability of proposed access

- 10.8 Although the application is in outline, access is a committed matter and therefore needs to be considered in full. Policy LP15 part C in relation to Designing Development Schemes requires (inter alia) that development schemes should provide well designed, safe and convenient access for all. The proposed access from the south side of New Road utilises the existing access to the site and would be upgraded as shown on the access plan submitted with the application.
- 10.9 Following the submission of further details to the access plan the Local Highways Authority have no objections subject to the implementation of the junction works shown on the updated access plan, prior to first occupation. On this basis it is accepted that the proposed access is acceptable and accords with policy LP15.

Consideration of matters relating to layout, appearance, scale and landscaping

- 10.10 The planning application is made in outline with all matters reserved other than those concerning access. Thus, details of the proposal relating to the final layout of the development, its scale, external appearance of buildings and landscaping

are at this stage the subject of a future reserved matters application, or applications, should outline consent be granted.

- 10.11 An Illustrative Site Layout does show how the site could be developed. Whether this is acceptable will be considered against relevant policies and criteria in the adopted Local Plan when reserved matters are submitted. However, with respect to the maximum quantum of development at 20 dwellings, this would be at a density of 21.2 dwellings per hectare which would not be a high-density scheme having regard to the character of the area.

Amenity considerations

- 10.12 When the outstanding reserved matters are submitted detailed consideration will be given to assess whether there will be any adverse impact on the amenity of adjoining residential properties. In particular the proximity between proposed and existing dwellings where sufficient distances will be needed to ensure suitable privacy between dwellings is in place. To control the effects of construction, a condition requiring the submission of a robust Construction Environmental Management Plan (CEMP) can be imposed that shall include working time restrictions.
- 10.13 With regards to the amenity of residents of the proposed dwellings there will be a need for the reserved matters to demonstrate that the required level of private amenity space would be provided in accordance with Local Plan policy LP2 and LP16 (e), (h) and (l).
- 10.14 Also, given the proximity of the site to the A142, the impact on future residents regards noise from this source requires consideration. An Acoustic Assessment report submitted with the application has been assessed by the Council's Environmental Health Officer ('EHO'). Their response notes that they consider that the methodology and recommended noise mitigation measures appear sufficient to ensure compliance with nationally recognised acoustic standards, notably BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' for both internal and external amenity areas. Whilst the EHO states that the report is accepted, confirmation will be required to ensure that in the event planning permission is granted, the recommended noise mitigation measures are then incorporated into the design to ensure adequate protection for future residents, as the report identifies areas of the proposed development where noise levels would otherwise exceed accepted parameters of BS8233:2014. They advise that this would be most appropriately achieved by securing a condition so that a noise mitigation scheme in accordance with the recommendations of the Acoustic Assessment being submitted in writing and agreed by the Local Planning Authority prior to the commencement of habitation.
- 10.15 In light of the above it is considered that the amenity of existing and future residents can be secured during the consideration of the reserved matters to be submitted or via relevant planning conditions and the proposals are therefore in accordance with Local Plan policies LP2 and LP16.

Drainage considerations

- 10.16 Concerns have been raised by neighbouring properties regarding surface water flooding of their land and also the application site. The Environment Agency's

surface water flooding maps suggest only some minor localised surface water flooding in this area.

- 10.17 Initial responses from the Lead Local Flood Authority raised concerns regarding pumping, drainage layout and proposed outfall. In their latest response they confirm that having received further details they remove their objection to the proposed development subject to conditions. Anglian Water has confirmed that with respect to foul water the local water recycling centre can accommodate the flows from the proposed dwellings.
- 10.18 Given the above, it is considered the with regards to drainage matters the proposals are acceptable in the context of Local Plan policy LP14 Part (B).

Biodiversity

- 10.19 A Preliminary Ecological Survey Appraisal and also a Reptile Survey report have been submitted with the application, in order for consideration of the impacts of the development to be undertaken. Following initial concerns raised by the Wildlife Trust and the Council's Ecologist, the Council's Ecologist has responded to the submission of additional information.
- 10.20 The CCC Ecologist response says they are in agreement with the approach to delay submission of the Great Crested Newt mitigation strategy, with details of their application to the district level licensing scheme (including submission of the Impact Assessment and Conservation Payment Certificate from Natural England). This information must be secured prior to or at the time of the first reserved matters application.
- 10.21 With regard to reptiles; the response states the outline scheme does not provide sufficient mitigation for reptiles and translocation of reptiles to an off-site receptor and therefore this detail will be required. Details of the reptile mitigation strategy will need to be secured prior to or alongside the first reserved matters application and this is achievable as the applicant has indicated that an on-site mitigation area for reptiles can be provided for.
- 10.22 The County Ecologist response states that if planning permission is granted, biodiversity compensation / mitigation measures and enhancements recommended within the ecological report(s) should be secured through a suitably worded condition(s) to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:
1. Construction Environment Management Plan (CEMP: biodiversity)
 2. Landscape and Biodiversity Enhancement Plan detailing how the biodiversity features will be incorporated into the scheme design
 3. Great Crested Newt and Reptile Mitigation Strategy
 4. Natural England Great Crested Newt licence
 5. Time limit until update ecological surveys required
- 10.23 Conditions securing these matters are considered necessary and reasonable to make the development acceptable.

- 10.24 In relation to trees on the periphery of the site, the Council's Tree consultant has no objections subject to a condition requiring an Arboricultural report in accordance with BS5837:2012, that would be required to identify impacts and protection measures to work around tree constraints, as well as areas where new planting would be proposed to ensure the ground is suitable for this.

Biodiversity Net Gain

- 10.25 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.26 The Council's Ecologist welcomes additional information provided regarding Biodiversity Net Gain. They note that the scheme would result in a net loss of biodiversity value and as such, does not accord with local policy LP16 / LP19 which see to conserve biodiversity. If permission is granted, then the applicant has confirmed the BNG shortfall and 10% BNG will be addressed through the purchasing of BNG units or statutory credits. This information will need to be submitted, along with the detailed on-site BNG metric calculations, as part of the mandatory Biodiversity Gains conditions.

Affordable housing, community infrastructure and planning obligations

- 10.27 Local Plan policy LP5 states development on sites of 10 or more dwellings, 25% of the dwellings as affordable houses and a development of this size this would be expected to be delivered on-site. Policy LP13 of the Local Plan sets out that planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development. Conditions or a planning obligation are likely to be required for many proposals to ensure that new development meets this principle. Developers will either make direct provision or will contribute towards the provision of local and strategic infrastructure required by the development either alone or cumulatively with other developments. Where a planning obligation is required, in order to meet the above principles of infrastructure provision, this will be negotiated on a site-by-site basis.
- 10.28 The Council's own Local Plan & CIL Viability Assessment (HDH, December 2019) sets out expectations of viability for sites across the district. For sites south of the A47 highway, the conclusions advise that schemes should be able to achieve 20% affordable housing and £2,000 per dwelling in financial contributions. Whilst this is lower than set out in Local Plan policy LP5 (affordable housing) it is a material consideration which the Council has previously given significant weight to, and which has been used to set the viability expectations for many other developments in the district. The applicant has confirmed their agreement to this provision in a submitted Heads of Terms schedule.
- 10.29 In light of the above, and as confirmed by the Council's Housing Strategy and Enabling Officer, based on the upper quantum proposed, an on-site affordable housing scheme for 4 dwellings would be expected to be secured and would provide 70% (3 no.) affordable rented units and 30% (1 no.) shared ownership

units which would align with the Council's current housing tenure demands. The Housing Officer's response notes that 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. 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. The applicant has confirmed their agreement to this approach in a submitted Heads of Terms schedule. Subject to this, the proposals would accord with the current viability position in place regarding Local Plan policy LP5.

10.30 In relation to community infrastructure, statutory tests as set out in the Community Infrastructure Regulations 2010 (Regulation 122) requires that S106 planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind to the development. S106 obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.

10.31 Having regard to the scale and nature of the proposal and further to consultation with statutory bodies to establish infrastructure requirement, in summary the following is sought through this development;

- Healthcare
- Education
- Libraries

Healthcare

10.32 Requests for financial contributions have been received from both NHS and East of England Ambulance service, to provide upgraded surgery facilities (total £17,194.42) and in respect of capital contribution towards the provision Emergency Ambulance Service Infrastructure (£6,540) respectively.

Education

10.33 Cambridgeshire County Council as the education authority seek contributions towards;

- Early Years - £54,435
- Primary Education - £145,496
- Secondary Education - £126,265

Libraries

10.34 Cambridgeshire County Council as the relevant providers seek contributions towards Library services of £2,950.

10.35 It is proposed to share the circa £40,000 across the education and healthcare requirements on a proportionate, pro-rata basis, which would work out as follows, based on a quantum of 20 dwellings;

Provider	% of Total contributions	Amount proposed based on 20 dwellings (£40,000)
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NHS Estates	4.87%	£1,948
EEAST (Ambulance)	1.85%	£740
Early Years	15.42%	£6,168
Primary school	41.23%	£16,492
Secondary school	35.73%	£14,292
Libraries	0.83%	£332
		£40,000

- 10.36 It is acknowledged that this will not meet the whole needs of these services, as identified by public sector providers in response to this application. However, viability is a material consideration in decision making with the current viability position in Fenland being described above.
- 10.37 In summary, the off-site contribution of up to 4 affordable dwellings through the proposals would assist in meeting the high demand for such homes for households both with a local connection to Chatteris and the wider district and is materially significant when considering further housing provision in the Town in the context of Part A of Local Plan policy LP4. With regards to community infrastructure, the proposed scheme does look to provide some level of financial contribution, and this is at a level that has been found to be acceptable by the Council previously. It is concluded that the above contributions and physical highways infrastructure requirements are necessary to make the development acceptable and would meet the tests of CIL regulations in that they are, i) necessary to make the development acceptable in planning terms; ii) directly related to the development; and, iii) fairly and reasonably related in scale and kind to the development and would facilitate a development that would be deliverable in the current position regarding viability in the district. Accordingly, it is considered that the proposals conform with Local Plan policies, LP5 and LP13.

11 SUMMARY and CONCLUSIONS

- 11.1 The policies in the NPPF when taken as a whole constitute the Government's view of what sustainable development means. To be sustainable, development must strike a satisfactory balance between the applicable economic, environmental and the social considerations.
- 11.2 Due to known viability constraints within the district, the full amount of infrastructure contributions cannot be secured. Furthermore, development of the site will result in localised changes to its character and appearance, and likely with notable changes to the outlook of some residents (subject to detailed design). These elements carry some negative weight.
- 11.3 However, in considering the positive aspects of the scheme, subject to the satisfactory completion of a S106 agreement, to ensure necessary infrastructure is secured to support this development and appropriate planning conditions, it is considered that:
- the development would contribute toward the district's housing stock where future occupiers would likely contribute toward the local economy.
 - the site is located within a sustainable location with good connectivity to the town centre and transport options.

- there are no technical issues raised that cannot otherwise be resolved through compliance with conditions.
- the scheme would not result in any significant environmental impacts.

11.4 In weighing the identified harm of the scheme against the identified benefits, it is considered that, on balance, the proposal outweighs any disbenefits of this development.

11.5 In conclusion therefore, and having regard to national and local planning policies, and all comments received, and subject to the resolution of the S106 agreement, it is considered that the proposal would amount to sustainable development and would accord with the development plan taken as a whole. There are no material considerations worthy of sufficient weight that indicate that a decision should be made other than in accordance with the development plan.

11.6 Accordingly, the development should be approved.

12 RECOMMENDATION

12.1 Members are recommended to APPROVE the application in accordance with the following terms;

1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement and planning conditions to the Head of Planning; and,
2. Following the completion of the S.106, application F/YR24/0468/O be granted subject to planning conditions set out in draft at Appendix 1; or,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the S106 legal agreement, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

Appendix 1: Proposed draft planning conditions

1	<p><i>Reserved Matters</i> Approval of the details of:</p> <ul 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 <p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason: To enable the Local Planning to control the details of the development hereby permitted and to ensure the development meets the policy standards required by the development plan and any other material considerations including</p>
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	national and local policy guidance.
2	<p><i>Reserved Matters expiry</i></p> <p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
3	<p><i>Commencement</i></p> <p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p><i>Archaeology</i></p> <p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/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 significance and research objectives; b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c. The timetable for the field investigation as part of the development programme; d. The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives. <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 (DLUHC 2023) and Policy LP18 of the Fenland Local Plan, 2014.</p>
5	<p><i>Surface Water Drainage</i></p> <p>No development shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. 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 Sustainable Drainage Strategy prepared by MTC Engineering (ref: 3272 FRA & DS) dated July 2024 and shall also include:</p> <ul style="list-style-type: none"> a) Full calculations detailing the existing surface water runoff rates for the QBAR,

	<p>3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;</p> <p>b) 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;</p> <p>c) 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);</p> <p>d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</p> <p>e) Site Investigation and test results to confirm infiltration rates;</p> <p>f) 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;</p> <p>g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;</p> <p>h) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>i) Permissions to connect to a receiving watercourse or sewer;</p> <p>j) Measures taken to prevent pollution of the receiving groundwater and/or surface water.</p> <p>Reason: To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat amenity and to ensure the future maintenance of these in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p>
6	<p><i>Construction Drainage</i></p> <p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014; recognising that initial works to prepare the site could bring about unacceptable impacts.</p>
7	<p><i>Foul Drainage</i></p> <p>No development shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and agreed in writing by 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 in perpetuity.</p>

	<p>Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policies LP2, LP14 and LP16 of the Fenland Local Plan 2014.</p>
8	<p><i>CMP</i></p> <p>No development shall commence in each phase until a Construction Management Plan (CMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the consideration of the following aspects of construction:</p> <ul style="list-style-type: none"> a) Construction 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) Details of a temporary facilities area clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction; d) Details of restricted Construction hours; e) Details of restricted Delivery times and collections; 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; h) 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, including details of any piling construction methods / options, as appropriate; i) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways; j) Use of concrete crushers; k) Prohibition of the burning of waste on site during demolition/construction; l) Site artificial lighting including hours of operation, position and impact on neighbouring properties; m) Drainage control measures including the use of settling tanks, oil interceptors and bunds. n) Screening and hoarding details; o) Access and protection arrangements around the site for pedestrians, cyclists and other road users; <p>The approved CMP shall be adhered to throughout the construction period and must demonstrate the adoption of best practice.</p> <p>Reason: In the interests of protecting highway safety and residential amenity in accordance with policies LP2, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
9	<p><i>CEMP: Biodiversity</i></p> <p>No development shall take place (including demolition, ground works and</p>

	<p>vegetation clearance) until a Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.</p> <p>The CEMP (Biodiversity) shall incorporate recommendations of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech 2023) and Bat Survey Report (Allied Ecology 2023) and must include the following;</p> <ul style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction this may be provided as a set of method statements d) The location and timings of sensitive works to avoid harm to biodiversity features e) The times during which 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 if applicable <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority</p> <p>Reason: To protect biodiversity in accordance with policies LP16 & LP19 of the Fenland Local Plan 2014.</p>
10	<p>Trees</p> <p>No works shall commence until an arboricultural protection and method statement has been submitted to and approved in writing by the local planning authority. The scheme shall include but shall not be limited to the following information;</p> <ul style="list-style-type: none"> i) An arboricultural and impact assessment for existing trees and hedgerow within the access works area including details of any removal and pruning ii) Details of tree protection measures iii) Details of any intrusive groundworks in and around any root protection areas including methods of any ground-breaking iv) Details of any replacement planting to mitigate the loss of any vegetation with the access works area. v) Details of long-term management and maintenance of any retained, replaced or new planting with the access works area. <p>Reason: In the interests of visual amenity and biodiversity protection in accordance with policies LP16 of the Fenland Local Plan, 2014.</p>
11	<p>Landscaping: Ecology</p> <p>The landscaping details submitted in accordance with Condition 01 of this permission shall include:</p> <ul style="list-style-type: none"> (a) a plan showing <ul style="list-style-type: none"> (i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 m

	<p>above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree; and</p> <p>(ii) the location of hedges to be retained and details of species in each hedge.</p> <p>(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;</p> <p>(c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;</p> <p>(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;</p> <p>(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development;</p> <p>(f) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.</p> <p>Please note: In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the plans referred to in paragraph (a) above.</p> <p>Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
12	<p><i>Ecology Enhancements</i></p> <p>Prior to or alongside the submission of reserved matters, a scheme detailing the provision of at least 1no. bat and 2no. bird boxes per dwelling in accordance with best practice guidelines shall be submitted to and approved in writing by the Local Planning Authority. The details shall include design, location and number of bat & bird boxes to be installed.</p> <p>The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity.</p> <p>Reason: To secure the long-term protection of the birds and bats at the site in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
13	<p><i>GCN & Reptile Strategy</i></p> <p>Prior to or alongside the submission of reserved matters a Great Crested Newt ('GCN') and Reptile Mitigation Strategy or demonstration that the developer has <i>signed up to a Natural England District Level Licencing Scheme</i> for GCN shall be submitted to and approved in writing to the LPA works shall be carried out strictly in accordance with approved strategy.</p> <p>Reason: To protect biodiversity in accordance with policies LP16 & LP19 of the Fenland Local Plan 2014.</p>
14	<p><i>Housing Mix</i></p>

	<p>Prior to or alongside the submission of Reserved Matters, a housing mix scheme shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters shall accord with the approved housing mix scheme.</p> <p>The scheme shall include:</p> <ul style="list-style-type: none"> - A plan showing the location and distribution of market and affordable units (including tenure type). The plan shall also identify the proximity of the site with adjacent land parcels and the tenure types within both, in respect of any development parcel where Reserved Matters have already been approved. - A schedule of dwelling sizes (by number of bedrooms). - A statement which demonstrates how the proposals contribute to current and future housing needs as identified in the most recently available evidence relating to the locality. <p>Development shall not commence until the housing mix scheme has been approved in writing by the Local Planning Authority.</p> <p>Reason: In order to ensure that an appropriate housing mix is provided for the proposed development taking into account the objective of creating a sustainable, mixed community in accordance with Policy LP3 of the Fenland Local Plan 2014 and guidance contained within the National Planning Policy Framework.</p>
15	<p>Noise</p> <p>Prior to or alongside the submission of reserved matters an Acoustic assessment and noise mitigation strategy shall be submitted and approved in writing by the Local Planning Authority. This shall include external amenity protection measures such as the inclusion of the close-boarded timber fencing, with a minimum surface mass of 10kg/m² around the eastern and southern edge of the site as detailed in Appendix 4 of the Acoustic Assessment report (Cass Allen ref: RP02-18225-R0; issue date 01.03.2024), and those for internal amenity protection, namely ensuring glazing and ventilation is provided to specifications at least to those standards stated in section 5.2 of said report.</p> <p>Reason: To safeguard residential, in accordance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
16	<p>Waste Collection Strategy</p> <p>Prior to or alongside submission of reserved matters a refuse collection strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include details of the location and design of the refuse bin and recycling materials storage areas and collection points. This should include provision for the storage of three standard sized wheeled bins for each new property and details of a refuse collection point adjacent to the public highway.</p> <p>Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes and where unadopted, an indemnity agreement with the Local Authority will be required. The refuse storage and collection facilities and vehicular access shall be provided prior to the first occupation of the units to which they relate and shall be retained thereafter.</p>

	<p>Reason: To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability as required by Policy LP16 of the Fenland Local Plan, adopted May 2014 and policy 14 of the Cambridgeshire and Peterborough Waste and Minerals Local Plan, 2021.</p>
17	<p><i>Lighting</i></p> <p>No works shall proceed above slab level until details of a lighting scheme for all streets, paths and open space has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be accompanied by a technical report prepared by a qualified competent person setting out;</p> <ul style="list-style-type: none"> i) the specification of lights and lighting structures, ii) locations and heights of all lighting, iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area. <p>The approved scheme shall be implemented on site prior to first occupation of the development or in agreed phases and retained as such thereafter.</p> <p>Reason: To safeguard the residential amenity of occupiers, the visual impact of the development and protection of nocturnal biodiversity in accordance with policies LP2, LP16, LP17 and LP19 of the Fenland Local Plan 2014</p>
18	<p><i>Fire Hydrants</i></p> <p>Prior to works proceeding above slab level, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and the Local Planning Authority notified in writing of their completion prior to the first occupation of the development.</p> <p>Reason: In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with policies LP2 and LP16 of the Fenland Local Plan, 2014.</p>
19	<p><i>Access</i></p> <p>Prior to the first occupation the access road shall be constructed fully in accordance with the details set out on the approved Indicative Site Access Plan 3272-08 and Illustrative Site Layout CH23/LBA/649/OP-1-102 Rev D, save for any minor variation that may be required under S278 of the Highway Act.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
20	<p><i>Binder Course</i></p> <p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining adopted highway.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>

21	<p><i>Street Management & Maintenance</i></p> <p>Prior to the occupation of the first dwelling, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development phase shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 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><i>Highway drainage</i></p> <p>The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
23	<p><i>Unsuspected Contamination</i></p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 196 and 197, and Policy LP16 of the Fenland Local Plan 2014.</p>
24	<p><i>Biodiversity Net Gain</i></p> <p>Development may not be begun unless:</p> <p>(a) a biodiversity gain plan has been submitted to the planning authority, and</p> <p>(b) the planning authority has approved the plan.</p> <p>Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).</p>
25	<p>Approved Plans</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents insofar as they relate to matters of access.</p> <ul style="list-style-type: none"> - CH23/LBA/649/OP-1-101 Location Plan - 3272-08 Indicative Access Design

	- CH23/LBA/649/OP-1-102 Rev D Illustrative Site Layout
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