
F/YR15/0699/O

**Applicant: Mr M Chamberlain
Holbeach Properties Ltd**

**Agent : Mr H Chapman
Peter Humphrey Associates Ltd**

Dennicks Yard, Back Road, Gorefield, Cambridgeshire

**Erection of 14 dwellings (max) (Outline application with all matters reserved)
involving demolition of existing dwelling and industrial outbuildings**

Officer recommendation: Grant subject to expiry of re-consultations with no new grounds of objection, resolution of the LLFA drainage issue; decision is also subject to the prior completion of a Section 106 agreement

Reason for Committee: Number of representations received contrary to the Officer recommendation.

1 EXECUTIVE SUMMARY

- 1.1 This scheme seeks outline planning permission to deliver a maximum of 14 dwellings on a brownfield site within the settlement of Gorefield.
- 1.2 The scheme is found to be compliant with Policy LP3 of the Fenland Local Plan and represents no issues with regard to character or amenity, subject to detailed design.
- 1.3 As required by the NPPF significant weight may be afforded the use of this vacant brownfield for housing.
- 1.4 Suitable safeguarding conditions and appropriate planning obligations may be brought forward as part of any consent issued to ensure policy compliance with regard to flood risk, contamination, design, layout, highway safety, biodiversity/landscaping and infrastructure provision. Subject to the resolution of the outstanding LLFA objection relating to surface water drainage on site it is considered that the scheme achieves full compliance with the relevant policy framework.

2 SITE DESCRIPTION

- 2.1 The application site is located on the southern fringe of Gorefield, and covers an area of approximately 2.23ha. The site was formerly used for the storage and distribution of agricultural produce and fertilisers with ancillary offices and workshop. In planning terms, the use would most likely be classified as Storage and Distribution (B8) as opposed to an agricultural or General Industrial (B2) use.
- 2.2 There are five industrial type buildings constructed in profiled sheeting on the site with large expanses of hardstanding. Use on the site ceased some time ago, and the site and buildings have fallen into disrepair. An access road passes through the site linking it to both Back Road and Wolf Lane. Because of its former use and development, the site would be considered 'brownfield' land.

- 2.3 The site frontage around the access is defined by residential use, detached dwellings of various ages and styles. The eastern and western boundaries are marked by mature planting, whilst the southern boundary backs onto open agricultural land.
- 2.4 The greater part, the southern western section, of the application site is within Flood Zone 2.

3 PROPOSAL

- 3.1 The application is in outline form with all matters reserved. The application as originally submitted related to the provision of 15 dwellings, the indicative scheme has subsequently been amended to provide for 10 detached 'executive' type dwellings, and two pairs of semi-detached dwellings. The revised indicative layout indicates 13 dwellings set around an island accessed off Back Road, with the final dwelling fronting Front Road to the west of the access. The existing access from Wolf Lane is to be retained to serve a lone 'workshop' site in the south eastern corner of the site; this 'workshop' is shown on the illustrative scheme as being associated with one of the new dwellings.
- 3.2 The application form indicates the provision of 4 social rented properties and the revised indicative layout includes two pairs of semi-detached dwellings likely to represent affordable provision, although clearly this layout is not being determined.
- 3.3 The Agent highlights that the former company has relocated to a more suitable and sustainable location in Saddlebow King's Lynn along with its employees. It is now in an industrial area where it has less impact on the surrounding area. Therefore there is no loss of employment for the district directly resulting from this proposal as the site has already been vacated.
- 3.4 Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

- 4.1 The site has an extensive planning history which includes the following:

F/YR00/0953/ CERTLU	Certificate of Lawful Use (Existing): Use of land and buildings for the storage and distribution of agricultural produce and fertilizers with ancillary offices and workshop	Issue Certlu 07/03/2002
F/1188/89/O	Erection of one dwelling and outbuildings for use as workplace home	Refused 16/02/1990
F/0255/86/F	Alterations and extension to offices Back Road Gorefield	Granted 30/04/1986
F/0155/82/F	Extension to offices Back Road Gorefield	Granted 20/04/1982
F/0700/80/F	Extension to store to form commercial vehicle maintenance work-shop	Granted 17/09/1980
F/0102/80/F	Erection of a replacement silo and one new grain	Granted

	silos and construction of a roadway	19/03/1980
F/0273/79/F	Erection of a grain silo Back Road Gorefield	Granted 06/06/1979
F/0076/79/F	Erection of a grain silo Back Road Gorefield	Refused 22/03/1979
F/0052/79/F	Alterations and permanent retention of brick-skinned prefabricated bungalow	Granted 14/03/1979
F/0257/77/F	Erection of 2 grain silos (retrospective)	Granted 18/05/1977
F/0210/77/F	Extension to office building	Granted 18/05/1977
F/0066/77/F	Construction of intake building and erection of silo for intake and storage of grain	Granted 25/04/1977
F/0108/75/F	Erection of an open sided building to cover existing open storage area	Granted 05/02/1975

5 CONSULTATIONS

- 5.1 **Gorefield Parish Council:** Supports the application; but recommends conditions to control construction traffic, and storage of construction materials. Requests a S106 contribution towards village amenities (details regarding enhancement project at the Village park changing rooms), and that the developer should satisfactorily complete the development.
- 5.2 **Cambridgeshire Highways:** *The lack of pedestrian infrastructure along Back Road means that safe convenient pedestrian access to the site is precluded. For a development of this scale I would be expecting a dropped kerb footway to be constructed along Back Road to connect the application site with the existing path network with some improvements to the street lighting.*

2m x 2m pedestrian visibility splays should be detailed either side of all the dropped kerb crossovers. Vehicle to vehicle visibility should be detailed at 2.4m x 43m at the access intersection with Back Road. The access should be at right angles to the back road for the first 10m with 6m radius kerbs either side.

Prior to the commencement of the development full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

- a) *The layout of the site, including roads, footways, cycleways, buildings and surface water drainage.*
- b) *The siting of the building(s) and means of access thereto.*
- c) *Visibility splays*
- d) *Parking provision*
- e) *Turning Area*

- 5.3 **Environment Agency:** Grant subject to a condition requiring the implementation of mitigation measures identified in the FRA (Finished Floor Levels and Flood Warnings).
- 5.4 **CCC (Lead Local Flood Authority):** Originally objected to the grant of planning permission as proposal not in accordance with policy/pumping of surface water not in accordance with policy.

Following the submission of a surface water strategy statement the LLFA maintained their objection as *'the applicant has not demonstrated that sustainable drainage systems (SuDS) will be used on site to provide storage/conveyance of surface water generated on site, nor have they provided evidence of why they would be inappropriate'* and also highlights that *'Pumping of surface water is an unsustainable drainage method'*.

It was required that the applicant *'attempts to discharge as much surface water runoff via gravity as possible. This can be achieved through the use of larger areas of shallow attenuation or alternative SuDS approaches. If it can be demonstrated that a partial or completely pumped drainage system is the only viable option we would require that the residual risk of flooding due to the failure of the pumps be investigated.'*

In response to this the agent's drainage specialist has provided a technical note which addresses the issues raised by the LLFA with regard to the underground tanks and the necessity to incorporate a pump. In addition they highlight that the *'strategy has been devised taking into account the requirements of both CCC highways and Anglian Water to ensure the proposals can be taken forwards to detailed design and technical vetting to ensure adoption of the roads and drainage network within the development, whilst complying with the surface water hierarchy and providing a 50% betterment to the existing current situation therefore reducing the flood risk'*

The consultation response of the LLFA is awaited in this regard and will be reported to the Committee by way of written update.

- 5.5 **Anglian Water:** The sewage system has capacity; surface water disposal in this instance is the responsibility of the LLFA or the IDB.
- 5.6 **IDB:** Has no objection in principle but highlights the following: *'There appears to be some inconsistencies with regard to SWD. The planning statement states soakaways are to be used, whilst the FRA states that 'on site SWD will be discharged via a combined SUDs and positive drainage to the adjoining riparian drain and hence to the IDB main drain system to meet the requirements of the North Level IDB and Building Regulations approval' The receiving riparian drain should be surveyed to ascertain its capacity to take any increased run-off and the exact impervious area discharging to the watercourse needs clarification (roads only or roads and houses). Should discharge from the site exceed 1.4 l/s/ha then my board will require a development levy in accordance with the enclosed for dealing with this increased run off. As per previous correspondence, my board will also investigate the possibility of taking over future maintenance responsibility of the current riparian watercourse should this be deemed necessary.'*
- 5.7 **Cambridgeshire Constabulary:** No comments.
- 5.8 **Cambridgeshire Fire and Rescue:** Provision should be made for fire hydrants.

- 5.9 **FDC (Waste Management):** Adequate provision needs to be made for the storage and collection of waste.
- 5.10 **FDC Environmental Health Officer:** Due to the uncertain nature of previous uses the full planning condition is required regarding potentially contaminated land. Subject to the condition the EHO has no objection.
- 5.11 **FDC Tree Officer:** *The trees are not particularly good quality and it would be difficult to justify wholesale retention. In this case I would rather see a robust landscape plan with good quality replacements going in following construction. The offsite trees will need their RPAs protected so the development should ensure that built structures are located outside of these. With reference to drawing 4944-PL01 A (if the latest), the location of the proposed house (Plot 15) is problematic. Whilst it may be possible to install a cellular confinement system over the existing ground level with a porous surface it would likely be subject to root action.*
- 5.12 **PCC Wildlife:** *Pleased to note [the application] is accompanied by an Ecological Impact Assessment Report (Sept 2019). I have the following comments to make with regard to ecology:*

Bats: Evidence of four common pipistrelle bats was found in Barn 1 (building closest to road). I am satisfied with the findings of the report that this is likely to be a small day roost (rather than a more important maternity roost), however a European Protected Species licence will be required by the applicant before any site demolition works can proceed. The information provided in the report, including setting out how the "three tests" are met appears acceptable. I would therefore request that the development proceeds in accordance with the bat mitigation and enhancement measures set out in the report [these measures together with] full details of bat boxes may be secured via a suitably worded condition.

Nesting Birds: The proposal involves the demolition of barns which contained evidence of nesting birds, along with the removal of vegetation which may also support nesting birds [...] therefore recommend that a standard bird nesting Informative be attached should the scheme be approved. To mitigate for the loss of nesting habitat, I would request that ten integral bird nesting boxes are installed, as per section 8.2 of the ecology report. Full details including designs and locations should be secured by condition.

Hedgehogs: Suitable habitat is present within the application site to support hedgehogs which are a UK Biodiversity Action Plan priority species and listed as a Species of Principle Importance under s41 of the NERC Act 2006. [...] Recommend that impenetrable barriers are avoided by allowing adequate gaps to be retained under all new sections of fence lines, as per section 8.3 of the ecology report [these] may be secured via a suitably worded condition.

Landscaping: Details set out in the Illustrative Site Plan appear broadly acceptable, however I would recommend that all existing boundary vegetation and trees are retained wherever possible. With regard to any additional planting [...] recommend the use of a range of native tree and shrub species such as those listed in section 7.5 of the ecology report, full details of which may be secured via a suitably worded condition.

In summary raises no objection to the proposal subject to the use of appropriate conditions as set out above. However should no development take place within two years of the date of the ecology report (i.e. by Sept 2021) I would advise that an updated ecology survey is carried out, particularly in relation to bats.

[Subject to] recommendations being fully incorporated into the approved scheme the development will in my opinion result in no net loss in biodiversity.

5.13 Local Residents/Interested Parties: 7 letters of representation have been received from 7 different sources (including the community consultation replies forwarded to the Council), the objections are summarised as follows:

- Adverse impact on residential amenity.
- Loss of value.
- Noise and disturbance.
- Contamination.
- Road capacity and highway safety.
- Lack of pavements.
- Traffic calming.
- Lack of capacity at the village school.
- Access should be via Wolf Lane.
- Retention and maintenance of trees.
- Length of time allowed to developer in terms of process

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF) (February 2019)

Paragraph 2 - Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise-The NPPF is a material consideration in planning decisions;

Paragraph 11 - Presumption in favour of sustainable development but in accordance with the development plan.

Section 5 - Delivering a sufficient supply of homes.

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land (Para. 118(c) - give substantial weight to the value of using suitable brownfield land within settlements for homes [...]

Section 12 - Achieving well-designed places.

Paragraph 124 -127: Creation of high quality buildings.

Paragraph 155-165: Development in flood risk areas.

Annex 2 (definition of Affordable Housing)

7.2 National Planning Practice Guidance (NPPG)

7.3 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 (Appendix B – Open Space)
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;
LP19: Natural Environment

7.4 SPD: Delivering and Protecting High Quality Environments in Fenland (July 2014)

7.5 Cambridgeshire Flood and Water SPD (December 2016)

8 KEY ISSUES

- **Principle of Development**
- **Character, appearance and Policy LP12 considerations**
- **Village Thresholds**
- **Character of the Area**
- **Residential Amenity**
- **Highway Safety**
- **Flood Risk**
- **Affordable housing**
- **Provision of Infrastructure**
- **Biodiversity and Landscaping**
- **Other Considerations**

9 ASSESSMENT

Principle of Development

- 9.1 Gorefield is identified as a 'Small Village' under Policy LP3 of the Fenland Local Plan 2014 where development will be considered on its merits but will normally be of a very limited nature and limited in scale to residential infilling or a small business opportunity.
- 9.2 As Gorefield is a 'Small Village' the proposal will also need to meet the criteria contained within Policy LP12. The preamble to Local Plan Policy LP12 explains that unlike the previous Local Plan, there are no longer fixed 'development area boundaries' around each of the settlements. This is intended to provide a more flexible, criteria based approach to assessing new proposals in such settlements. To this end, Local Plan Policy LP12 supports new development in villages where amongst other things, it does not harm the wide open character of the countryside, and requires proposals to be in or adjacent to the existing developed footprint of the village, of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance. The definition of the existing developed footprint of a village excludes gardens, paddocks, and other undeveloped land within the curtilage of buildings on the edge

of the settlements where the land relates more to surrounding countryside than to the built up area of the settlement.

- 9.3 The site was formerly used for the purposes of a storage and distribution business for agricultural produce and fertilisers. The business and staff relocated to Kings Lynn some time ago. Five large industrial type buildings in a dilapidated state, together with extensive areas of hardstanding associated with the former use remain; these define the developed footprint of the southern edge of the village.
- 9.4 Considered in the context of the previous use, as described above, the proposed development could be comparably considered to be of a very limited nature. Where the land is not of high environmental value, the use of brownfield land particularly in terms of helping to deliver affordable housing would meet Policy LP3 objectives of creating a strong, sustainable, cohesive and inclusive communities. The proposal is therefore considered to accord with Policy LP3.

Character, appearance and Policy LP12 considerations

- 9.5 The application has been submitted in outline will all matters reserved and the proposed layout plan for 14 large executive/suburban type housing is only indicative, it should be noted that this will represent a net increase of 13 dwellings. Massing, height, design and layout would also be important considerations for the detailed design stage.
- 9.6 The introduction of 14 dwellings (with associated gardens and hard surfaces) onto this area of previously developed land would not introduce built development that would appear isolated, obtrusive and encroach into the unspoilt countryside. This change would be in keeping with the core shape and form of the settlement and would clearly be an improvement in terms of impact on the character of this area in comparison with the existing development on the site.
- 9.7 As Gorefield is a 'Small Village' the proposal would need to meet the criteria contained within Policy LP12. Policy LP12 allows new development providing it contributes to the sustainability of that settlement, and does not harm the wide open character of the countryside. With regards to Policy LP12 criteria the proposal is assessed as follows:
- (a) The large disused buildings and extensive areas of hardstanding associated with the former use remain on site and these define the developed footprint of the southern edge of the village. Policy LP12 excludes agricultural buildings and associated land from the developed footprint of the village. In this case the former use of the site for storage and distribution (Class B8) falls outside agricultural use and the site is therefore considered to be continuous with the built form of the settlement and does not represent an incursion into open countryside. The requirements of criteria (a) are therefore met.
 - (b) The nearest settlements – Leverington (2.65km), Wisbech (4.4km) and Wisbech St Mary (3.55km) are too far away for coalescence to occur. The requirements of criteria (b) are therefore met.
 - (c) The illustrative scheme shows residential development of the site not exceeding two storeys, appropriately buffered with boundary planting. Such boundary treatment will soften the boundaries of the site marking the transition of the built form with the countryside beyond; recognising that the site is on the edge of the settlement This is considered to be an improvement on the character and

appearance of this part of the countryside in comparison with the existing development. The requirements of criteria (c) are therefore met.

- (d) The proposed development remains within the boundary limits of the former use, the profile of the residential development will be lower than the existing buildings and the setting largely contiguous with existing residential dwellings, for these reasons the shape and form of the settlement is not considered to be harmed. The requirements of criteria (d) are therefore met.
- (e) The proposal does not involve linear or ribbon development and therefore the requirements of criteria (e) are met.
- (f) The existing boundary planting will be retained and augmented as necessary to meet the requirements of criteria (f).
- (g) The dilapidated and unused nature of the site may have attracted some wildlife, and issues concerning biodiversity are considered in detail below, however it should be noted that the submitted Ecological Assessment has been accepted by the Wildlife Officer and as such it can be concluded that the requirements of criteria (g) are met.
- (h) The area of open space adjacent to the junction of the access with Back Road will be retained in the form of a front garden to a dwelling. The development will not result in the loss of important open village spaces. The requirements of criteria (h) are met.
- (i) The loss of agricultural land is not involved. The requirements of criteria (i) are met.
- (j) Danger from identified risks is not involved. The requirements of criteria (j) are met.
- (k) The site is adequately serviced. The requirements of criteria (k) are met.

9.8 Policy LP16 seeks to ensure that new development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the area (part (d)).

9.9 The proposal is considered to be compliant with the criteria set out under Policy LP16. Of central importance is the effect on local distinctiveness and the character of the area of the removal of a non-confirming use and redeveloping a brown field site with residential development. In this respect the redevelopment of the site, as discussed above, is considered to constitute an improvement to the settlement patterns and landscape character of the area.

9.10 The layout of the site itself is considered to be acceptable in terms of the spacing of the dwellings and the amount of amenity space and parking and turning areas available for the proposed dwellings. In this regard the proposal complies with part (h) of Policy LP16. Details relating to landscaping, waste collection and contamination will be dealt with at reserved matters or through conditions.

- 9.11 It is notable that many properties on Back Road are bungalows or chalet bungalows with accommodation in the roofspace. A recent development on the corner of Wolf Lane and Back Road has utilised design characteristics sympathetic to the scale and character of existing properties although clearly of two storey scale including materials and cat-slide dormer windows that are considered to enhance the village street scene. In order to comply with requirements of Policy LP16 it is considered that any submission of any detailed design should consider a similar palette of design features.
- 9.12 It is therefore concluded that the proposed development would not harm the character and appearance of the surrounding area and that it would consequently not conflict with the aims of Policies LP3, LP12 and LP16 of the Local Plan. In addition to the requirements of LP3 and LP12, LP16 seeks, amongst other matters, to ensure that development makes a positive contribution to distinctiveness and does not adversely impact on the settlement pattern or landscape character of the surrounding area.

Village Thresholds

- 9.13 Policy LP12 Part A also provides that if proposals within or on the edge of a village, in combination with other development built since April 2011 and committed to be built, increase the number of dwellings in a small village by 10% then the proposal should have demonstrable evidence of clear local community support for the scheme and if, despite a thorough pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the relevant Parish Council.
- 9.14 The threshold for Gorefield would be breached by the current development given that the current figures, as of 5th September 2019, record a threshold of 33 new dwellings and the number of dwellings built or committed being at 25, as such any application would require demonstrable community support in accordance with the Policy.
- 9.15 This application has been the subject of pre-application community consultation in accordance with Policy LP12. The community consultation exercise attracted a total of 13 responses, 8 in support, 3 objections and 2 letters which were neutral or undecided. In conclusion 72% of the response was positive and the scheme had the support of the Parish Council.
- 9.16 Notwithstanding this the LP12 'community support requirement has been tested at appeal and the Planning Inspector concluded that it is unwise to refuse applications on this element of LP12 alone. Nevertheless in this instance it appears clear that there was not a significant objection from the community generated by the consultation exercise.

Residential amenity

- 9.17 The proposal will introduce up to 14 dwellings. The detailed layout will be the subject of further applications for reserved matters. However it is noted that the orientation of dwellings and in particular the treatment of boundaries with existing neighbouring properties, including those that abut the proposed access road, need careful consideration to safeguard the amenities of neighbours.

Highway Safety

- 9.18 The access and highway safety considerations have been assessed by the Local Highway Authority; no objections are raised to the proposed access subject to conditions being applied. As such, there are no concerns in relation to highway safety and the proposal complies with the provisions of LP15 in this regard although footways may be required along Back Road on the site frontage.
- 9.19 A request was made to replace/improve a footbridge which provides pedestrian access towards the village primary school. However this includes the culverting of the drain which is outside the control of the applicant. Furthermore the bridge/footway facility is already in place to facilitate pedestrian access, therefore the proposal is not necessary and such works fail one of the tests outlined in Paras 55-56 of the National Planning Policy Framework in that the upgrade/replacement is not 'necessary' to make the development acceptable. As such this request may not be taken forward as part of this proposal.

Flood Risk

9.20 A large part of the south eastern part of the site is located within Flood Zone 2 and a planning condition preventing built development within the small area of flood zone 3 is attached. A Flood Risk Assessment (FRA) and Sequential Test has been submitted. The FRA simply acknowledges the location of the site in Flood Zone 2, and states that the Sequential Test will need to be applied by the local planning authority. As there will be no development in Flood zone 3 there is no requirement to pass the exceptions test in accordance with the adopted SPD.

9.21 The Environment Agency (EA) has stressed that it is for the local planning authority to apply the Sequential Test; subject to this they has no objections but recommend that the mitigation measures detailed in the revised FRA are implemented.

9.22 In assessing the Sequential Test, the Flood and Water SPD advises the following:

"the area of search is usually over the entire LPA area and may only be reduced in discussion with the LPA because of functional requirements and objectives of the proposed development and because there is an identified need for that type of development. The relevant Local Plan should be the starting point".

9.23 However due to Fenland District Council's informal guidance on sequential tests for housing (adopted by Council in May 2018) the proposal is a considered in accordance with the principles of LP3 of the Fenland Local Plan. It will see the development of a brownfield and non-conforming use in the Village of Gorefield which will provide affordable housing in accordance with policy requirements, and in overall sustainability terms will accord with NPPF and Fenland Local Plans wider aspirations. Therefore, it is accepted that the area of search is within the village of Gorefield.

9.24 A Flood Risk Assessment and Sequential test has been submitted. The FRA concludes that the site should be identified as being within Flood Zone 1, the actual risk of flooding is low and that proposed floor levels are to be set 300mm above lower existing land levels at 2.10 aOD with sleeping accommodation and safe refuge provided at first floor level of the dwellings.

9.25 A Sequential Test has also been carried out given the nature of the development, and its location partly within Flood Zone 2. The geographical area

of search was limited to the settlement. The Sequential Test concluded that no sites have been identified that lie wholly within Flood Zone 1 which would be considered sequentially preferable to the application site which lies partly within Flood Zone 2; that the accompanying site specific FRA demonstrates that the development will be safe for its lifetime taking into account the vulnerability of its users without increasing flood risk elsewhere and reducing overall flood risk. Given that development of this type (i.e a non-conforming brownfield site of this scale) is difficult to identify in Gorefield, and as all sites are severely constrained by the presence of Flood Zone 2, and as the proposal seeks to demonstrate a clear objective to sustain particular settlements, the contention that there are no sequentially preferable sites available is therefore accepted. In this instance the sequential test is therefore considered to be passed; furthermore as the site is within flood zones 1 & 2 there is no requirement for the development to satisfy the exception test.

- 9.26 A surface-water drainage strategy for the site (as required by the Cambridge Flood and Water SPD) was not forthcoming as part of the original application details; however this has been submitted and the LLFA duly consulted. The initial comments raised concern as they did not consider that the development proposals incorporated sustainable drainage systems, given that they do not consider the underground tanks proposed were SuDS.
- 9.27 The LLFA further contend that the variety of SuDs techniques are such that virtually any development should be above to include a scheme based around SuDS.
- 9.28 It is also considered that the pumping of surface water is an unsustainable drainage method as pumps present a significant residual risk if they are not maintained or fail during a storm event. The LLFA as part of their detailed consultation response have identified their preference for gravity discharge to the SWD system, and that they require the applicant attempts to discharge as much surface water runoff via gravity as possible. This advice is caveated by the information that the applicant should provide if it can be demonstrated that only a partial of completely pumped drainage system is the only viable option.
- 9.29 In response to this the agents have provided a detailed technical note and the LLFA has been formally re-consulted. It is intended that their consultation response will be reported to the committee by written update. Subject to a satisfactory SWD strategy being agreed compliance with Policy LP14 will be achieved.

Affordable Housing

- 9.30 The application proposes 4 affordable dwellings which is considered to accord with policy requirements (Policy LP5). The provision of 4 affordable dwellings for the village is considered to provide significant weight in the assessment of the Sequential Test as regards demonstrating the clear intention to sustain the particular settlement. Therefore the application will include Section 106 requirement for the provision of 4 affordable dwellings. Alternatively an off-site provision for 25% could be accepted or if proven that these are not deliverable NPPF compliant other forms of Affordable housing (starter units or market discount housing at 80% market value to remain as such) could be secured.

Provision of Infrastructure

9.31 The original request made by the County Council for education contribution has been withdrawn. No request for NHS provision has been made.

9.32 Policy LP13 addresses infrastructure Provision and Appendix B provides open space standards and the calculations for this site are as follows:

Site Area		2.38ha
	%	Contribution
Neighbourhood/town park	4	£9,520.00
Children's play	4	£9,520.00
Natural Greenspace	5	£11,900.00
Allotments	1	£2,380.00
Outdoor Sports	8	£19,040.00
Total		£52,360

9.33 However, it is noted that Children's play and natural greenspace could be provided within the site, should this not be considered appropriate the proposal should make off-site provision. Evidence from the local community has identified a project on the village recreation ground with an extension of the village hall/changing facilities have been granted planning permission recently (F/YR18/1017/F), furthermore it is noted that Gorefield Allotments are on land owned by FDC which is leased to the Parish and then sub-let and that the Parish Council is responsible for the play equipment on the Wolf Lane playing field.

9.34 There are clearly opportunities to enhance sports/recreation provision locally and the allotments, outdoor sports and neighbourhood park elements listed above could feasibly be directed to such projects. With regard to children's play and natural greenspace the applicant may choose to provide these on-site. It is suggested that should the Committee favourably recommend the scheme authority is delegated to the Head of Service to negotiate a suitable package of Infrastructure benefits which should align with the table above.

9.35 As indicated in the 'Highway Section' of this report the Highway Authority requested the culverting of a drain within the village alongside Back Road and a footpath which accesses High Road and the Gorefield Primary School. This is not considered to be necessary and therefore fails the CIL regulations and as such is excluded.

Biodiversity and Landscaping

9.36 An Ecological Appraisal of the site was not forthcoming as part of the original application details, contrary to the requirements of the NPPF and Policy LP18 of the FLP). The outstanding EA was recently submitted and the Wildlife Officer (WO) duly consulted.

9.37 Based on the response from the WO, summarised in the consultation section above, it is concluded that subject to the imposition of the recommended conditions the scheme has the potential to achieve compliance with Policy LP18 of the FLP as not resulting in any net loss in biodiversity. With regard to landscaping the FDC Tree Officer does not consider any trees on site are worthy of protection and seeks a robust landscaping scheme as part of any reserved matters application.

Other Considerations

9.38 Concerns raised by residents relating to adverse impact on residential amenity, and noise and disturbance are not considered as valid except for the limited period of time during construction. Loss of value is not a planning consideration. Contamination will be dealt with through a planning condition. The Highway Authority considers that it would be unreasonable to insist upon the site being accessed from Wolf Lane, as would the provision of footways when none exist on Back Road. The access road serving the development is not of sufficient length to justify traffic calming measures. Trees and planting will be addressed at reserved matters stage.

10 CONCLUSIONS

10.1 It is considered that the scheme has the potential to fully accord with both Local and National planning policy as it will see the re-use of a vacant brownfield site within an existing settlement.

10.2 Suitable safeguarding conditions and appropriate planning obligations may be brought forward as part of any consent issued to ensure policy compliance with regard to flood risk, contamination, design, layout, highway safety, biodiversity/landscaping and infrastructure provision.

10.3 Subject to the resolution of the outstanding LLFA objection relating to surface water drainage on site it is considered that the scheme achieves full compliance with the relevant policy framework.

11 RECOMMENDATION - Grant subject to:

- (i) Expiry of re-consultations with resolution of outstanding LLFA objection and no new grounds of objection
- (ii) Prior completion of a Section 106 agreement with regard to:
 - 4 units for affordable housing on site or off site contribution, or if not deliverable NPPF compliant Starter homes or discount market both at 80% market value in perpetuity;
 - Provision of Public Open Space contribution (maximum of £52,360) or appropriate on-site;
 - Provision of off-site highway improvement works (provision of 1.8metre wide footway on south side of Back Road as detailed on indicative plan)
- (iii) Should the obligation referred to not be completed and the applicant is unwilling to agree to an extended period of determination after 4 months, or on the grounds that the applicant is unwilling to complete the obligation necessary the application be refused.
- (iv) Delegated authority be given to the Head of Planning to finalise appropriate planning conditions, although an indicative schedule is included below

1	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.
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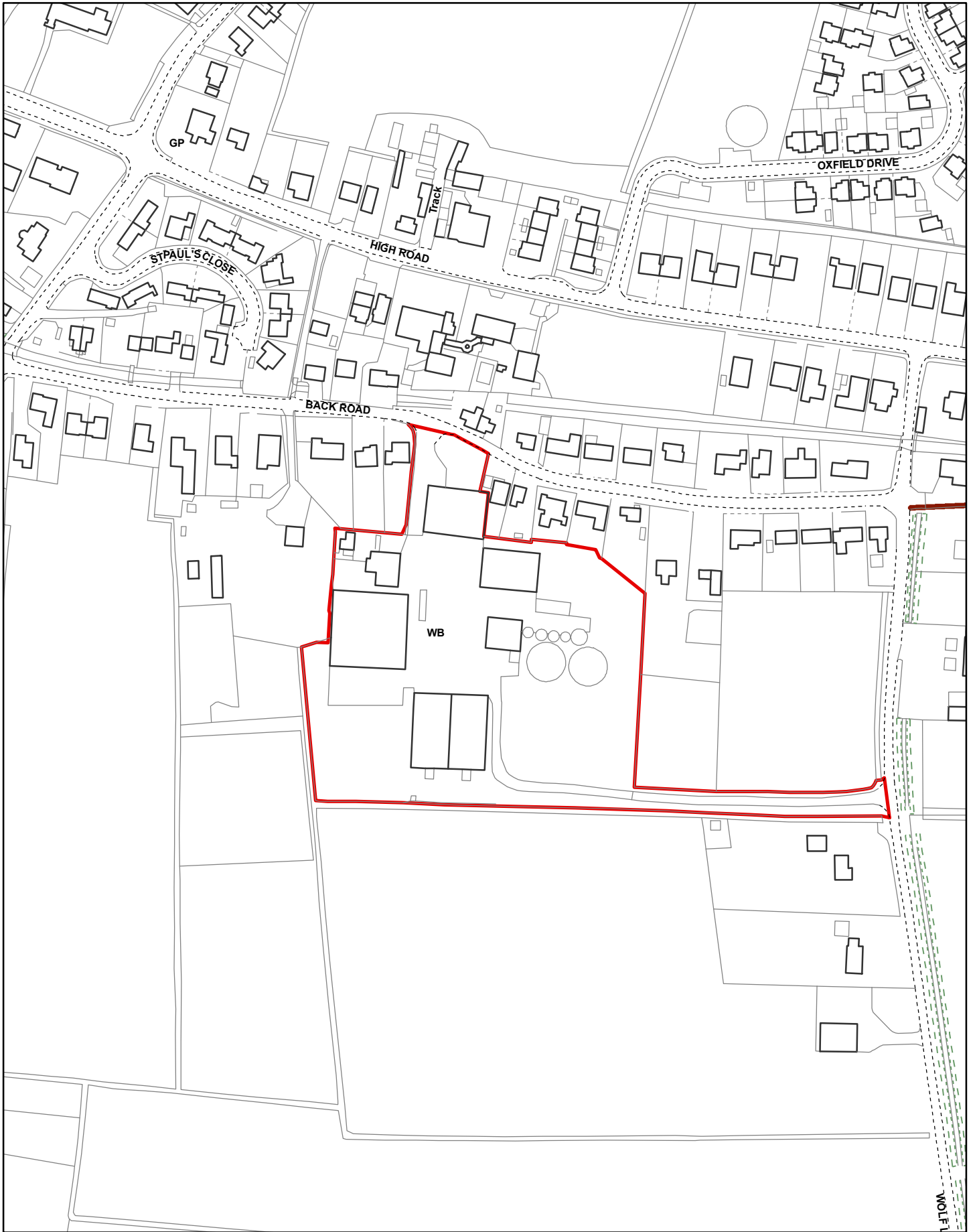
	Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004
2	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the layout of the site ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the means of access thereto; v. 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 Authority to control the details of the development hereby permitted.</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.</p>
4	<p>The residential elements of the development shall not exceed 14 dwellings (Use Class C3).</p> <p>Reason - For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5	<p>The development permitted by this planning permission, and the details of which are required by planning condition No 2, shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures:</p> <ul style="list-style-type: none"> - Finished floor levels should be elevated to 300mm above the current ground level. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, agreed, in writing, by the Local Planning Authority.</p> <p>Reason - To reduce the risk of flooding to the proposed development and future occupants and in accordance with Policy LP14 of the Fenland Local Plan(2014).</p>
6	<p>The detailed layout required by condition No 2 shall include the provision of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved by the Local Planning Authority. This should include provision for the storage of three standard sized wheeled bins for each new property with a collection point no further than 25 metres from the public highway. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form 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 in accordance with the RECAP Waste Management Design Guide and the aims of Policy LP16 of the Fenland Local Plan.</p>

7	<p>Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes.</p> <p>Reason - To ensure that retained trees are adequately protected in accordance with Policy LP19 of the Fenland Local Plan (2014)</p>
8	<p>The details submitted in accordance with Condition 02 of this permission shall include:</p> <p>(a) a plan showing (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 above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree and (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>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>
9	<p>The details submitted in accordance with Condition 02 of this permission shall include: suitable area shall be provided within the site to enable vehicles to:</p> <ol style="list-style-type: none"> 1. enter and leave in forward gear 2. park clear of the public highway <p>The extent of this area shall be shown fully dimensioned on the layout plans to be submitted as part of the Reserved Matters application and such space shall be retained thereafter for no other use in perpetuity.</p>

	Reason - In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).
10	<p>The details submitted in accordance with Condition 02 of this permission shall include:</p> <ul style="list-style-type: none"> • 2m x 2m pedestrian visibility splays should be detailed either side of all the dropped kerb crossovers. • Vehicle to vehicle visibility should be detailed at 2.4m x 43m at the access intersection with Back Road. • The access should be at right angles to the back road for the first 10m with 6m radius kerbs either side. <p>The above requirements shall be shown fully dimensioned on the layout plans to be submitted as part of the Reserved Matters application and thereafter maintained in perpetuity.</p> <p>Reason - In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
11	<p>No occupation of any dwelling hereby permitted shall take place until the demolition of the existing dwelling immediately to the east of No 22 Back Road has been completed.</p> <p>Reason - In the interests of the protection of amenity of future occupiers of nearby dwellings in accordance with Policy LP16 of the Fenland Local Plan.</p>
12	<p>No part of the development shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed estate roads and private drives within the development have been submitted to and approved by the local planning authority. The estate roads and private drives shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.</p> <p>Reason: To ensure a satisfactory means of access in accordance with policies LP15 and LP16 of the Fenland Local Plan.</p>
13	<p>No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.</p> <p>(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.</p> <p>(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.</p> <p>(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors</p>

	<p>and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.</p> <p>No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).</p> <p>(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p> <p>(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.</p> <p>(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason - To control pollution of land or water in the interests of the environment and public safety.</p>
14	<p>The development shall be undertaken fully in accordance with the recommendations contained within The Wild Frontier Ecology Ecological Impact Assessment (EIA) dated September 2019 and prior to the commencement of development on site the following biodiversity mitigation and enhancements shall be detailed on the submitted drawings along with a timescale for delivery:</p> <p>(i) The bat mitigation and enhancement measures outlined within the EIA shall be adhered to; i.e.</p> <p>(a) Having a licensed bat worker provide an induction talk to contractors prior to starting works;</p> <p>(b) Having a licensed bat worker present for higher risk activities (removal of cladding/flashing, barn doors and demolition of certain brickwork and other features) on the relevant parts (namely the south side) of Barn 1 to safely translocate any bats encountered;</p> <p>(c) "Soft felling" of mature willow tree at front of site with bat roost potential;</p> <p>(ii) Four integral bat boxes shall be provided as per section 8.1 of the report, details of these together with their intended locations shall be provided prior to any development above slab level and they shall be installed prior to the occupation of their related dwelling and maintained in perpetuity thereafter.</p> <p>(iii) Ten integral bird nesting boxes shall be provided as per section 8.2 of the report, details of these together with their intended locations shall be provided prior to any development above slab level and they shall be</p>

	<p>installed prior to the occupation of their related dwelling and maintained in perpetuity thereafter.</p> <p>(iv) Hedgehog gaps shall be retained under all new sections of fence lines, as per section 8.3 of the report these should be detailed on the drawings submitted in respect of condition 2, provided concurrently with their related dwellings and maintained in perpetuity thereafter.</p> <p>Reason - To ensure that protected species are suitably safeguarded and to enhance biodiversity on the site in accordance with Policy LP19 of the Fenland Local Plan (2014)</p>
15	<p>Should development not commence on site within two years of the date of the ecology report (i.e. by Sept 2021) an updated ecology survey shall be submitted to and approved in writing by the Local Planning Authority. Should the findings of this report require revisions to the previously agreed biodiversity mitigation and enhancement proposals an updated scheme, together with amended timescales as required, should be submitted to and approved in writing by the LPA and all works shall then be carried out fully in accordance with the agreed scheme and thereafter maintained in perpetuity.</p> <p>Reason - To ensure that protected species are suitably safeguarded and to enhance biodiversity on the site in accordance with Policy LP19 of the Fenland Local Plan (2014)</p>
16	<p>Prior to any construction above slab level 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>
17	All drainage conditions as recommended by the LLFA
18	The development hereby permitted shall be carried out in accordance with the following approved plans and documents



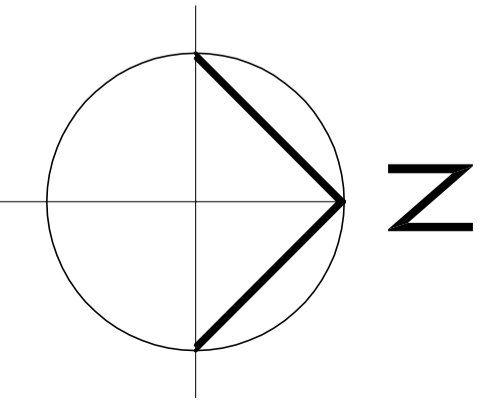
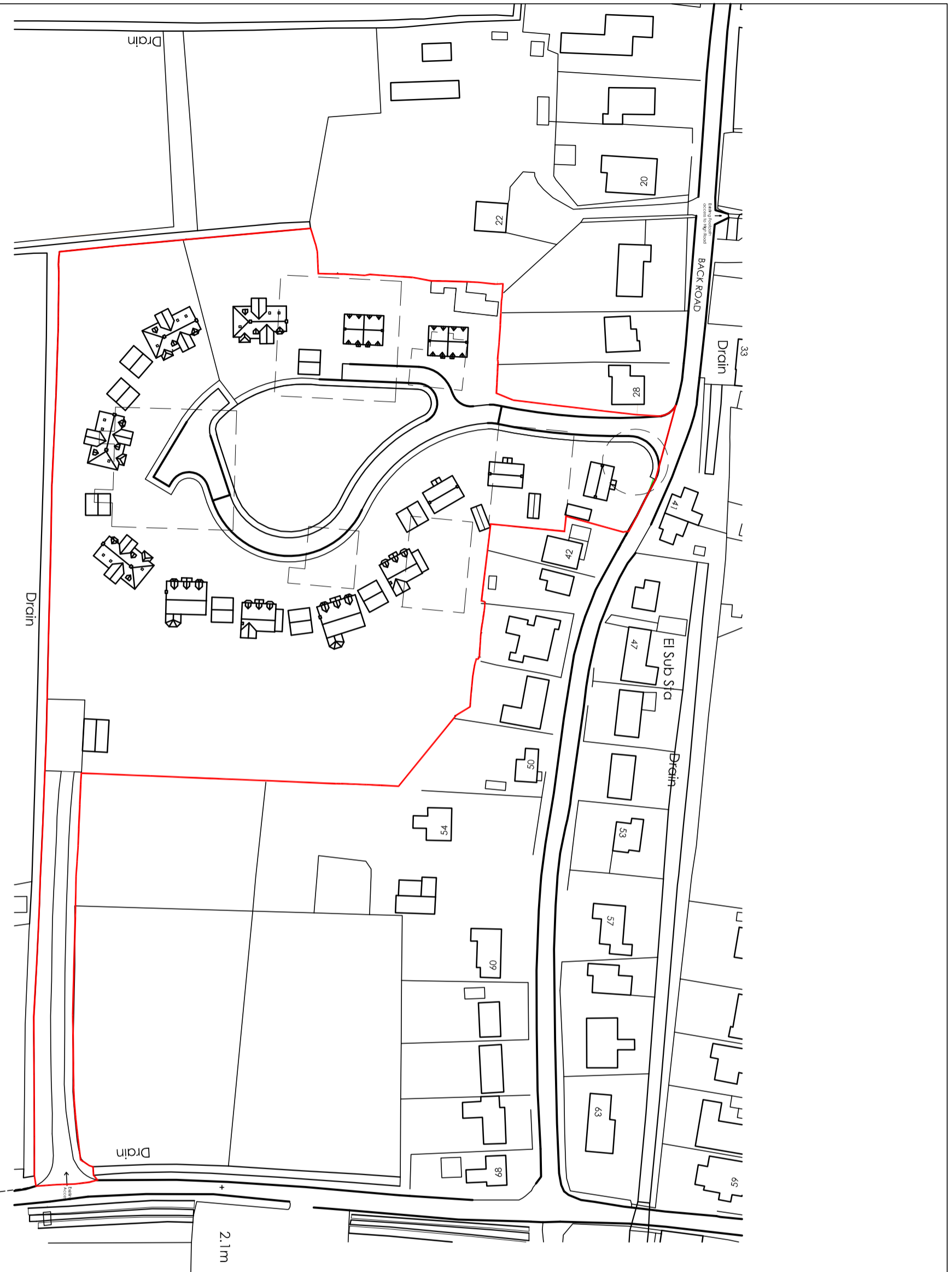
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Peter Humphrey Associates
 ARCHITECTURAL DESIGN AND BUILDING

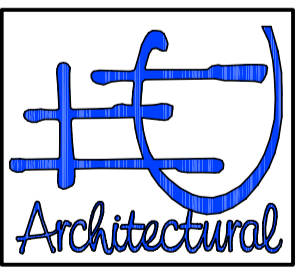
PROJECT
 PROPOSED RESIDENTIAL DEVELOPMENT
 DENNICKS YARD
 BACK ROAD
 GOREFIELD

CLIENT
 DENNICK/CHAMBERLAIN FAMILY

DRAWING TITLE
 LOCATION PLAN

DATE JUNE 15 SCALE AS SHOWN JOB No. 4944 - L01A

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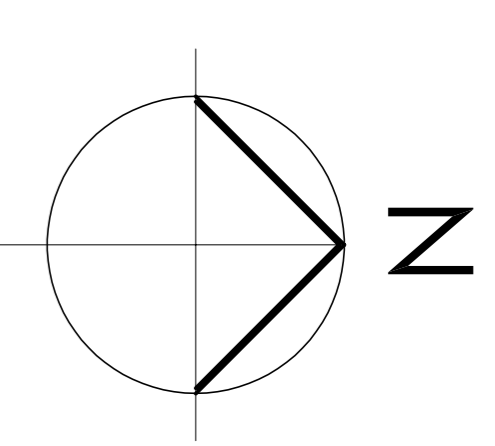
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Fenland District Council
 Building Design Awards
 Building Excellence in Fenland
 Category Winner 2008

LOCATION PLAN 1:1250



KEY:

-  = Proposed trees
-  = Existing trees
-  = Land own by Highways - See definitive maps



SITE PLAN 1:500

Deter Humphreys Associates
 ARCHITECTURAL DESIGN AND BUILDING

PROJECT
 PROPOSED RESIDENTIAL DEVELOPMENT
 DENNICKS YARD
 BACK ROAD
 GOREFIELD

TITLE
 DENNICK/CHAMBERLAIN FAMILY
 ILLUSTRATIVE SITE PLAN

DATE: Sept 18 SCALE: AS SHOWN JAN No. 4944 - P101CD

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REGISTERED ARCHITECTS
 25, CHAMBERLAIN STREET, GOREFIELD, CO. Wick
 Category: Wick 2018