

**Applicant: Mr Brent Warner
Postland Developments**

**Agent : Mr Gordon Smith
Matrix Planning Ltd**

Land South Of 127-141, Coates Road, Coates, Cambridgeshire

Hybrid application: Full planning permission to erect 18 x dwellings (2 x single-storey 2-bed, 1 x 2-storey 2-bed, 2 x single-storey 3-bed, 4 x 3-storey 3-bed, 7 x 2-storey 4-bed 1 x 2-storey 6-bed and 1 x 3-storey 6-bed) including 2 x self-build dwellings and the formation of 3 x accesses and a pedestrian footpath. Outline application with matters committed in respect of access to erect 2 x self-build dwellings

Officer recommendation: Grant

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. The proposal is a hybrid application with full planning permission sought for the erection of 18no. dwellings. The outline element is for the erection of 2no. self-build dwellings with access the only matter committed.
- 1.2. The application is considered to be acceptable in principle by virtue of an extant outline planning permission on site, granted under F/YR20/0441/O for the same quantum of development proposed under this application.
- 1.3. The detailed scheme as submitted is considered to be acceptable in terms of its character and appearance, amenity impact, flood risk and drainage, and highway safety impact; with no objections received from statutory consultees on these grounds.
- 1.4. The objections received from Natural England in respect of insufficient information to determine the impact on protected sites. However, regard has been given to the extant permission on site that could be built out without the submission of further information in this regard. As such, it is considered in terms of the planning balance that the proposal is acceptable in this regard, when having regard to these material considerations.
- 1.5. Whilst the applicant is unable to meet the financial contributions requested as part of the consultation process of this application due to a demonstrated lack of viability, it is considered that the proposal provides sufficient contributions to mitigate against its impacts on healthcare, education and affordable housing, in exceeding the position applied by the LPA to applications submitted prior to November 2024 in requesting a contribution of £2,000 per plot.
- 1.6. As such, in the overall planning balance, it is considered that the proposal is acceptable in planning terms and is accordingly recommended for approval, subject to conditions and the completion of the necessary legal agreement.

2 SITE DESCRIPTION

- 2.1. The application site is located at Land South of 127-141 Coates Road in Coates. The site comprises an agricultural field measuring approximately 1.18 hectares in size.
- 2.2. The site is currently screened from Coates Road due to the presence of an established hedgerow that runs along the frontage of the site.
- 2.3. The site is situated on the eastern end of the built form of the settlement of Coates but is also in close proximity to the settlement of Eastrea. There is residential development located to the north and east of the site, with undeveloped agricultural fields to the west and south of the site.
- 2.4. The site falls within Flood Zone 1, meaning that it is at low risk of flooding, and is also at very low risk of surface water flooding.

3 PROPOSAL

- 3.1. The proposal is a hybrid application with full planning permission sought for the erection of 18no. dwellings. The outline element is for the erection of 2no. self-build dwellings with access the only matter committed.
- 3.2. The housing mix proposed in the full element is as follows:
 - 2 x single-storey, 2-bed
 - 1 x two-storey, 2-bed
 - 2 x single-storey, 3-bed
 - 4 x three-storey, 3-bed
 - 7 x two-storey, 4-bed
 - 1 x two-storey, 6-bed
 - 1 x three-storey, 6-bed
- 3.3. The proposal includes the creation of 3no. access points and a pedestrian footpath along Coates Road.
- 3.4. Full plans and associated documents for this application can be found at:
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

F/YR18/0405/O	Erection of up to 21no. dwellings (outline application with all matters reserved)	Refused 25.10.18
F/YR20/0441/O	Erect up to 20no. dwellings (outline application with all matters reserved) including 4no. self-build dwellings	Granted 04.10.24

5 CONSULTATIONS

5.1. Lead Local Flood Authority – 25.02.25

No objection in principle to the proposed development, subject to conditions to secure the following:

- Detailed Surface Water Drainage Scheme
- Scheme for managing surface water run-off during construction

5.2. Natural England – 06.09.24

Insufficient information submitted in respect of the Nene Washes SPA and Ouse Washes SPA Functional Land IRZ, particularly in relation to geese and swans.

Natural England object on this basis.

5.3. East of England Ambulance Service – 04.07.24

No objection subject to contribution of £6,540 towards the Ambulance Service

5.4. Whittlesey Town Council – 30.08.23

The Town Council recommend refusal under policy LP12 purely because we wish to retain the green space instead of it being developed.

5.5. CCC Highways – 11.06.24

Following the submission of information in relation to the width of the junction at 5m, the Highway Authority have no objections subject to conditions securing the following:

- Highways drainage to prevent surface water run-off
- The provision of off-site highway works in terms of the provision of a footpath along the frontage of the site

5.6. Designing out Crime – 11.06.24

No objections. Would welcome conditions relating to:

- External lighting plan
- Plans of cycle sheds
- Fencing/Boundary Treatments

5.7. Environmental Health – 22.08.23

No objection subject to condition securing submission of Construction Environment Management Plan (CEMP) and unexpected contamination condition.

5.8. Anglian Water - 06.06.24

No objection

5.9. Cambs Fire Service – 03.06.24

No objection subject to Section 106 obligation or condition securing adequate provision of fire hydrants.

5.10. CCC Archaeology – 29.05.24

No objection subject to condition securing protection and enhancement of the Whitecross Stone.

5.11. FDC Tree Officer – 16.10.23

No objection

5.12. CCC Education – 01.09.23

The following S106 contributions should be secured:

- Early Years Provision: £43,548
- Primary Provision: £174,192
- Secondary Provision: £131,830

5.13. NHS England – 30.08.23

S106 contribution of £14,783.92 required.

5.14. FDC Housing – 16.08.23

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.

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.

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.*

5.15. Local Residents/Interested Parties

Objectors

A total of 16 letters of objection were received from residents of Coates, Eastrea and Whittlesey on the application, with the nearest representations received from Coates Road & Minuet Paddocks. The following points were raised:

- Loss of defined boundary between Coates and Eastrea
- 3-storey dwellings out of keeping
- Loss of wildlife habitat
- Local services and facilities inadequate to accommodate new development
- Creation of 3no. access points excessive

- Highway network inadequate
- Overlooking from 3-storey properties fronting onto Coates Road
- Disturbance on properties opposite from headlights at access
- Inadequate pedestrian facilities
- Noise and pollution disturbance
- Phase 1 development (Minuet Paddocks) not complete
- Poor drainage

Supporters

A total of 10 letters of support were received from residents of Coates, Eastrea and Whittlesey on the application, raising the following points:

- Development reflects local housing needs
- Good landscaping scheme and informal open space
- First phase of Postland Development housing on Minuet Paddocks completed to high standard
- General plot and amenity space
- Creation of new habitats

Representations

A total of 2 letters of representation were received on the application, raising the following points:

- The site is in Eastrea, Not Coates
- Another application in Coates for 3no. dwellings was refused as village threshold was exceeded

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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the Whittlesey Neighbourhood Plan (2023).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

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

Chapter 16 - Conserving and enhancing the historic environment

Chapter 17 – Facilitating the sustainable use of minerals

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

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

LP12 – Rural Areas Development Policy

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

LP18 – The Historic Environment

LP19 – The Natural Environment

Whittlesey Neighbourhood Plan 2021-2040

Policy 1 – Spatial Planning

Policy 2 – Local Housing Need

Policy 7 – Design Quality

Policy 9 – Coalescence of Villages

Policy 10 – Delivering Sustainable Transport

Policy 11 – Adapting to and Mitigating Climate Change

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

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

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP12: Meeting Housing Needs

LP13: Custom and Self Build
 LP18: Development in the Countryside
 LP20: Accessibility and Transport
 LP22: Parking Provision
 LP23: Historic Environment
 LP24: Natural Environment
 LP25: Biodiversity Net Gain
 LP27: Trees and Planting
 LP28: Landscape
 LP31: Open Space and Recreational Facilities
 LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Character and appearance**
- **Amenity Impact**
- **Landscape and Ecology**
- **Parking Provision and Highway Safety**
- **Flood Risk and Drainage**
- **Viability/Section 106 Contributions**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

- 9.1. The site currently benefits from extant planning permission granted under F/YR20/0442/O, which sought outline permission for the erection of 20no. dwellings, with permission granted on the 4th of October 2024 following the completion of a legal agreement.

10 ASSESSMENT

Principle of Development

- 10.1. The application site is located adjacent to the settlement of Coates, which is defined as a Limited Growth Village in the Fenland Local Plan under Policy LP3. This Policy states that for 'Limited Growth Villages', a small amount of development and service provision will be encouraged and permitted, and that such development may be appropriate as a small village extension. As such, there is a degree of support for the proposals in accordance with Local Planning Policy LP3 of the Fenland Local Plan (2014).
- 10.2. Further, as stated in paragraph 9.1 of this report, the application site benefits from extant outline planning permission for the erection of 20no. dwellings, thereby establishing the principle of the residential development of the site.
- 10.3. Given that the outline consent is extant and could be built out, subject to the approval of an acceptable Reserved Matters scheme, the principle of development is considered to be acceptable in this instance.

Housing Mix

- 10.4. The proposed housing mix is as follows:

House Size	Number
2 bed bungalows	3

3 bed houses	6
4 bed houses	7
5/6 bed houses	2
Not yet known (Plots 4 & 5 are in outline)	2
	20 total

- 10.5. The proposed mix demonstrates a good distribution of house types, sizes and scales, which will provide housing for a variety of family types and sizes.
- 10.6. The proposal will also contribute a total of 4no. self-build dwellings towards the Council's supply of such units.
- 10.7. Policy 2 of the Whittlesey Neighbourhood Plan requires that development proposals contribute towards the needs identified in the Whittlesey Town Council Housing Needs Assessment (2017). This found that there was a need for smaller dwellings – namely 2 and 3 bed properties. Notwithstanding this, the report also concluded that there will be a future need for larger family-sized homes in the future.
- 10.8. As such, the housing mix set out above would contribute towards the supply of both of these needs. Therefore, it is considered that the proposal has appropriate regard to Policy 2 of the Whittlesey Neighbourhood Plan and Policy LP5, Part C of the Fenland Local Plan in respect of proposed housing mix.

Character and appearance

- 10.9. On the basis that outline planning permission has been granted for the erection of 20no. dwellings, it has been established that the development of the site for residential purposes is acceptable in principle having regard to Policy LP12 in respect of its impact on the landscape character.
- 10.10. This is to say that the development of the site would not result in the coalescence of settlements – Eastrea and Coates in this instance – and would be in keeping with the core shape and form of the settlement, without extending linear features or resulting in ribbon development.
- 10.11. Policy LP9 of the Whittlesey Neighbourhood Plan offers detail in this respect. It seeks to ensure that a distinct separation is retained between Eastrea and Coates. This separation is sought through the inclusion of a buffer zone as set out on 'Map 8' of the Whittlesey Neighbourhood Plan. The site appears to be located outside of the identified buffer zone and it is therefore considered that the proposal is in compliance with Policy LP9 of the Whittlesey Neighbourhood Plan in terms of avoiding the coalescence of settlements.
- 10.12. Whilst this proposal does not seek approval of Reserved Matters following the grant of outline planning permission and instead seeks the granting of a new planning permission, it is noted that the quantum of development remains the same as that approved at outline stage. Therefore, it is not considered that there are any further issues to be addressed in respect of Policy LP12 of the Fenland Local Plan.
- 10.13. The submitted site layout plan (Dwg No. D(--)-10M) identifies the creation of 3no. access points onto Coates Road, with the central access point serving the majority

of the development – 14no. dwellings – with two further access points created on either side of this to serve the remaining 6no. dwellings.

- 10.14. The proposed layout is similar to that on the adjacent site to the east which was built out by the same developer. The depth of built form matches that of the site adjacent, albeit with residential gardens of plots 7-11 extending further south - and will therefore be in keeping with the form of development seen in the locality without resulting in any further, significant encroachment into the open countryside.
- 10.15. Further to this, the house types proposed tend to be similar in appearance to those on the adjacent site – Minuet Meadows. As such, the general design approach of the proposal is generally consistent with the character and appearance of the dwellings seen in the locality.
- 10.16. A precise palette of materials is not provided in support of the application. However, it is considered likely that these will be similar to the materials used on the adjacent development – Minuet Paddocks – which was built out by the same applicant. It is recommended that a condition is imposed requiring precise details of materials to be submitted to ensure that these are sympathetic to the character of the area and provide an appropriate mix of external appearances across the site, in accordance with Policy LP16 of the Fenland Local Plan (2014).
- 10.17. The site layout plan identifies a relatively low density of development of 17 dwellings per hectare. It is considered that this density of development is appropriate in an edge of village setting, and avoids a cramped form of development, with all plots benefitting from suitable private amenity space provision.
- 10.18. It is also noted that 'Site Levels Plans' have been submitted alongside the application which state a 'Finished Floor Level' of 5.000 for the plots fronting onto Coates Road. This remains generally consistent throughout the site, with the rearmost plots having a 'FFL' of 4.550, therefore suggesting a slight decline in height from the front of the site to the rear. However, the levels plans also identify the frontmost plots of the development to the east as having FFL's of 5.2. Therefore, the levels on the site are considered to be acceptable and would not result in a form of development that would be out of keeping in this regard.
- 10.19. The proposal is overall considered to be in accordance with Policy LP16 of the Fenland Local Plan (2014) in respect of its character and appearance.

Amenity Impact

- 10.20. The submitted site layout plan identifies that each of the plots will benefit from a suitable level of private amenity space provision, proportionate to the size of the dwelling. The smallest plot measures approximately 150m², which is a two and a half storey dwelling; and the largest measuring approximately 655m², which is to serve a self-build plot.
- 10.21. The generous plot sizes ensure appropriate private amenity space provision and also ensure that there will be no loss of amenity arising from overlooking or over-dominance in terms of the intra-dwelling relationships.
- 10.22. The properties adjacent to the eastern boundary of the site with, which borders existing residential development, is set approximately 12.4m away from the boundary of the site. This separation distance will ensure that no unacceptable overlooking occurs from any first floor or higher windows onto the existing properties to the east.

- 10.23. The proposals include an area of informal open space along the western boundary of the site. However, due to its narrow width - 5.5m at its narrowest and 8.75m at its widest - it is considered that its functional contribution towards the amenities of occupiers would be limited.
- 10.24. Notwithstanding this, it is considered that the site layout, plot sizes and private amenity space provision offer a good level of residential amenity for the occupiers of the site. The proposal is therefore considered to be in accordance with Policy LP16 of the Fenland Local Plan (2014) in this regard.

Landscape and Ecology

- 10.25. It is noted that there is an outstanding objection from Natural England in respect of the absence of information relating to the impact of the development on the Nene Washes SPA and Ouse Washes SPA Functional Land IRZ, particularly in relation to geese and swans.
- 10.26. Regard has been given to the extant outline planning permission that exists on site that could be built out following approval of an appropriate Reserved Matters scheme. The previous application was not subject to a request for information in this respect and therefore could proceed without the submission of such information at Reserved Matters stage. As such, it is considered unreasonable in this instance to request information as part of this application.
- 10.27. The Ecological Appraisal submitted in support of the application concludes that the impacts of the scheme on protected species or habitats on site can be suitably mitigated against through the inclusion mitigation and safeguarding measures during construction, along with further enhancement measures to provide an uplift in biodiversity on-site.
- 10.28. The comments from the Council Ecologist and Natural England do not raise objections to the scheme in respect of its impact on protected species and habitats on-site.
- 10.29. Therefore, it is considered on balance that the proposal is acceptable in terms of its biodiversity impact, having regard to Policy LP19 of the Fenland Local Plan (2014).
- 10.30. Furthermore, no objections were made by the Tree Officer in respect of the impact of the development on existing soft landscaping features on site that may be impacted by the development.
- 10.31. It is recommended that a condition is imposed requiring the submission of a detailed Arboricultural Impact Assessment (AIA) and Method Statement prior to the commencement of works on site to ensure that the trees shown for retention are not damaged or lost during the development. It is further recommended that a condition requiring the submission of a landscaping scheme is imposed to ensure that completed development is acceptable in this regard.
- 10.32. It is therefore considered that the proposal is acceptable in terms of its impact on trees and landscaping, having regard to Policy LP19 of the Fenland Local Plan (2014).

Parking Provision and Highway Safety

- 10.33. The Highway Authority have considered the proposal and have raised no objections to the development, subject to conditions securing adequate highway

drainage measures and the provision of the off-site highways works as shown on the submitted drawings.

- 10.34. Due to the geometry of Coates Road, each of the proposed access points benefit from good visibility in each direction, allowing for safe access and egress of the site. This is further supported by the site including sufficient space for vehicles to turn on-site, thereby allowing them to exit the site in forward gear.
- 10.35. Appendix A of the Fenland Local Plan (2014) sets out the parking standards that are required for new development. This specifies that any properties of up to 3 bedrooms require the provision of 2 spaces, and dwellings with 4+ bedrooms requiring the provision of 3no. parking spaces.
- 10.36. These standards are met with each plot being provided with the appropriate amount number of parking spaces, with additional garages provided for most plots. It is therefore considered that the parking provision on site is in accordance with Appendix A of the Fenland Local Plan (2014).
- 10.37. The comments received in respect of the surrounding highway network are noted. However, the Highway Authority have raised no objections in respect of the impact of the development on the wider highway network. It is considered unlikely that the traffic movements generated by 20no. additional dwellings would result in a severe impact on the highway network that would justify the refusal of the application on this basis.
- 10.38. The proposal is therefore considered to satisfy the requirements of Policy LP15 of the Fenland Local Plan (2014) in respect of its parking provision and highway safety impact.

Flood Risk and Drainage

- 10.39. The application site is within Flood Zone 1 and is at very low risk of surface water flooding. As such, it is considered that there are no issues to address in respect of flood risk and drainage in relation to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).
- 10.40. It should also be noted that the LLFA have raised no objection to the scheme subject to a condition securing a detailed surface water drainage scheme, and a scheme to manage surface water run-off during the construction period.

Biodiversity Net Gain (BNG)

- 10.41. 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.
- 10.42. There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

Viability/Section 106 Contributions

10.43. The scheme attracts the following financial contributions towards mitigation of its impacts on healthcare and education, with each figure calculated on the basis of a quantum of development of 20 dwellings:

- East of England Ambulance Service – £6,540
- Cambridgeshire County Council Education – £349,570 total, split as follows:
 - o Early Years Provision: £43,548
 - o Primary Provision: £174,192
 - o Secondary Provision: £131,830
 - o NHS England – £14,783.92

10.44. These figures represent an overall total of £370,803.92.

10.45. The proposed off-site highway works, necessary to meet the highway impacts of the development are also recommended to be captured in a Section 106 agreement.

10.46. Policy LP5 sets out that for sites of 10 or more dwellings, there is a requirement to provide 25% affordable housing, rounded to the nearest whole dwelling. In this case, that would equate to the provision of 4no. dwellings. The Council's own HDH district-wide viability appraisal suggests that 20% affordable plus a financial contribution of £2000 per dwelling (£40,000 total) is generally a realistic sum, unless a bespoke site viability assessment indicates otherwise. While the HDH appraisal is considered to be somewhat out of date, given it is now over 5 years old, the council is still treating this as a material planning consideration in relation to those application submitted prior to November 2024.

10.47. A S106 agreement was completed in relation to application F/YR20/0441/O on the 4th of October 2024. This would have attracted a total financial contribution of approximately £350,000, based on the current housing mix proposed as part of this application in relation to affordable housing and education.

10.48. Essentially the current application seeks to secure a lower level of contribution and as such a viability appraisal (White Land Strategies LTD – December 2024) has been submitted in support of the application. The appraisal concluded that the scheme was not viable and it should therefore not be made to meet the full financial contributions as set out above. The report concluded that a global financial contribution of £66,000 was achievable.

10.49. The applicant's position on viability has been assessed by the Council's appointed viability assessor (CPV) and a number of discussions and appraisals have been undertaken, considering matters of differences in market values, plot costs, garage costs, profit and debt interest.

10.50. Through ongoing discussion and testing, the Council's assessor has concluded that a total cash contribution of £133,000 can viably be provided by the development.

10.51. This position has been considered by the applicant, who has subsequently agreed to a global financial contribution of £133,000 to be made via a S106

agreement, to be put towards healthcare mitigation, education and a commuted sum for affordable housing.

- 10.52. Clearly this figure represents a shortfall relative to the requested contributions and also a reduction from the previously agreed contributions. However this has been independently verified in terms of viability and notwithstanding the shortfall identified, the proposed contribution of £133,000 is significantly greater than the amount that would be achieved based on the position applied by the LPA of £2,000 per plot, a position applied on applications pre-dating November 2024.
- 10.53. As such, it is considered on balance that the proposed financial contribution meets the tests as set out by current CIL regulations and provides sufficient mitigation to meet the requirements of Local Plan Policies LP5 and LP13 in respect of its developers' contributions.

11 CONCLUSIONS

- 11.1. The proposal is a hybrid application with full planning permission sought for the erection of 18no. dwellings. The outline element is for the erection of 2no. self-build dwellings with access the only matter committed.
- 11.2. The application is considered to be acceptable in principle by virtue of an extant outline planning permission on site, granted under F/YR20/0441/O for the same quantum of development proposed under this application.
- 11.3. The detailed scheme as submitted is considered to be acceptable in terms of its character and appearance, amenity impact, flood risk and drainage, and highway safety impact; with no objections received from statutory consultees on these grounds.
- 11.4. The objections received from Natural England in respect of insufficient information to determine the impact on protected sites. However, regard has been given to the extant permission on site that could be built out without the submission of further information in this regard. As such, it is considered in terms of the planning balance that the proposal is acceptable in this regard, when having regard to these material considerations.
- 11.5. Whilst the applicant is unable to meet the financial contributions requested as part of the consultation process of this application due to a demonstrated lack of viability, it is considered on balance that the proposal provides sufficient contributions to mitigate against its impacts on healthcare, education and affordable housing, when considering the position applied by the LPA prior to November 2024 in requesting a contribution of £2,000 per plot.
- 11.6. As such, in the overall planning balance, it is considered that the proposal is acceptable in planning terms and is accordingly recommended for approval, subject to conditions.

12 RECOMMENDATION

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/YR23/00648/F be approved subject to the draft planning conditions set out below; 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, or that the applicant is unwilling to agree to any necessary pre-commencement conditions associated with the FULL element of the permission, as per the requirements of S100ZA of the Act.

Draft Conditions

1.	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>Approval of the details of:</p> <ul style="list-style-type: none">(i) the layout of the site (including road construction details)(ii) the scale of the building(s);(iii) the external appearance of the building(s);(iv) the landscaping (including boundary treatment details) <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 national and local policy guidance.</p>
3.	<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>
4.	<p>The development of the self-build dwellings 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>
5.	<p>The dwellings shown on plots 4-7 shall only be developed in accordance with the definition of self and custom build housing contained within the Self Build and Custom Housebuilding Act 2015 (as amended).</p> <p>Reason: The permission is granted without the requirement for provision of affordable housing on the site or other infrastructure contributions due to the nature of the proposal to provide plots for those people building or</p>

	<p>commissioning their own properties in line with paragraph 64 of the National Planning Policy Framework (2019). Development of the site by a business or commercial organisation would therefore require the consideration of such provision and the need for a legal agreement securing any agreed contributions.</p>
6.	<p>Prior to the commencement of development, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development 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 for their adoption has been entered into under Section 38 of the Highways Act 1980.</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, adopted May 2014</p>
7.	<p>Prior to the commencement of development a detailed scheme for the construction of estate road(s), associated footway(s) and cycleway(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed scheme shall be constructed to at least binder course surfacing level to the adjoining highway; prior to the first occupation of any dwelling served by the estate road.</p> <p>Reason: In the interests of highway safety and the amenities of occupiers in accordance with Policies LP15 and LP16 of the Fenland Local Plan (2014).</p>
8.	<p>Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained 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 Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that foul water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
9.	<p>Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with the National</p>

	<p>Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that surface water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
10.	<p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with Policy LP14 of the Fenland Local Plan (2014).</p>
11.	<p>Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing by, the Local Planning Authority. The CEMP shall include, but shall not be limited to, mitigation measures for noise, dust and lighting during the construction phase. The CEMP shall be adhered to at all times.</p> <p>Reason: To mitigate environmental and amenity impacts during the construction phase of the proposed development, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.</p>
12.	<p>Prior to the commencement of development, the developer should provide a management plan for the protection and enhancement of the Whitecross Stone. Development shall only be carried out in accordance with the agreed details.</p> <p>Reason: To preserve an area of archaeological/historical importance, in accordance with Policy LP18 of the Fenland Local Plan (2014).</p>
13.	<p>Prior to the commencement of any works on site, an Arboricultural Impact Assessment and Method Statement, including a timetable for delivery, shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.</p> <p>Reason: To protect the trees on site during construction, in accordance with Policy LP19 of the Fenland Local Plan (2014).</p>
14.	<p>No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall</p>

	<p>include the following:</p> <ul style="list-style-type: none"> a) Summary of potentially damaging activities b) Identification of biodiversity protection zones c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements) include a pre-works check for non-native species undertaken by a suitably qualified ecologist and any additional measures required to manage and control any invasive species present. d) The location and timing of sensitive works to avoid harm to biodiversity features e) The times during construction when specialist ecologists need to be present on site to oversee works f) Responsible persons and lines of communication g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. <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 meet the requirements of para.180(d) of the National Planning Policy Framework (NPPF) and Chapter 19 of the Fenland Local Plan (2014).</p>
15.	<p>No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
16.	<p>No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
17.	<p>No part of the development hereby approved shall be occupied until such time as a refuse collection strategy has been submitted to and approved in writing by the Local Planning Authority. The agreed strategy shall be adhered to thereafter in perpetuity.</p> <p>Reason: To ensure a satisfactory form of refuse collection in accordance</p>

	with Policy LP16 of the Fenland Local Plan 2014.
18.	<p>Prior to the first occupation of the development hereby approved, the proposed on-site parking area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking area, surfacing and drainage shall thereafter be retained as such in perpetuity.</p> <p>Reason: In order to ensure adequate parking provision and in the interests of highway safety, in accordance with policies LP15 and LP16 of the Fenland Local Plan 2014.</p>
19.	<p>Prior to first occupation of the development hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.</p>
20.	<p>Prior to the first occupation of the development hereby approved, 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 made available for use prior to the occupation of the first dwelling.</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 infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
21.	<p>The development shall not be occupied/brought into use until all of the works have been completed in accordance with the approved details shown on Drawing Number 4528-D(--)-10-M (Site Layout).</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> <p>This is a pre-commencement condition because the off-site highway works are required to make the development acceptable and in addition to planning approval will require permission from the Highway Authority under the Highways Act.</p>
22.	<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: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014</p>
23.	If during development, contamination not previously identified, is found

	<p>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.</p> <p>Reason: To protect the amenities of future occupiers of the site in accordance with Policy LP16 of the Fenland Local Plan (2014).</p>
24.	The development shall be carried out in accordance with the approved plans.



Created on: 15/08/2023

© Crown Copyright and database
rights 2023 Ordnance Survey 10023778

F/YR23/0648/F

Scale = 1:2,500



Fenland District Council



Dimensions shown are to be verified by site measurements

PARSONS PLACE

0m 20m 40m 60m

27deg from North

SCALE BAR

SITE PLAN

Site Area = 1.18h

Revisions -
Rev G - March 23 - Southern boundary extended, notes amended, self build plots added
Rev H - March 23 - Green area adjusted
Rev J - July 23 - Site section positions shown, roof plot 7 amended notes on boundaries added
Rev K - Jan 24 - Road access width and turning area changed, plots 9-11 adjusted, car parking/turning plots 1-2&17-20 altered
Rev L - Feb 24 - car parking space dimensions added, bin spaces added, plot 13 handed, etc.
Rev M - April 24 - Service strips, bin stores, FFL's levels added

Project PARSONS PLACE COATES ROAD, COATES		B M Design Consultancy	
Title SITE LAYOUT		Chartered Architects 29A Church Street Northborough PE69BN Telephone 01733 252823 © Copyright	
Scale 1:500	Date June 22	Job No 4528	
Category D	CADR Element (--)	Sequential No 10	Revisions M

Serial number: 137067

© Crown copyright and database right 2018
Ordnance Survey licence 100048957
Reproduction in whole or in part is prohibited
without the prior permission of Ordnance Survey