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**F/YR20/0471/RM**

**Applicant: Mr Lee Padimore  
Taylor Wimpey East Midlands**

**Agent : Ms Linzi Melrose  
CC Town Planning**

**Site of Former Eastfield Nursery, Eastrea Road, Whittlesey, Cambridgeshire**

**Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR16/1017/O for the erection of (up to) 169 x dwellings and associated works**

**Officer recommendation: Approve Reserved Matters**

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

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## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks approval of reserved matters relating to Layout, Scale, Appearance and Landscaping for 158 dwellings. In addition, the Outline permission also requires the submission of additional details at reserved matters stage relating to;
  - Provision of children's play and public open space (condition 11),
  - Ecology enhancements (condition 12),
  - A scheme for bird and bat boxes across the site (condition 13),
  - Details of existing and proposed levels cross the site (condition 16).
- 1.2 The principle of development was established under the initial outline permission F/YR16/1017/O for up to 169 dwellings. The Outline application assessed the transport impacts of the development and was considered to be acceptable. This application seeks to agree the detailed design elements of the development.
- 1.3 A significant number of objections have been received – a majority of which raise concerns over the proposed footway link to Charles Road to the west. This link has been assessed by Officers, the Police and the Council's Transport and Open Spaces teams and is considered to be important in providing community cohesion, sustainable travel options and improving security through additional surveillance in the area. The applicant has agreed to a financial contribution toward the footpath delivery.
- 1.4 Matters of drainage have also been carefully considered and it is concluded that there are no technical objections to the drainage strategy – the final details of which are required to be formally discharged via a condition compliance application.
- 1.5 It is considered that the application complies with relevant planning policy and is recommended for approval, subject to conditions and securing a S106 agreement for the financial contribution toward the footway link.

## **2 SITE DESCRIPTION**

- 2.1 The site comprises 5.57 Ha of former Nursery land to the south of Eastrea Road, off the existing round-about. The site abuts existing housing to the west, on the south side of Eastrea Road, and estate roads leading off Bellmans Road, and to the south it abuts the Lattersey Nature Reserve. It also sits directly opposite the Larkfleet residential development to the north, accessed via Dandelion Drive. A track leads along the eastern boundary serving the Gildenburgh Water diving lake.
- 2.2 There is a small area of public open space (owned by FDC) at the end of Diana Close along the south west boundary. This area of open space also provides pedestrian access to the Charles Road estate and to the Lattersey Nature Reserve.
- 2.3 The site is within Flood Risk Zone 1 an area considered to be at the lowest risk of flooding.
- 2.4 The site forms a strategic allocation for development under Policy LP11 of the Fenland Local Plan, 2014.

## **3 PROPOSAL**

- 3.1 The application seeks approval of reserved matters relating to Layout, Scale, Appearance and Landscaping (with access previously approved at outline stage). In addition, the Outline permission also requires the submission of additional details at reserved matters stage relating to;
  - provision of a minimum of 0.222hectares of children's play provision including details of play equipment, and 0.278 hectares of public open space (condition 11),
  - Ecology enhancements to balancing ponds and green infrastructure buffer to the southern boundary (condition 12),
  - A scheme for bird and bat boxes across the site (condition 13),
  - Details of existing and proposed levels cross the site (condition 16).

### *Layout*

- 3.2 The layout has undergone several amendments through consideration of this application, mainly to address initial concerns over visual impacts, vehicle access and turning (including bin collection point locations), some parking layout concerns and distance separation between proposed and existing properties. In addition, the scheme has been amended to address drainage concerns and linkages to existing communities and boundary treatments. The amendments have led to a reduction in the overall quantum of development from 168 to 158 dwellings.
- 3.3 The layout takes the form of a primary road though the development accessed directly off the A605 as approved at outline stage as well as a small pocket of 5 dwelling accessed directly from Eastrea Road at the north west. Turning heads are provide at key locations, with private driveways spurring off to serve pockets of dwellings, primarily at the fringes of the development.
- 3.4 All estate roads incorporate turning heads and bin collection points serving the private driveways are located adjacent to the adoptable highway.

- 3.5 Dwellings mainly present their principal elevation onto their respective roads with rear gardens generally backing onto neighbouring rear gardens.
- 3.6 Beyond the built development the site opens to areas of planned open space which also incorporates a sustainable urban drainage (SuD) attenuation pond at the south of the development. A local equipped area of play (LEAP) is located in the southern half of the development adjacent to the existing area of open space to the east of Diana Close and Bellmans Grove. A 2m wide footway/ cycleway link is proposed to connect the development to this area of existing open space. The development also includes an area of informal open space in the northern half of the site
- 3.7 All dwellings include on-site parking achieved through driveways and some with either detached or integral garages.
- 3.8 An electricity sub-station and gas governor is proposed to be located along the primary route at the north east area of the site (adjacent to Plot 158). A pumping station is proposed along the eastern boundary (adjacent plots 104/ 105).

#### *Scale & appearance*

- 3.9 The dwellings are predominantly 2-storey with the exception of 4 pairs of semi-detached and three triple terraced, 3-storey dwellings which incorporate rooflight windows. The dwellings are all traditional in form, incorporating porch canopies and traditional casement windows. The triple terraced properties incorporate ginnels to enable access to the rear.
- 3.10 The scheme proposes a mixture of buff/brown and red facing brick with intermittent half-rendered finished dwellings. A mixture of red and grey roof tiles is proposed throughout the scheme. Where garages are proposed, these are all single-storey and proposed to be finished in materials to match their associated dwelling.
- 3.11 The electricity sub-station which measures 4m x 4m by 4.2m to ridge is proposed to be finished in red facing brick with brown roof tile.

#### *Landscaping*

- 3.12 The landscaping proposes a mixture of hard and soft landscaping material across the site. Within each property, amenity areas are proposed to be laid to grass and a mixture of trees and shrubs incorporated into front gardens and the wider amenity areas. Hedges are used in places to define front and side boundaries where they meet the highway.
- 3.13 The primary road is proposed to be surfaced in tarmac, with private drives and raised roads block paved in a brindle colour paviours. Within the properties themselves, driveways are proposed to be finished in tarmac with paving slabs providing paths to front doors and side accesses to rear gardens. The private amenity area for each dwelling is enclosed with close boarded fencing except where they front onto the public realm where there will be 1.8m high brick wall. In order to compensate for level differences, where the proposed rear gardens back onto existing gardens 2.0m high fences are proposed to be topped with a 450mm trellis to further aid screening.
- 3.14 The eastern boundary adjacent to the Gildenburgh Water access comprises the retained and enhanced hedgerow with close boarded fence within each curtilage.

- 3.15 The open spaces comprise a mixture of wildflower and amenity grass with the existing hedge, generally around existing drains being retained. Around the perimeter of the attenuation ponds a mixture of wildflower, including for wetlands is proposed, following the requirement to introduce biodiversity enhancements. A range of new trees and shrubs are also proposed along the road edge along the frontage.
- 3.16 The LEAP is proposed to be surfaced with grass and is proposed to be fenced in using a 1.1m high estate rail fence where it abuts residential curtilage.
- 3.17 The SuDS pond is proposed to be enclosed with a 1.2m high post and rail fence with gated access.

*Drainage scheme*

- 3.18 The drainage strategy has been amended during consideration of this application and follow detailed discussion with the Lead Local Flood Authority (LLFA). Whilst the final drainage and management strategy is to be discharged through a planning condition secured under the outline consent (conditions 4 and 5), the general approach is committed via the layout and is supported by a technical assessment of the strategy.
- 3.19 The intention is to discharge surface water drainage via the SuDS a pond, into an existing drain north of the pond. This will ultimately run to the Gildenburgh Water lake which is connected to the IDB system to the south east (drain #19).
- 3.20 The existing Anglian Water surface water sewer serving the development at Bellmans Grove, which crosses the site is to be diverted slightly to accommodate the development, but nonetheless discharged into the same connection point.
- 3.21 Foul drainage will be treated at the pumping station on the eastern boundary and pumped up to a point along the A605 to the east.
- 3.22 Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/>

**4 SITE PLANNING HISTORY**

Reference	Description	Decision
F/YR20/3065/COND	Details reserved by conditions 4 (Surface Water Drainage Strategy), 5 (Maintenance of Surface Water Drainage and SuDs), 9 (Foul Water Drainage) and 15 (Management and Maintenance of Streets) of planning permission F/YR16/1017/O (Erection of up to 169 dwellings (Outline with matters committed in respect of access only)) and Condition 1 (Footway Link) of permission F/YR20/0337/NONMAT	WITHDRAWN
F/YR20/0337/NONMAT	Non-material amendment: Variation of condition 17 to amend approved access drawing and condition 6 relating to provision of footway relating to planning permission F/YR16/1017/O (Erection of 169 x dwellings (max) (Outline with matters committed in respect of access only))	APPROVE 04.06.2020
F/YR19/3092/COND	Details reserved by conditions 7 and 10 of planning permission F/YR16/1017/O (Erection of 169 x dwellings (max) (Outline with matters committed in respect of access only))	APPROVE 23.10.2019

F/YR16/1017/O	Erection of 169 x dwellings (max) (Outline with matters committed in respect of access only)	GRANT 24.01.2019
F/YR15/0505/SC	Screening/Scoping Opinion: Erection of 169 dwellings with associated infrastructure and landscaping	FNREQ

## 5 CONSULTATIONS

### 5.1 Whittlesey Town Council

#### July 2

*The Town Council recommend refusal due to the inconsistencies between the plan and the planning statement, there is now also 85 objections lodged with FDC. The police have also expressed concerned with the rear access into the central terraced properties. The Town Council would request that the footpath will not be included within the planning statement.*

#### Nov 5

*WTC request a deferment for re-examination of plans by Cambridgeshire County Council Highways in request of safety for vehicular access to and from the A605. Also, the land level calculations are in dispute and need to be checked.*

#### Feb 4

*The Town Council recommend refusal as the referral reasons in the previous application have not been addressed, they would also like to comment as follows: The elevation plan is the same as the previous one, showing the development to be about 1 – 2 metres above Bellmans Grove, this is incorrect and once again is the wrong plan. Gildenburgh are refusing to allow the water runoff onto their site so now the drainage plan is incorrect and requires amendment.*

### 5.2 CCC Lead Local Flood Authority

*We have reviewed the following documents:*

- Drainage & Maintenance Strategy, Stafford Infrastructure Engineering. Dated: 17th February 2021.*
- Drainage Strategy Plan Sheet 1, Stafford Infrastructure Engineering, 8943-401-Rev. C. Dated: 16th February 2021.*
- Drainage Strategy Plan Sheet 2, Stafford Infrastructure Engineering, 8943-402-Rev. C. Dated: 16th February 2021.*
- Drainage Strategy Plan Sheet 3, Stafford Infrastructure Engineering, 8943-403-Rev. C. Dated: 16th February 2021.*
- Drainage Strategy Plan, Stafford Infrastructure Engineering, 8943-400-Rev. C. Dated: 16th February 2021.*

*Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.*

*The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving on all private driveways and a large SuDS basin. A low flow swale will be installed within the basin to provide additional surface water treatment and silt retention. Surface water will then discharge into the existing lagoon within the site at 8.08 l/s during all events up to and including the 1 in 100 year storm event plus a 40% allowance for climate change. This lagoon then outfalls into the adjacent watercourse to the west of the site.*

*The ground in the lower reach of the site will be raised approximately 700mm above ground level. A land drain will be installed around this part of the site boundary to capture any overland flows from the raised area.*

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

*We look forward to reviewing the detailed design as part of future applications to discharge condition 4 of outline permission F/YR16/1017/O.*

### **5.3 CCC Highways**

*I have no highway objections subject to the following conditions;*

- 1.) No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 198 or a Private Management and Maintenance Company has been established).  
Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard. Refer to advisory 1.*
- 2.) No works shall commence on site until such time as detailed plans of the Roads and footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.  
Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.*
- 3.) Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority in consultation with the Highway Authority.  
Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.*
- 4.) The vehicle turning and parking spaces shown on the approved plans shall be provided before the development is brought into use and shall be retained thereafter.  
Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.*
- 5.) Prior to first occupation of the development hereby approved, visibility splays shall be provided as shown on the approved plan and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.  
Reason: In the interests of highway safety.*

6.) *All vehicular accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway/footway/carrageway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.*

*Reason: To prevent surface water discharging to the highway.*

7.) *Prior to the commencement of use of the site, the approved wheel washing facilities shall be provided, and maintained, to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority*

*Reason: To prevent mud and extraneous material being deposited on the highway.*

#### 5.4 **Wildlife Trust**

*I have reviewed the latest documents...including the Long-Term LEMP 22/9/20 (as updated) and the Drainage and Maintenance Strategy 17.02.21*

*I would conclude that sufficient information has now been provided in relation to the retention and the enhancement of the existing pond, as per the planning condition. I would point out that it is still missing from both the Statement of Aims and the Management Objectives in the LEMP, but is marked much more clearly on the updated Landscape Plan (3 of 3). The LEMP does provide detail later in the report regarding management and the Landscape plan shows planting lists of aquatic and marginal plant species to be included.*

*I would be happy to review survey and monitoring data regarding the habitats on the site in future years if that is helpful; these are committed to in the LEMP.*

#### 5.5 **Anglian Water**

*There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.*

*Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.*

#### Foul Water

*We have reviewed the applicant's submitted foul drainage strategy and flood risk documentation and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge Condition 9 of outline planning application F/YR16/1017/O, to which this Reserved Matters application relates, that require the submission and approval of detailed foul drainage information.*

### Surface Water

*We have reviewed the applicant's submitted surface water drainage information (Flood Risk Assessment/Drainage Strategy) and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge.*

*The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.*

### 5.6 **Environment Agency**

*We have reviewed the surface water disposal proposals for this development. It is understood that infiltration SUDs are not being considered. We are satisfied with the proposed scheme as it relates to the protection of groundwater.*

*We understand that condition 7 (remediation strategy) of F/YR16/1017/O has been partially discharged. We have therefore not reviewed the reserved matters details from a land contamination perspective. However, we would draw attention to relevant comments in our letter ref AC/2016/125177/02-L01 dated 03/12/2017.*

*The proposed development is located on or within 250 metres of an historic landfill site that may produce landfill gas. Landfill gas, consisting of methane and carbon dioxide, is produced as the waste in a landfill site degrades. Methane can present a risk of fire and explosion, whilst carbon dioxide can present a risk of asphyxiation or suffocation. The trace constituents of landfill gas can be toxic and can give rise to long and short term health risks as well as odour nuisance. The risks associated with landfill gas will depend upon the controls in place to prevent uncontrolled release of landfill gas from the landfill site. Older landfill sites may have poorer controls in place and the level of risk may be higher or uncertain due to a lack of historical records of waste inputs or control measures. Development on top of or within 50 metres of any landfill site that accepted hazardous or non-hazardous waste should be considered very carefully, as even with appropriate building control measures in place, landfill gas can accumulate in confined spaces in gardens (e.g. sheds, small extensions) and can gain access to service pipes and drains where it can accumulate or migrate away from the site.*

*The following publications provide further advice on the risks from landfill gas and ways of managing these:*

- *Waste Management Paper No 27*
- *Environment Agency LFTGN03 Guidance on the Management of Landfill Gas*
- *Building Research Establishment guidance BR414 Protective Measures for Housing on Gas-contaminated Land 2001*



- *Building Research Establishment guidance BR212 Construction of new buildings on gas-contaminated land 1991*
- *CIRIA Guidance C665 Assessing risks posed by hazardous ground gases to buildings 2007*

#### **5.7 FDC Arboricultural Officer**

*My comments relate to the supplied tree protection measures and proposed landscape scheme.*

*The Tree Protection Plans and associated Arboricultural Method Statement are acceptable and will provide the necessary protection to ensure the long-term potential of those trees implicated in the development.*

*I note the project arboricultural consultants will supervise key phases of the construction and request that supervision notes are forwarded to the tree office for works within the RPAs of the retained trees.*

*The proposed landscape scheme is comprehensive and the use of native species and wildflower meadow and wet areas is welcomed. The long-term landscape management plan is thorough and will ensure the proposed scheme establishes well and is maintained.*

*The scheme will enhance the biodiversity of the area with the creation of additional habitats and the inclusion of the wildflower areas should provide a significant resource for insects and birds.*

#### **5.8 FDC Environmental Protection**

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

*However, I note the proximity of this development to nearby existing residential dwellings and I would like to point out that this service has received complaints regarding noise from clearance works at this site. Therefore, in the event that planning permission is granted, I recommend a condition is placed on the permission that stipulates work is conducted between the hours of 8am and 6pm, Monday to Friday; 8am – 1pm on Saturdays and no noisy work to be conducted on Sunday and Bank Holidays. I also recommend a condition that requires measures are put in place to ensure dust escape from the site is mitigated so that the construction phase does not impact upon any nearby existing residential dwellings.*

*I would also like to highlight that officers from this service were unable to recommend discharge of all of the Contaminated Land conditions imposed on the outline application for this site (F/YR16/1017/O), as a Contaminated Land Verification Report for this site is still outstanding.*

#### **[Following receipt of Construction Management Plan 18.03.2021]**

*I refer to the recent submission of a construction & environmental management plan associated with the proposed development at Eastrea Road, Whittlesey.*

*The Environmental Health Team note the submitted information that describes measures to be implemented to address potential for environmental nuisance considered likely from this type of proposal if not mitigated.*

*An effective Construction Environmental Management Plan should include as a minimum,*

- *Proposed hours of operation - relative to industry standards that protects the interests of the local amenity,*
- *Noise – suitable measures to reduce the likelihood of creating unwanted noise nuisance,*
- *Dust – further measures to control the spread of airborne particulate matter and the control of mud travel in the interests of air quality and ground conditions,*
- *Other measures to prevent unwanted nuisance arising from light, odour or smoke etc. and,*
- *Complaints procedure – a commitment to maintaining positive community relations and improving standards.*

*Having reviewed the submitted information the applicant has covered what this service would expect to see, proportionate measures to address potential nuisance from a proposal of this scale. We therefore have no adverse comments to make and welcome the applicant carries out the development in accordance with this hereby approved document or one that covers the same measures of mitigation.*

#### **5.9 FDC Environmental Services (waste and refuse)**

*The amendments and tracking illustrate the overhangs/private land crossing issues previously raised have been resolved including the adjustments to the turning heads.*

*Shared collection points also now in place for plots 12-18, 50-54, 135-138, 55-58 & 59-65.*

#### **5.10 Cambs Fire & Rescue**

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

#### **5.11 Cambs Police**

*I can confirm this office have reviewed amended documents and drawings in relation to the above Reserved Matters Application and are in support. We have been consulted regularly in regards to improvements to the design and layout in terms of promoting community safety and reducing vulnerability to crime. That level of support will remain in place and we are more than happy to work with the developers to ensure these measures continue.*

*I have read some of the local concerns from residents re the proposed footpath link. This proposed footpath would allow the potential for natural surveillance and the addition of lighting, surfacing and future maintenance which I would ask be secured by a planning condition. I do have concerns that if this piece of land is left unmanaged will almost certainly provide ‘desire lines’ to and from the new development with minimal natural surveillance and be vulnerable to anti-social behaviour for both developments. I understand some residents have intimated this concern in their responses. I consider that a properly designed footpath with consultation from our office could bring a real connectivity to the proposed new development and the local area.*

*As always this office would welcome the opportunity for consultation on all external lighting plans when available. No further comments at present. I would also welcome the developer looking to achieve Secured by Design accreditation for this development, which we can assist.*

**5.12 Environment Agency**

*Thank you for your email. We have reviewed the information submitted and have no comment to make on this application.*

**5.13 Middle Level Commissioners & Whittlesey Combined IDB**

*No direct comment received – (see section 10.55 to 10.63)*

**5.14 Natural England**

*No specific comments provided, but provides generic advice on natural environment impacts and opportunities*

**5.15 FDC Open Spaces**

*FDC's Open Spaces team would be happy for a developer to use the land within [the FDC owned area of Open space] to link with a future development.*

*Specifically, I would be happy for the footpath that currently ends within the [the FDC owned area of Open space] to be extended, using FDC's specification for such a footpath, to join with a future development.*

**5.16 CCC Archaeology**

*Thank you for consulting us with regard to this updated scheme. We have no comment and no objection.*

*To update you: an archaeological excavation is currently under way examining a Roman settlement at this eastern fen edge of former Whittlesey island.*

**5.17 Cllr David Davies (Whittlesey Town Councillor – Lattersey Ward)**

*This planning has again [been] amended to include a foot path into Diana close, even though at the planning consultation in 2016 the developers agreed to remove said pathway from the plan. This area is populated by elderly residents who are concerned about the increase in footfall and parking. this relates to similar problems we have on the estate.*

*Again a 2nd new plan was submitted where the foot path was not shown on any of the plans, but on searching through the documentation was included in the plan. (appears to have being well hidden) This has raised a lot of the residents interest and the plan was rejected by them not one good comment backing the proposed building was received by you.*

*Now this new planning submission has now being received this time showing the footpath which again has gone against the original planning and agreement made by the planners at the above public consultation at the Manor leisure centre in 2016. I will point out a statement was made on result of the public consultation in 2016 which is in the documents on this thread.*

*Concerns have also been raised by residents over the removal of contaminated soil from the site and using two companies who specialize in this area of work. No one knows what this contamination is and the way they filled in the massive hole so quickly with rubble and soil from other areas on the site is worrying a lot of the residents.*

*Why is this not on the documentation. I can only wonder if the objections raised by the resident have being read by the planning team as it appears that no*

*consideration seems to have been given to the residents' concerns and that is a worry.*

## **Local Residents/Interested Parties**

### **5.18 Objections**

104 objections received from individuals at 86 properties in the following areas;

- Oldeamere Way x 10
- Bellmans Grove x 25
- Diana Close x 13
- Mountbatten Way x 7
- Charles Road x 19
- Hannington Close x 2
- Roman Gardens (Eastrea) x 1
- Eastrea Road x 3
- The Grove x 1
- Walnut Close x 1
- Kendall Croft x 1
- Windsor Place x 1
- Kingfisher Road x 1
- Pinewood Avenue x 1

*Raising the following concerns;*

- Access
- Anti Social behaviour
- Density/Over development
- Drainage
- Flooding
- Environmental Concerns
- Noise
- Traffic or Highways
- Wildlife Concerns
- Objects to the footway link which raises concerns over ASB, dog fouling, rat running and criminal activity
- Pedestrian access should be through the nature reserve
- The footway link is unnecessary
- Local services/schools - unable to cope
- Waste/Litter
- Larger footfall through the nature reserve
- Devaluing property
- Light Pollution
- Backfill
- Design/Appearance
- Out of character/not in keep with area
- Overlooking/loss of privacy
- Loss of view/Outlook
- Proximity to property
- Visual Impact
- Would set a precedent
- Increase in crime and fear of crime
- Residential Amenity
- Smell
- Shadowing/loss of light
- Lack of supermarket

- Parking arrangements
- Lack of affordable housing
- Concerns over fence maintenance
- Does not comply with policy
- Ground contamination
- Impact on nature reserve
- Sewerage system unable to cope
- The developer should fund any works outside of the site boundary
- May force the Archery Club at New Road to close due to vandalism
- Loss of open space for recreational activities
- Drainage proposals will harm water quality at Gildenburgh Water diving lake

Please note that some residents have objected on several occasions, totalling 139 objections.

#### 5.19 **Support**

1 letter of support from a resident at Bellmans Grove raising the following matters;

- a good idea to give the new residents easy access to the health benefits of the nature reserve and a safer route into Whittlesey centre by environmentally friendly walking and cycling
- might make the estate feel less cut off and more part of the community – although surveillance needs to be considered

### **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)**

Paragraph 2 & 47: Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise;

Paragraph 8: The three dimensions to sustainable development.

Paragraph 11: Presumption in favour of sustainable development.

Paragraph 127: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 102-107: Promoting sustainable transport

Paragraphs 124-132: Requiring good design

Paragraphs 170, 175-177: Conserving and enhancing the natural environment

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

#### 7.3 **National Design Guide 2019**

Context

Identity

Built Form

Movement

Nature  
Public Spaces  
Uses  
Homes and Buildings  
Resources  
Lifespan

#### 7.4 **Fenland Local Plan 2014 (FLP)**

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  
LP6 – Employment, Tourism, Community Facilities and Retail  
LP7 – Urban Extensions  
LP11 – Whittlesey  
LP13 – Supporting and Managing the Impact of a Growing District  
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland  
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District  
LP17 – Community Safety  
LP18 – The Historic Environment  
LP19 – The Natural Environment

#### 7.5 **The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011)** which includes the RECAP CCC Waste Management Design Guide SPD (2012)

#### 7.6 **Supplementary Planning Documents/ Guidance**

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- Cambridgeshire Flood & Water SPD (2016)

### 8 **KEY ISSUES**

- **Principle of Development**
- **Layout;**
  - Pedestrian/ Cycle links**
  - Dwellings**
- **Scale & Appearance**
- **Landscaping**
- **Biodiversity & Ecology**
- **Residential Amenity**
- **Drainage**
- **Other matters**

### 9 **BACKGROUND**

9.1 The site benefits from Outline planning permission for the erection of up to 169 dwellings with the main point of access committed at that stage.

9.2 This application has undergone several revisions since submission, with a total of three rounds of resident consultation following amendments mainly relating to

general layout, levels and boundary treatments. The resident comments above therefore reflect all comments received throughout the consideration of this application.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The principle of development was established under the initial outline permission F/YR16/1017/O. The Outline permission also secured Full planning permission for the access and associated works at the B1040, subject to the final design being agreed through the S278 highways process.
- 10.2 The outline application assessed the transport impacts of the development for up to 169 dwellings in terms of anticipated flow and capacity and was considered to be acceptable. Furthermore, the impact of the development on public services and the adjacent Local Nature Reserve (LNR) through increased footfall were also considered and the principle of developing the site was accepted, subject to mitigation agreed through a S106 agreement for financial contributions toward education and the Wildlife Trust, for improvements to the LNR.
- 10.3 As such, whilst the concerns raised by residents in respect of quantum, access locations, traffic implications, lack of affordable housing and demands on local services are noted, these were matters explored at the outline stage and found to be acceptable or non-material. As such, it is not appropriate to re-visit these matters or the principle of development. This application seeks to agree the detailed design elements of the development, the impacts of which are assessed as follows.

### **Layout**

#### *Access & Highways*

- 10.4 The layout follows a relatively conventional approach; a main spine road with the use of secondary and tertiary routes to serve small pockets and cul-de-sacs.
- 10.5 The layout has been amended through consideration of the application, primarily to address road geometry e.g. vehicle tracking, to ensure that the Council's refuse lorries can safely manoeuvre around the site without conflicting with other road users, pedestrians and infrastructure.
- 10.6 The primary road and secondary roads are proposed to be built to adoptable standard whereas the tertiary roads serving small pockets of dwellings are intended to be privately managed. In this regard, bin collection points are located close to the junctions of adoptable road to comply with RECAP guidance.
- 10.7 The LHA (Local Highway Authority) and the Council's Environmental Services team has reviewed the layout and confirmed that the road alignments, geometry and bin collection points meet with their standards, subject to conditions securing delivery etc.
- 10.8 The LHA has requested several planning conditions. Their first condition relates to future management/ adoption of streets – but details for this are already required through condition 15 of the Outline consent. Likewise details of foul and surface water drainage and the access details including visibility maintenance is

not being considered as part of this reserved matters application. The construction of the roads and footways can be secured via a planning condition, but it is not necessary to secure this pre-commencement and instead can be secured prior to any above-ground works proceeding. The matter of wheel washing facilities is secured via the proposed Construction Management Plan (CMP).

- 10.9 As such it is considered that the layout provides appropriate access and highways infrastructure for the nature and quantum of the development in accordance with policy LP15 of the FLP.

*Pedestrian/ Cycle links*

- 10.10 A significant majority of resident objections and the objections raised by the Town Council centre around the proposal to include a pedestrian/ cycle link into the area of open space behind Diana Close and the south of Bellmans Grove. This land is owned by FDC and already includes a footway network approximately 70m east of the application site boundary which links Charles Road to Bellmans Grove. The area of open space also includes an informal pedestrian link, via a gate to the LNR to its south.
- 10.11 The objections raised mainly focus on existing ASB issues associated with the open space and streets around the Charles Road estate areas, and that the link may exacerbate this and provide a rat-run e.g. for those wanting to evade the Police. Furthermore, concerns are raised that the streets e.g. Diana Close are quiet, tranquil areas and that the increase in footfall associated with introducing the footway to the new development may disrupt this and cause stress and anxiety to existing residents, many of whom are reported to be elderly.
- 10.12 As noted above, the application site sits within a strategic allocation identified as 'North and South of Eastrea Road' under policy LP11. The land to the north – the Larkfleet development is already underway and the 2 development sites are divorced by the A605, but linked via the roundabout.
- 10.13 Policy LP11 sets out conditions and requirements of development within these locations, identifying the need to take into account nearby protected sites e.g. the LNR and the Nene Washes SSSI. Relevant to this section however, LP11 also sets out the need to seek opportunities to enhance open space provision adjacent to the existing area and fully exploit foot and cycleway links to the town. LP11 sits under the umbrella of LP7– the main driver for urban extensions which sets out criteria (a) to (v) which it seeks to secure in order to achieve sustainable development. These criteria (relevant to the footway link) include;
- (a) Make efficient use of land;
  - (b) Demonstrate how it will contribute to enabling healthy lifestyles;
  - (g) Provide, commensurate with the scale of the urban extension, a network of open spaces and green infrastructure for amenity, play, sport and recreation, including allotments, local nature reserves, woodlands, green spaces, wildlife corridors and stepping stones for the migration, dispersal and exchange of wild species. Such provision should respond positively to the wider area to ensure enhanced linkages and networks;
  - (p) Ensure Rights of Way are protected, and enhanced where possible;
  - (s) Create safe environments, which incorporate appropriate design solutions that demonstrate inclusion of crime prevention measures that assist in reducing crime, the fear of crime and anti-social behaviour;



(v) Contribute to delivery of the applicable town strategy and market town transport strategy (once prepared).

- 10.14 LP7 and LP11 both assist in meeting the Local Plan's vision for facilitating the creation of a more sustainable transport network in Fenland as set out under policy LP15, which ultimately seeks to improve accessibility for everyone by all modes of travel and to minimise the distance needed to travel and increase the options available to undertake such journeys. All development proposals are expected to contribute to the delivery of this vision. This is in-line with national policy and aligns with current aims to better connect Whittlesey Town Centre via cycle routes e.g. with improvements to the National Cycle Route 63 between Peterborough, Whittlesey, Eastrea and Coates. This is also the approach acknowledged in the Travel Plan for the latest Phase 4 development of the Larkfleet site to the north (F/YR20/0861/F), which proposes a pedestrian/ cycle link to Crescent Road, west of the site, and will be expected to secure direct vehicular and pedestrian access to Drybread Road to provide multi-modal permeability.
- 10.15 Notwithstanding this, policy LP2 seeks to ensure that development enables communities to flourish, provides effective sustainable and safe transport networks, and LP3 which seeks to create cohesive and inclusive communities through development.
- 10.16 The indicative Outline masterplan under F/YR16/1017/O denoted a footway link directly south to the LNR from within the site. However, given that one already exists on the adjacent open space via a formal gated pedestrian access, it seems logical to utilise this by enabling pedestrian access from the application site into the open space, rather than forging another punch-through to the LNR.
- 10.17 Residents have advised that during the public consultation event held by the applicants, the residents' objection to a footway link were acknowledged and this was removed from the indicative masterplan. It is acknowledged that the design and access statement submitted with the outline application referred to this. However, the application was in Outline only and did not commit to any specific layout principles – with matters of layout now being considered at reserved matters stage. Whilst 'Access' was committed, this was only for the main point of access to the site from the highway. As such, the provision, or not, of a footway link was not agreed by the LPA when approving the Outline Planning permission, but nonetheless would fall to be considered at reserved matters stage and in accordance with the adopted development plan at that time, as set out above.
- 10.18 In addition, the Travel Plan submitted with the Outline Planning Application F/YR16/1017/O set out at 3.2.3;
- “Subject to the layout of the masterplan, it may also be possible to provide additional pedestrian connections to the west of the site to Mountbatten Way and Charles Road (via a small area of public open space).”*
- 10.19 A review of the minutes of the Planning Committee meeting (20th June 2018) which considered the indicative layout indicates that Members raised the point of a pedestrian footway link that specifically would not be opened for vehicles.

As such, there is no strong evidence to indicate that the footway was explicitly ruled out.

- 10.20 Having regard to the location of the site, if no alternative pedestrian route was secured, future occupiers of the development would need to head north to the A605 before making their way to the town centre. Perhaps more importantly, future primary school pupils wishing to access New Road Primary School would incur a journey distance on foot of around 1.2Km, whereas if a footway/cycleway was provided linking to the existing infrastructure at Charles Road this would be reduced to around 0.8Km, or approximately a third of the distance and would therefore have a far better likelihood of people using it to walk or cycle to the school, than to use their private motor car, which could otherwise create further congestion and issues along streets around the school. Likewise, people accessing the train station or Industrial areas along Station Road would benefit from a more direct link. This is aside from the environmental and social implications of directing people along the main A605 highway to get to these services and facilities.
- 10.21 The prospect of utilising the Lattersey Nature Reserve as an alternative route has been raised by some residents. However, this area is unlit, offers poor surveillance and is not surfaced appropriately to accommodate a main commuter route to key services in Whittlesey, thereby raising travel and community safety concerns, notwithstanding the likely ecological impacts of encouraging this level of footfall during peak times. Several residents have also raised concerns over the adverse ecological impacts of the development which would run counter to the suggestion of directing people through here for key journeys..
- 10.22 Within the area of FDC open space, there are 2 passages which lead westwards out onto Charles Road – one to the south of 16 Diana Close which is a narrow passage between fences, and one to the north of No.11 which is a pathway, lit by streetlight and with grassland on either side, in more open surroundings. This connects to footways leading northwards to Bellmans Grove and west out onto Charles Road then to Bellmans Road.
- 10.23 It is clear that the northern route is the most formal and desirable, as it offers better access and overall surveillance. The location of the footway within the application site has therefore been negotiated, locating it as far north as possible without conflicting with existing trees, to encourage use of this northern route.
- 10.24 The Council's engineering team has reviewed the proposal and estimated the works to deliver the footway extension as around £25,000 to £30,000 and the Council's Tree Officer has confirmed that there is sufficient room to achieve this without compromising trees, with room to grade the raised banks to accommodate the cut-through. The Council's Open Spaces team has also confirmed that they would be willing to accommodate the footway and would review security options and opportunities in the design.
- 10.25 The applicant has proposed to deliver the footway within their site up to the boundary and secure this with fencing, to enable FDC to link up to this when ready to do so. They have proposed a financial contribution of up to £30,000 to provide the FDC link and associated infrastructure e.g. streetlighting.

- 10.26 In-line with LP7(s) and LP17 of the FLP, Officers have discussed the implications and opportunities of the footway link with Cambridgeshire's Police – Designing out Crime Officer ('The Police'). The Police have had regard to the residents' concerns raised in their assessment of this infrastructure and have carried out a site visit, rather than a desktop assessment, but consider that the link is an important point of access, as it would formalise a desire line through to key services where this would likely be forged informally over time. They raise concerns that if this link is not 'designed in' at this stage, then opportunity may be lost to achieve a safer environment should an informal link be forged in the future.
- 10.27 They also consider that the layout, which includes a merger of open spaces and directing some housing to front onto the area of open space would improve surveillance where this currently doesn't exist due to existing houses in Diana Close being single-storey. Notwithstanding that they consider the Charles Road area to be a low crime area, and do not agree that ASB incidents will significantly rise as a result of the development. They have agreed to work with the LPA in achieving a layout which would assist in addressing existing ASB issues and lack of surveillance in this area. The final layout and design of the footway (and associated infrastructure) within FDC's land is therefore subject to further consideration but would not form a detailed part of this application.
- 10.28 It is acknowledged that introducing a link here would likely increase footfall through the Charles Road estate e.g. school and commuter trips, and residents will likely notice an increase in people circulating in the area. However, Officers consider that this is not a sufficient reason alone to avoid securing this infrastructure which would future-proof the development in terms of sustainable travel options and enhance community cohesion.
- 10.29 This application commits to provide the means (including a financial contribution) to create a sustainable travel link up to its boundary and it is considered that this would meet with the aims of FLP policies LP1, LP2, LP3, LP7, LP15 and LP16 in respect of providing transport links which would encourage non-car modes of travel, would assist in forging communities, would expand on an existing area of open space and could be designed in such a way to assist in addressing existing community safety and fear of crime concerns (LP17), subject to ongoing support and design input from the Police's designing out crime team.

#### *Dwellings*

- 10.30 The dwellings are served by privately owned driveways, providing policy-compliant levels of parking in accordance with Appendix A of the FLP. Each property is served by policy-compliant levels of private amenity space – a minimum of a third of each plot and dwellings are spaced and oriented so as to avoid overlooking and overbearing impacts. As noted above waste collection is either by roadside collection in the cases of adopted roads, or by bin collection points where served by private drives. Following some amendments to the layout, the Council's Refuse team has confirmed that the proposed arrangements are satisfactory.
- 10.31 Cambs Police have commented on the application and raises no concerns subject to approval of lighting details.

10.32 In summary, the layout of the residential properties raises no concerns in respect of access, density, amenity or safety in accordance with policies LP2, LP16, LP17 and LP19 of the FLP.

### **Scale & Appearance**

10.33 The dwellings are predominantly 2-storey with the exception of four pairs of 3-storey dwellings and the 3 blocks of terraced properties on which incorporate roof lights windows. The dwellings are all traditional in form incorporating porch canopies and traditional casement windows. The triple terraced properties incorporate ginnels to enable access to the rear.

10.34 The development offers a satisfactory palette of external materials - three types of facing brick and some dwellings to incorporate half-render.

10.35 The electricity sub-station is proposed to be finished in red facing brick with grey roof tile which will assimilate well into the street scene.

10.36 Condition 16 of the Outline permission required level details for the development. The submitted details provide existing and proposed ground levels and finished floor levels which have enabled an assessment of the impacts of the development and what mitigation may be required. The levels details are considered to be acceptable, subject to appropriate boundary screening to protect the privacy of existing adjacent properties as set out below.

10.37 Given the overall scale of the development and with its main access from The A605, the development itself will form its own character area with a notable transition from those opposite at the Larkfleet development and along Bellmans Grove. As such the development is not considered to result in any conflict with the existing character and appearance of the area.

10.38 In summary the scale and appearance of the development is considered to accord with policy LP16 of the FLP.

### **Landscaping**

#### *Highways & Driveways*

10.39 The primary roads are proposed to be surfaced in tarmac whereas the secondary roads and private driveways are proposed to be surfaced in brindle colour block paving. In this regard, the hard landscaping for the main highway routes is acceptable and will add interest, differentiating between the hierarchy of the streets.

10.40 All driveways are proposed to be tarmac surfaced which is also acceptable.

#### *Open space*

10.41 The areas of open space are proposed to be landscaped using a mixture of grass, shrubs and tree planting and will provide an acceptable environment for future occupiers – noting that the fringes of the development at the south east and southern extents will transition well toward the LNR.

10.42 The layout secures appropriate levels of open space which includes a policy compliant area of formal play space, as required under condition 11. Furthermore, the open space is served with appropriate access infrastructure which will assist in encouraging people to access the wider settlement and LNR, thereby promoting healthy lifestyles in accordance with Policy LP2. In addition,

through linking with the FDC owned area of open space, this provides a larger overall area of open space for the wider community to access.

- 10.43 The Wildlife Trust has reviewed the management plan and, following some requested amendments to detail how existing trees and hedges are managed, is satisfied that the management plan in practice would provide a good level of ongoing maintenance. The Council's Arboricultural Officer has reviewed the submitted landscaping and tree protection plans, and also concludes that they are acceptable.
- 10.44 The applicant has provided a Long-Term Landscape Management Plan which mainly deals with the biodiversity enhancements and management of existing vegetation. This document does not provide specific details of the long-term management and maintenance of the children's play areas – or the specification of the equipment proposed to be located on the area of POS. It is recommended that a condition securing this detail is included. It is anticipated that all of the open space will ultimately be maintained and managed by a management company, financed through a levy charged to homeowners of the development.
- 10.45 In conclusion, the proposed soft landscaping scheme and future maintenance of this is acceptable and accords with policies LP16 and LP19 of the FLP, however further agreed details specific to the areas of play provision is required in order to ensure the long term benefits of the proposal for future residents is secured.

#### *Boundary treatments*

- 10.46 As a general rule, boundary treatments within the public realm comprise brick walls whereas boundaries away from public areas are generally 2.0m high close boarded fences. The use of brick walls in public realm areas will reduce future maintenance thereby reducing the risk of the street scene becoming unsightly through unpainted or poorly maintained panels. In key areas where land levels vary adjacent to existing housing, a 450mm high trellis is proposed on top of boundary fences to reduce the potential for overlooking into existing properties from some ground floor windows, albeit that separation distances are appropriate.
- 10.47 In conclusion, the proposed landscaping schemes and future maintenance of the open space is acceptable and accords with policy LP16 and LP19 of the FLP in respect of providing high quality environments with biodiversity opportunities.

#### **Biodiversity & Ecology**

- 10.48 Condition 12 of the Outline permission requires the landscaping and layout details to also include biodiversity enhancement measures, in view of the existing features on site and its proximity to the adjacent LNR. Such enhancement includes the slight reprofiling of the existing storage pond along the eastern boundary, the inclusion of marginal wetland planting this and the main SuDS pond, native planting and green buffer along the south and south eastern boundaries. Condition 13 also requires a scheme for bird boxes.
- 10.49 The Wildlife Trust has assessed the proposals and following some clarification and amendments consider that the scheme is acceptable and has offered to continue working with the developer to monitor the effectiveness of the measures on future habitats.

10.50 It is therefore concluded that the proposal satisfies conditions 12 and 13 of the Outline consent and complies with the aims of policies LP16 and LP19 of the FLP.

### **Residential Amenity**

10.51 Whilst the development itself raises no concerns over any conflict with future occupier's residential amenity, existing residents have also been considered as part of the design.

10.52 As noted, the boundary treatments between future and existing occupiers generally comprise 2m high fence with trellis top to reduce any potential for views into adjacent properties.

10.53 The proposed dwellings generally back onto rear gardens of existing dwellings and all achieve adequate separation distances so as not to result in any significant overlooking, overshadowing, loss of light or overbearing impacts. Whilst it is recognised that the outlook for some residents may alter through the development it is not considered that severe harm will arise and that some degree of outlook change would occur given the allocated nature of this site for development.

10.54 In this regard, the proposal is not considered to compromise the amenity of existing residents in accordance with policy LP16 of the FLP

### **Drainage**

#### *Surface Water*

10.55 Condition 4 of the Outline permission requires details of a site wide surface water drainage scheme. Whilst this detail is required to be formally discharged through a condition compliance application, nonetheless the developer has sought to agree this detail now as it shapes the layout of the site and how it functions from a drainage point.

10.56 The Outline scheme provided an 'in-principle' drainage strategy which denoted that surface water would be discharged at the north eastern corner of the site. However, following further investigation by the developer this has revealed that this is not possible due the fall of the land, and that an alternative discharge point is required. This has therefore been revised to now discharge into an existing drain channel along the eastern boundary, via a series of attenuation ponds at the south of the site. This discharge point also takes surface water from Bellmans Grove development via an underground pipe which runs west to east through the site. This already exists and will be realigned to suite the site layout but will discharge as it currently does.

10.57 The surface water would enter the drain which discharges at an outlet at the north west corner of Gildenburgh Lakes – diving centre.

10.58 The owners of Gildenburgh Lakes have raised objections to this, citing that there is no legal right for the developer to drain into the lake and that this is not how surface water from the site naturally drains – indicating an alternative route. The owners also raise concerns over the impact of receiving surface water from the site and how this may affect the quality of the water which is essential for the successful operation of the business (see responses dated 12 February 2021, 7 February 2021, 27 October 2020, 2 July 2020).

- 10.59 The applicant claims that as the drain already exists (and that the alternative proposed by Gildenburgh Lakes are not viable options) and that they are legally entitled to drain to it. They have sought independent advice on this matter, via Eversheds Sutherland who confirm that in their opinion the developer would be legally entitled to manage the surface water as proposed. Officers consider that this matter would ultimately be one under civil law and/or law set out under the Land Drainage Act and that the onus would fall on the developer to ensure that they are acting legally, or alternatively by Gildenburgh Lakes to demonstrate the opposite. If it is subsequently found that the developer has no legal ability to drain as they have proposed, they would need to revise the drainage strategy and regulate this through a revised planning application.
- 10.60 However, the matter of water quality is an important consideration for the LPA. If the diving business relies on a certain quality of water and the development has potential to adversely impact this quality, this could subsequently have an adverse impact on the business and would be contrary to the economic growth aims of Policy LP6 and the NPPF.
- 10.61 It is acknowledged that Middle Level Commissioners as the IDB and the Whittlesey Combined IDB (WCIDB) have agreed the discharge rates for the development and the LLFA has accepted the drainage strategy having regard to the water quality anticipated to be discharged from the site and ultimately into the Lake. However, the developer has sought to further address Gildenburgh Lakes' concerns over water quality by proposing a Construction Surface Water Management Plan (CSWMP) to monitor the quality of the water at outfall source throughout the build, to check that the filtration systems designed into the drainage system e.g. via permeable pavements, attenuation pond which incorporates a siltation basin are performing as intended and does not denude the quality of the water at the Lake. The CSWMP would be a live document that will be updated as determined necessary through an on-going monitoring programme to ensure that measures remain adequate to maintain the surface water quality exiting the site.
- 10.62 Officers consider that this is a pragmatic and effective way to monitor and safeguard the quality of water discharged from the site and will enable the early employment preventative measures, should they be required, to safeguard the quality of the water at the lake. This proposal is in the backdrop to the fact that historically the development site would have likely drained some insecticides, pesticides and some hydrocarbons into the drainage systems, via general greenfield run-off through its former nursery use and without the attenuation ponds now proposed and also that it appears that the surface water from Bellmans Grove estate has historically taken this route.
- 10.63 Both the IDBs and LLFA are satisfied that the method of drainage is acceptable and it is considered that the development would comply with the aims of Policy LP14.

#### *Foul Drainage*

- 10.64 A scheme for foul drainage is also required to be submitted prior to development commencing as laid out under condition 17 of the Outline permission. Whilst this detail has been submitted through this submission and raises no technical issues or capacity concerns with Anglian Water who accept the proposals, this is also a matter to be discharged under the formal submission of a conditions

discharge application. Nonetheless, the indications are that the method and layout of the foul drainage system would be appropriate.

### **Other matters**

- 10.65 Whilst it is considered that most comments and concerns raised have been addressed in this report the following matters require consideration;

#### *Ground Contamination*

- 10.66 Concerns have been raised that the site is contaminated and that the condition of the ground is unknown. Ground contamination was a known constraint of the site at Outline stage, with Condition 7 of the consent requiring a full conceptual site model and remediation strategy to be agreed with the LPA, prior to the development commencing. Officers have liaised with the Council's Environmental Protection Team who have been working on the strategy with the developer. It is anticipated that an application to discharge condition 7 will be submitted shortly. As such, the matter of ground contamination is already captured through condition 7 of the Outline consent and is not a concern for this reserved matters application at this time.

#### *Devaluing of property*

- 10.67 The planning system does not exist to protect private interests such as value of land or property and as such no weight can be afforded to this concern.

#### *Light pollution*

- 10.68 Whilst no detail has been provided in respect of street lighting to indicate that pollution will arise, lighting details are required to be submitted and a planning condition can reasonably secure this. Any lighting scheme would be assessed by the Council's Environmental Protection Team taking into account any potential impacts on existing residents, as well as the Police in respect of security. In addition, the Wildlife Trust would also be consulted in respect of potential impacts on ecology through any proposed lighting.

#### *Waste/Litter*

- 10.69 Waste produced and removed off-site during the construction of the development would be controlled under license through the Environment Agency. The district council has a statutory duty to collect household waste and the layout demonstrates that adequate household waste collection arrangements would be provided. The scheme is considered to achieve policy compliant arrangements for household waste collection.

#### *Noise & Odour*

- 10.70 While the operational aspect of the development is not anticipated to yield significant concerns over noise and odour, given the residential nature, it is possible that construction activities on-site may have potential for nuisance through odour, noise and vibration. In this regard, the applicant has submitted a Construction Management Plan, to protect the amenity of existing neighbours and users of the highway and this has been accepted by the Council's Environmental Protection Team.

#### *Would set a precedent*

- 10.71 It is uncertain what precedent in particular some residents are concerned may be set through this development. The scheme is for 2-storey properties set within a site allocated for development which was approved at outline stage. Notwithstanding that each case is to be determined on its own merits, there are



no specific issues associated with this development that are considered may set a precedent on future proposals.

*Lack of supermarket*

- 10.72 Whittlesey is designated as a growth area and whilst maybe desirable, the lack of supermarket does not restrict residential growth of this market town, notwithstanding that residential development of this site was already accepted under the Outline consent.

*Concerns over fence maintenance*

- 10.73 The developer has confirmed that the fencing they intend to erect will abut existing fences, which is relatively standard practice and is not considered by Officers to be of significant concern. Fences will be maintained by their respective owners or by the aforementioned management company where in the public realm.

*May force the Archery Club at New Road to close due to vandalism*

- 10.74 The Archery Club at New Road has expressed concerns that the increase in residents may result in an increase in vandalism to their site. Notwithstanding that residential development of this site was already accepted at Outline stage, Officers consider it would be unreasonable to assume that occupiers of this site would increase the risk of vandalism and ASB.

## **11 CONCLUSIONS**

- 11.1 The reserved matters submission proposes a policy compliant scheme which raises no issues in terms of adverse transport impacts, visual or residential amenity. In addition, the applicant has provided sufficient technical details and has actively engaged with the relevant statutory agencies to respond to issues relating to drainage, biodiversity and highways layout.
- 11.2 It is considered that the scheme complies with relevant planning policy and may be supported noting that the granting of reserved matters sits alongside the requirement for the developer to appropriately discharge the conditions imposed on the original outline planning permission or those matters within the S106 agreement.
- 11.3 Accordingly, Officers consider that the reserved matters submission can be recommended for approval subject to conditions and the completion of a S106 agreement addressing the financial contribution toward the footway link and an agreement to enable the Local Authority to connect to it when they are in a position to do so.
- 11.4 Whilst it is acknowledged that it is not common to secure S106 agreements at reserved matters stages, in this case; information regarding the ability of the footpath connection has evolved since outline stage whereby a firmer understanding of opportunities to connect given the committed layout now proposed and 'in principle' landowner agreements now exist. As such it is considered appropriate and reasonable to secure a S106 agreement against this application for this infrastructure.

## 12 RECOMMENDATION

1. That the Committee delegates authority to finalise the planning conditions and terms of the S.106 agreement to the Head of Development, securing a financial contribution toward the footway link and formal agreement to enable the Local Authority to connect to it.
2. Following completion of the S106 obligation application F/YR20/0471/RM be approved subject to conditions listed below.

OR

3. Refuse the application in the event that the obligation referred to above has not been completed and the applicant is unwilling to agree to an extended period of determination of 1 month, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

The proposed conditions are as follows;

1.	<p>No works shall proceed above slab level until such time as detailed plans of all roads, footways, cycleways including construction, lighting and drainage details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.</p> <p>Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
2.	<p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining road.</p> <p>Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
3.	<p>Prior to the first occupation of each dwelling the proposed on-site parking and turning shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and thereafter retained for that specific use.</p> <p>Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
4.	<p>Notwithstanding the provisions of the Town &amp; Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:</p> <p>i) the installation of lighting to the front or side elevations of plots 90, 91, 92 and 93 (as detailed in Schedule 2, Part 1, Classes A and D);</p> <p>Reason: In the interests of protecting bats from adverse light pollution in view of the proximity of these dwellings to the Lattersey Nature Reserve, in accordance with policies LP16 and LP19 of the Fenland Local Plan, 2014.</p>

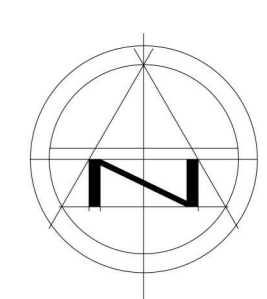
5.	<p>No development above slab level shall take place until details for the provision of fire hydrants including any phasing of delivery has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any dwelling within the respective development phase is occupied.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>
6.	<p>Notwithstanding the submitted Long-Term Landscape Management Plan, prior to any above-ground works proceeding, a scheme detailing the ongoing management and maintenance of the childrens play provision and areas of public open space as detailed on plan reference 10013/48.1D shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development and thereafter maintained in accordance with the details approved.</p> <p>Reason: To ensure the long term enjoyment of public open space facilities in accordance with policies LP2, LP13 and LP16 of the Fenland Local Plan, 2014.</p>
7.	<p>The garages serving their relevant property shall be used for the parking of vehicles and ancillary storage only and shall not be used as habitable rooms.</p> <p>Reason: To ensure that adequate off-street parking is retained in the interests of highway safety and residential amenity in accordance with policies LP15 and LP16 of the Fenland Local Plan, 2014.</p>
8.	<p>The footpath link on the western boundary as detailed on plan ref: 10013/48.1D shall be provided prior to the occupation of the 100<sup>th</sup> dwelling. The link where it meets the western boundary shall be permanently secured at that boundary with 2.4m high fencing, until such time that a connection is made from the adjacent land.</p> <p>Reason: In order to improve permeability and accessibility to the wider settlement in the interests of encouraging sustainable modes of travel in accordance with policy LP11 and LP15 of the Fenland Local Plan, 2014.</p>
9.	List of Approved Plans;



Created on: 11/06/2020  
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**F/YR20/0471/RM**  
Scale = 1:2,500





# Accommodation Schedule

House Code	House Name	Floor Area	House Type	Beds	Storeys	No.
PD414	Corsham	1256	Detached	4	2	15
NT41	Trusdale	1243	Detached	4	2	16
PA44	Midford	1170	Detached	4	2	35
NB31	Braxton	1092	Semi	3	2.5	16
H1298		1298	Terrace	3	2.5	03
PT36	Easedale	931	Semi	3	2	25
PA34	Gosford	866	Semi	3	2	36
H983		983	Terrace	3	2	01
PA25	Canford	689	Semi	2	2	10
H799		799	Terrace	2	2	01
<b>Total</b>						<b>158</b>



## Legend

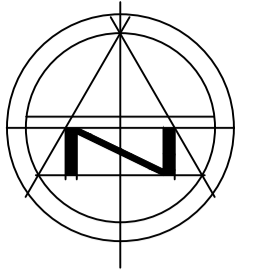
- Taylor Wimpey Legal Boundary
- Areas of Public open Space
- SUDs Basin
- Foul Water Pumping Station with Black Tarmac Access - 215mm thick / 1800mm high boundary wall with concrete coping with 1800mm high steel palisade gates
- Electric Sub-Station
- Existing vegetation to be removed
- Indicative tree location
- Proposed play equipment
- Existing AW SW Easement
- Bin Collection Point
- Gas Governor

- Block Paved Shared Surfaces to County Highways Specification
- Permeable Block Paved Shared Driveways
- Shed - Position subject to detailed engineering design
- Bodpave Parking Space - Sub station maintenance use only
- Gated & Bodpave surfaced Link - Emergency vehicle use only
- 1.8m Screen Wall Refer to detail: STD/BOUND/31.2
- 1.8m Close Board Fence Refer to detail: STD/BOUND/06.2
- 1.1m Estate Style Railings Refer to Detail:STD/BOUND/23.1
- 2.0m Close Board Fence with 0.4m Trellis Refer to Detail:STD/BOUND/07.1
- 1.2m Post & 3 Rail Fence Refer to detail: STD/BOUND/03.1
- 0.6m Brick Wall Detail Refer to detail: STD/BOUND/31

D - Masterplan updated to suit layout 10013.22 Rev J. MAC. 16.02.21  
 C - Layout redrawn following planning and highway comments LP 18.12.20  
 B - Layout redrawn following planning and highway comments KB 17.09.20  
 A - Planning boundary changed to legal boundary KB 08.04.20



## EASTREA ROAD, WHITTLESEY - MASTERPLAN



### Accommodation Schedule

House Code	House Name	Floor Area	House Type	Bed	Storeys	No.
PD414	Corsham	1256	Detached	4	2	15
NT41	Trusdale	1243	Detached	4	2	16
PA44	Midford	1170	Detached	4	2	35
NB31	Braxton	1092	Semi	3	2.5	16
H1298		1298	Terrace	3	2.5	03
PT36	Easedale	931	Semi	3	2	25
PA34	Gosford	866	Semi	3	2	36
H983		983	Terrace	3	2	01
PA25	Canford	689	Semi	2	2	10
H799		799	Terrace	2	2	01
<b>Total</b>						<b>158</b>



### Legend

Taylor Wimpey Legal Boundary

Areas of Public open Space

SUDs Basin

Foul Water Pumping Station with Black Tarmac Access - 215mm thick / 1800mm high boundary wall with concrete coping with 1800mm high steel palisade gates

Electric Sub-Station

Existing vegetation to be removed

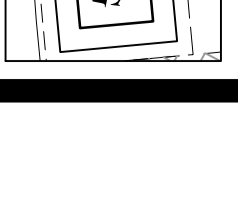
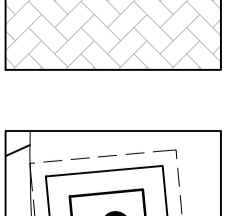
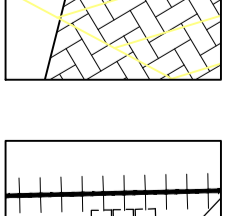
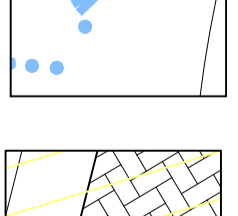
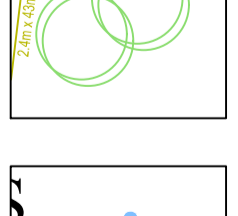
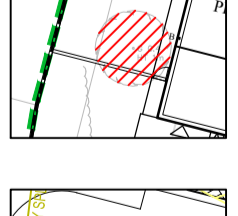
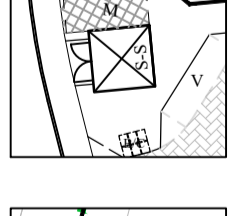
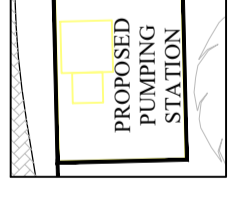
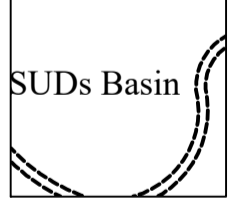
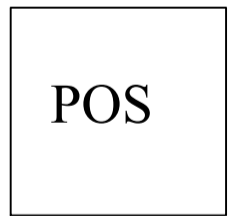
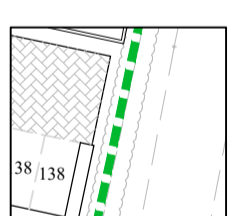
Indicative tree location

Proposed play equipment

Existing AW SW Easement

Bin Collection Point

Gas Governor



Block Paved Shared Surfaces to County Highways Specification

Permeable Block Paved Shared Driveways

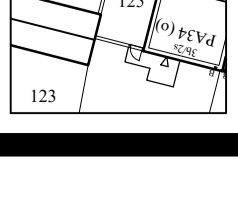
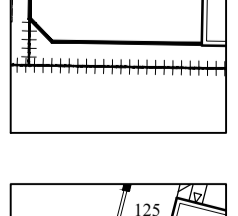
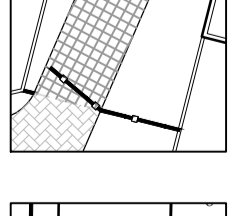
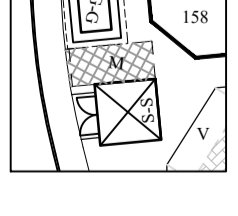
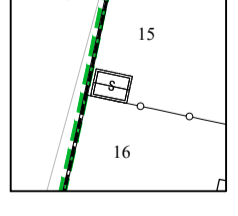
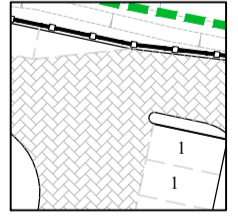
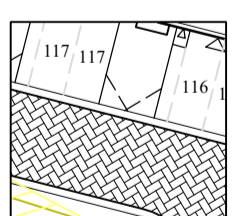
Shed - Position subject to detailed engineering design

Bodpave Parking Space - Sub station maintenance use only

Gated & Bodpave surfaced Link - Emergency vehicle use only

1.8m Screen Wall Refer to detail: STD/BOUND/31.2

1.8m Close Board Fence Refer to detail: STD/BOUND/06.2

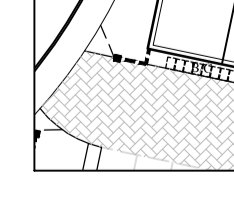
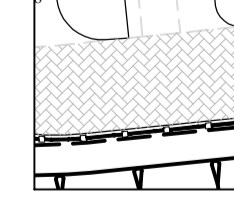
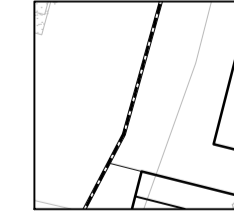
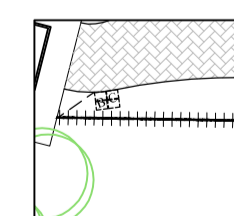


1.1m Estate Style Railings Refer to Detail: STD/BOUND/23.1

2.0m Close Board Fence with 0.4m Trellis Refer to Detail: STD/BOUND/07.1

1.2m Post & 3 Rail Fence Refer to detail: STD/BOUND/03.1

0.6m Brick Wall Detail Refer to detail: STD/BOUND/31

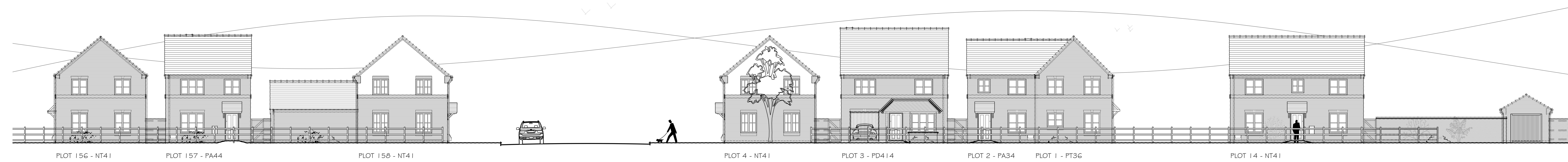


J - Footpath link amended to landscape comments, P139 garage added. LP 15.02.21  
H - Turnhead to Road 5 & Road 10 amended to highways request. LP 09.02.21  
G - Layout amended following LPA, highways & refuse comments. LP 07.02.21  
F - Layout redrawn to LPA comments, units reduced to 158. LP 18.12.20  
E - Layout redrawn to LPA comments. LP 04.11.20  
D - Maintenance Parking Space added next to substation. AB 23.10.20  
C - Layout redrawn following planning and highway comments. KB 08.09.20  
B - Planning boundary changed to legal boundary. KB 08.04.20  
A - Layout redrawn to 168 units, timber frame omitted. LP 09.12.19

**Taylor Wimpey**

### EASTREA ROAD, WHITTLESEY - SITE DEVELOPMENT PLAN

Drawn: LP Checked: KB Date: 06/09/2019 Scale: 1/500 @ A0 Dwg. No. 10013 / 22 J  
UNIT 2 | THE OSIERS BUSINESS PARK | LAVERSALL WAY | LEICESTER | LE19 1DX | T 0116 2816400 | F 0116 2816423



PLOT 156 - NT41    PLOT 157 - PA44    PLOT 158 - NT41    PLOT 4 - NT41    PLOT 3 - PD414    PLOT 2 - PA34    PLOT 1 - PT3G    PLOT 14 - NT41

**ILLUSTRATIVE STREET SCENE 1-1**  
Plots 156 to 158, 1 to 4 & 14



PLOT 151 - PA44    PLOT 150 - PA34    PLOT 149 - PA34    PLOT 148 - NB31    PLOT 147 - H1298    PLOT 146 - NB31    PLOT 145 - PA34    PLOT 144 - PA34    PLOT 143 - PA34    PLOT 142 - PA34

**ILLUSTRATIVE STREET SCENE 2-2**  
Plots 142 to 151



PLOT 138 - PT3G    PLOT 137 - H799    PLOT 136 - PA25    PLOT 135 - PA34    PLOT 134 - PT3G

**ILLUSTRATIVE STREET SCENE 3-3**  
Plots 134 to 138

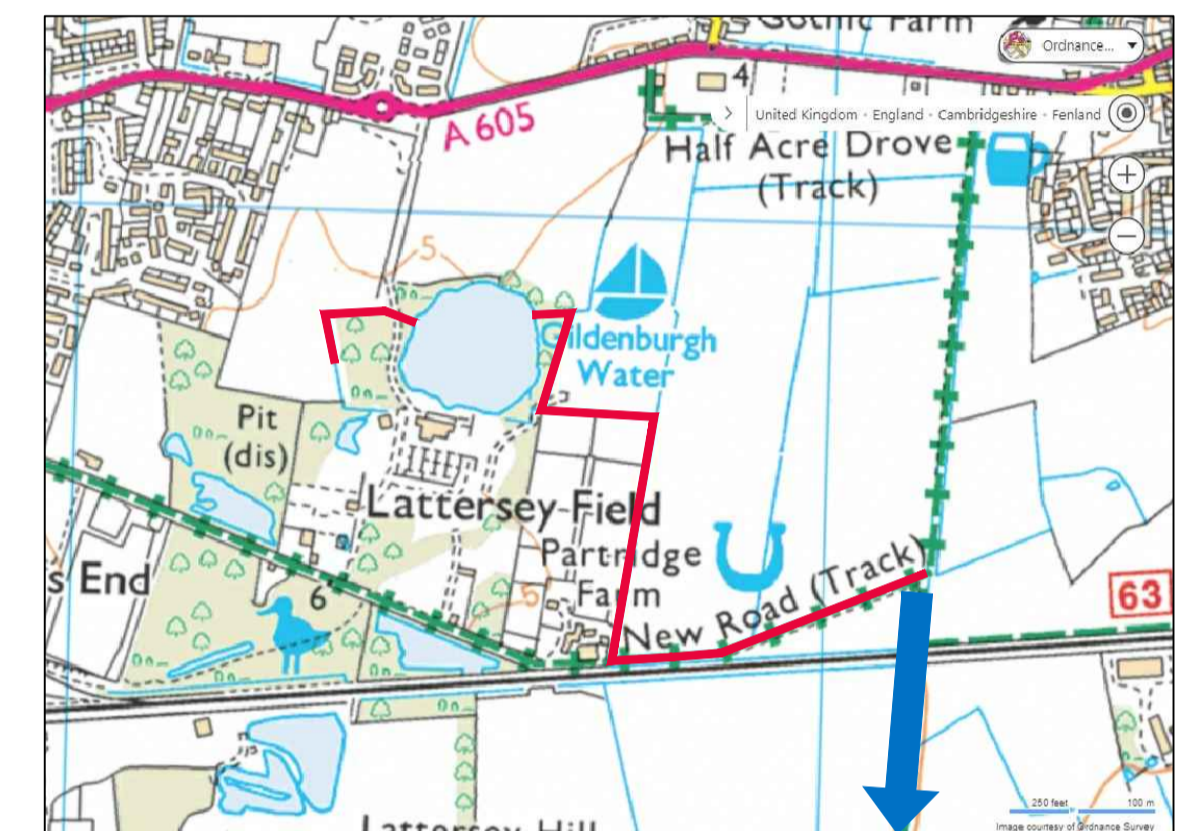
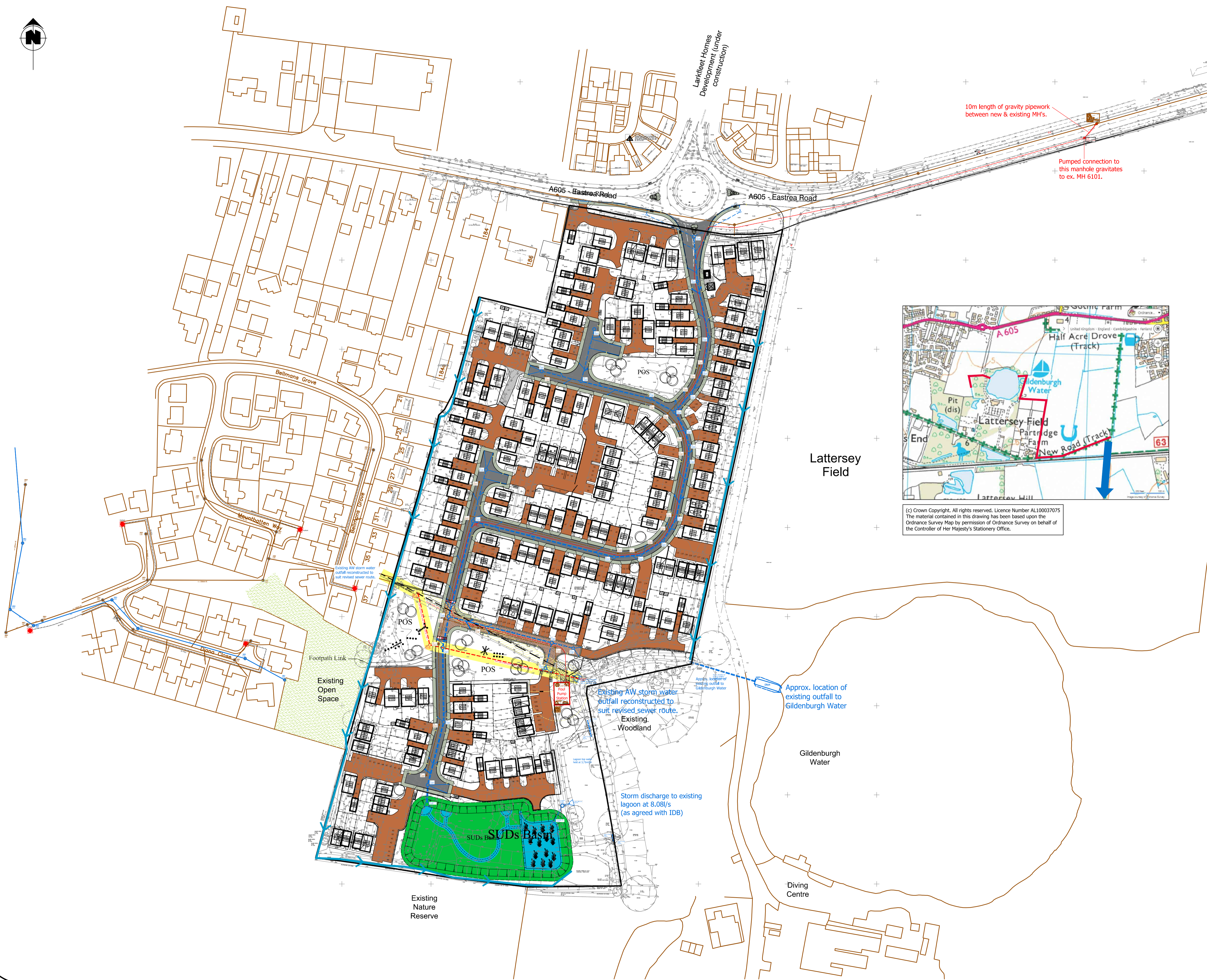


**Taylor Wimpey**

D: Redrawn in accordance with 10013-22J    KB 15.02.21  
 C: Redrawn in accordance with 10013-22F    KB 06.01.21  
 B: Layout redrawn following planning and highway comments    KB 17.09.20  
 A: Section line amended    MAC 07.04.20

**EASTREA ROAD, WHITTLESEY - STREET SCENE**

Drawn: KB    Checked: LP    Date: 03/01/2020    Scale: 1/100@A0    Drg no: 10013/050  
 UNIT 2 | THE OSIERS BUSINESS PARK | LAVERSALL WAY | LEICESTER | LE19 1DX | T 0116 2816400 | F 0116 2816423



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NOTES:  
All dimensions must be checked on site and not scaled from this drawing.

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**Surfaces Legend**

- Adopted Blacktop CASC+ Road
- Adopted Blacktop AC Footway
- Adopted Shared-surface Blockwork Road
- Adopted Ramp
- Permeable Pavement Private Driveway
- Attenuation Basin

**FW Sewers Legend**

- Proposed FW Pumping Main
- Gravity sewer upgraded from 175mm to 225mm dia. if pump option rejected
- Proposed FW Pump Station

Date	Revisions
C	16-02-21 Plan updated to suit latest layout and designs.
B	14-01-21 Plan updated to suit latest layout and designs.
A	23-09-20 Plan updated to suit latest layout and designs.

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Job Title

Eastrea Road  
Whittlesey  
Cambridgeshire  
PE7 1SG

Drawing Title

Drainage Strategy Plan

Date	March 2019	Scale @ A1	1:1000	Drawn	TRS/IAC
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Drg.No.	8943-400	Rev.	C
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