

**Applicant: Mr Daniel Baker  
Queensbridge Homes Ltd**

**Agent : Mr Gavin Welch  
Michael Hyde And Associates**

**Land North Of Orchard House, High Road, Wisbech St Mary, Cambridgeshire**

**Variation of conditions 10 (surface water drainage) and 20 (list of approved drawings) relating to planning permission F/YR17/1217/F (Erection of 76 dwellings: comprising 29 x 2-storey 4-bed, 6 x 3-storey 4-bed, 29 x 2-storey 3-bed and 2 x blocks of flats (4 x 1-bed and 8 x 2-bed) with associated garages, parking, play area and landscaping involving the formation of a new access road)**

**Officer recommendation: Grant**

**Reason for Committee: Parish Council comments contrary to Officer recommendation**

---

## **1 EXECUTIVE SUMMARY**

- 1.1 This submission is made under Section 73 of the Town and Country Planning Act 1990 (as amended) to accommodate revisions to the layout of the scheme which have been identified as necessary to resolve issues between with the approved layout and the requirements of the IDB maintenance strip.
- 1.2 There is no statutory definition of a 'minor material' but guidance indicates that such amendments are likely to result in a development which is not substantially different from the one which has been approved in terms of scale and/or nature.
- 1.3 In this regard, the quantum of development will remain the same within the site as will the overall appearance of the appearance within its setting. Whilst there are some changes in respect of some of the units in terms of both positioning and how far they will be located into the previously approved public open space these revisions when viewed in the context of the approved scheme are negligible in character and residential amenity terms. In addition they will not result in a scheme which is markedly different in terms of POS provision.
- 1.4 There remains an issue with the technical detail of the road layout relating to the delivery of an appropriate turning head to resolve, however the applicant is intending to address this through the submission of an amended drawing. It is envisaged that a further update will be provided to the committee in this regard; with any recommendation made by the committee being subject to the satisfactory resolution of this element.
- 1.5 Similarly obligations contained within the earlier S106 agreement which formed part of the original approval will be secured through supplemental deed.
- 1.6 It is considered that the scheme revisions may be considered as minor material amendments as allowed under Section 73 of the Town and Country Planning Act and that the submission may be favourably recommended.

## 2 SITE DESCRIPTION

- 2.1 The site has an extant approval for a 76 dwelling scheme, it is currently in agricultural use and is situated to the north of High Road, Wisbech St Mary. The proposed access utilises the exiting field access and lies between two detached two-storey dwellings which form part of the frontage development on the north-west side of High Road.
- 2.2 The site area is 3.82 hectares in total and is bounded to the west, north-west and north-east by drainage ditches. The north-western swathe of the site lies within flood zones 2 & 3.

## 3 PROPOSAL

- 3.1 This submission comes forward under Section 73 of the Town and County Planning Act and seeks to gain approval for what the agent considers to be minor material amendments to the existing approval. The agent highlights in the submission are required *'Primarily to resolve issues between with the approved layout and the requirements of the IDB maintenance strip. The reasons for this and the proposed remedies are explained in the Planning Statement submitted onwards. Variation for the condition is 20 is also sought for some minor changes to the external appearance of the house types and changes to the design of the garages and carports'*.
- 3.2 In summary the amendments proposed are as follows:

- Adjusting the proposed layout along the eastern and northern edges of the site to allow the drain maintenance strips to be increased to 6m and 9m respectively when measured from the brink as surveyed.
  - The blocks of flats (previously approved at the end of the access road either side of the hammer head are relocated to the triangular area in the most northerly corner of the site
  - The type B & D properties that previously occupied the corner of the site now to be occupied by the flats are relocated to form a continuation of the pattern of houses that run along the north-eastern boundary accessed from the main loop road with the rear of these dwellings overlooking Sawyer's drain, with the final two pairs set back to form a gradual change in frontage towards the flats
- NB: properties have been re-numbered to maintain a logical progression of numbering across the site**
- The rearranged units in this corner of the site has a knock-on effect on the units elsewhere along the north-eastern boundary resulting in the units being pushed further along into the POS, with a net loss of 590m<sup>2</sup> of POS in this area. In the proposed alternative layout unit 18 sits approximately 23 metres further along the road.
  - The revisions to the layout, along with the proposed electrical substation lead to a net loss of 677m<sup>2</sup> of public open space
  - To mitigate this loss two changes to the design of the public open space are proposed, the first being an overlap of the POS and maintenance strip which has been discussed with the North Level District Internal Drainage Board. The hard border between the POS and maintenance strip will be removed, and proposed tree planting thinned, so that the maintenance strip can be incorporated withing the POS, a net gain of 1,415m<sup>2</sup> resulting in a gross increase of 738m<sup>2</sup> of POS on the site.

- Secondly, the swale has been redesigned into a more compact form within the corner of the site which still holds the required amount of water, but more efficiently than the elongated form previously proposed. The area of land taken up by the swale, and banking down to the swale, has been reduced from 2,100m<sup>2</sup> to 1,050m<sup>2</sup> in effect halving the amount of POS being used by the swale.
  - Along the eastern edge of the site of the site units 69 to 72 have been moved back 1.5m each to create more room in front of the properties. This allows the parking for units 70 and 71 to be allocated in a parking court arrangement in front of the properties as opposed to side parking driveways creating the required space for the maintenance strip to be expanded.
  - To the eastern edge of the site, units 63-64 have been moved to the left by 2.4m to allow for the increase of maintenance strip width, with the garden depth unit 65 reduced. Due to the double garages, the garden of unit 65 is wider typical, so even at the reduced depth retains an area of 71m<sup>2</sup>.
  - In the area adjacent to Wilson's Drain there is a requirement for a 6 metres wide maintenance strip and changes to the layout are dealt with through minor movements of parking and units rather than layout reconfiguration.
  - The two facing units of units 69/70 & 71/72 have been pushed back 1.5 metres each to create slightly larger mews arrangement between the two pairs of properties allowing the parking for units 70 & 71 to be placed as bays in the mews rather than as private drives.
  - Units 63/64 have also been moved 1.8 metres further away from the maintenance strip
- Addition of an electrical substation adjacent to Plot 18 (freestanding brick-built substation for a transformer up to 1500kVA with pitched roof, which will be constructed using the same external masonry and roofing as the dwelling houses to ensure the substation fits within the site). Whilst this will result in a small loss of POS in this area this is offset by the changes to the POS boundary.
  - Variations to house types A & B relating to general detailing, i.e. reduction in depth of proposed cills/headers, deletion of keystones and false GRP chimneys.
  - Revisions to the garages to seek to *'harmonise the style of the garages with the style of the houses introducing the same detailing of elements such as ridges, eaves, rainwater goods and materials'*. The dimensions of the units are also slightly adjusted to match brick coordination dimensions.
  - Updated surface water drainage strategy to address the revised layout and confirm the suitability of the revised swale within the POS.
  - The application also seeks to discharge conditions relating to:
    - External lighting
    - Flood mitigation
    - Provision of Fire Hydrants
    - Securing obscure glazing in respect of the landing window of plot 71 (noting that this is now an en-suite bathroom as opposed to a landing)
    - Removal of non-native planting in the shrub mix proposed
    - Details of Bird & Bat Boxes

Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

#### 4 SITE PLANNING HISTORY

F/YR19/0569/ VOC	Variation of condition 20 to enable amendment to approved plans of planning permission F/YR17/1217/F [...] to change the layout to meet the required maintenance of drainage ditches and swales; highways changes and garage changes	Withdrawn
F/YR19/0544/ NONMAT	Non-material amendment: Alterations to appearance comprising addition of detailing stonework, canopies/ door porches and addition of photovoltaic panels to dwellings, and change House Type D2 3-storey 4-bed to House Type E 2-storey 3-bed dwelling, relating to Planning permission F/YR17/1217/F	Approved 22.07.2019
F/YR17/1217/F	Erection of 76 dwellings: comprising 29 x 2-storey 4-bed, 6 x 3-storey 4-bed, 29 x 2-storey 3-bed and 2 x blocks of flats (4 x 1-bed and 8 x 2-bed) with associated garages, parking, play area and landscaping involving the formation of a new access road)	Grant 11.04.2019
F/YR15/0502/O	Erection of 50 dwellings	Granted 18.08.2017
F/YR15/1109/F	Erection of 4 x 2-storey 4-bed dwellings with double garages and paddock facilities including stable blocks	Refused 12.01.2017
F/YR11/0703/F	Erection 5no x 2-storey 5-bed 3no x 2-storey 4-bed with detached garages and 3no x 2 storey 2-bed dwellings involving the demolition of existing building.	Granted 24.04.2014

#### 5 CONSULTATIONS

5.1 **Parish Council:** *'At the meeting of Wisbech St. Mary Parish Council on 9th November 2020, the Council recommended REFUSAL.*

*Councillors would like to again bring your attention to the brick built bus shelter located on the High Road which affects the visibility splays. They reiterate that this building is their asset and no permission has been given to remove, destroy or replace this asset. Therefore, the vehicle access would not be suitable. They are also concerned by the proposed changes to the drainage'.*

Following re-consultation the Parish Council have maintained their objection as follows:

*'At the meeting of Wisbech St. Mary Parish Council on 8th March 2021, the Council recommended REFUSAL. The High Road in Wisbech St. Mary has suffered from severe flooding in the past and the Parish Council are concerned regarding the drainage.*

*They would also like it to be noted that they do not agree with this development as the parish hasn't received any financial community support in S106 monies and they feel that this is just not acceptable for a development of this size and the impact it will have on the local community.*

*The issues regarding the bus shelter are still ongoing and the Parish Council note that they have not received any communication from the agent with regards to this situation moving forwards'.*

5.2 **CCC Highways:** Originally requested that the applicant revert back to the originally approved road layout, however following further clarification from the case officer with regard to the scope of the VOC submission has amended these comments to note that the *'revised layout does not provide a suitable turning head arrangement at the end of the spine road, and the shared surface area to the north-eastern corner is unsuitable for adoption. A hammer head turning area with a footway wrapped around its perimeter should be detailed at the end of the spine road. The shared surface area can remain private. If it is easier for the applicant to revert to the approved layout, then I will amend adoption limits for the turning head at detailed design stage.'*

5.3 **CCC (Lead Local Flood Authority):** Originally responded that they were unable to support the variation of condition 10 for the following reasons:

*'Proposed Surface Water Drainage Scheme - The updated drawings submitted as part of this application indicates the updated surface water drainage scheme. The proposed change from a swale to the basin is acceptable subject to updated calculations. However, the agreed drainage strategy was for the use of permeable paving across the site, and a discharge rate of 2.6 l/s. The updated drawings do not include any permeable paving and indicate that the surface water will discharge to the north at a rate of 10 l/s. This is not supported by the LLFA, as the site is losing the source control (required in section 6.3.7 of the Flood and Water SPD) from the permeable paving reducing the water treatment and quality, as well as increasing the discharge from the site approximately by a factor of 4. The proposals should keep the permeable paving agreed during the application F/YR17/1217/F and the agreed discharge rate.*

*Once the above information has been agreed, updated hydraulic calculations should be submitted to demonstrate that the proposed basin is suitably sized to manage surface water for the 100%, 3.3% and 1% Annual Exceedance Probability (AEP) storm event, including a suitable allowance for climate change.'*

Following re-consultation in respect of amended details comment as follows:

*[...] As Lead Local Flood Authority (LLFA) we can remove our objection to the variation of condition 10 to include the updated drainage strategy. The submitted documents demonstrate that surface water can be managed through the use of permeable paving over private parking and shared parking and*

access areas. Surface water will then enter the proposed basin with a discharge from site at 10l/s.

Recommend informatives regarding Pollution Control.

5.4 **Environment Agency:** *'As we did not recommend the conditions referred to, we have no comment to make on this application'* in respect of the re-consultation confirm that they have *'no further comment to make on this application.'*

5.5 **North Level Internal Drainage Board:** *'My Board has no objections in principle to the above application, however would make the following observations:*

1. A formal relaxation of my Board's byelaws in respect of Wilson Drain on the eastern boundary of the site is still required. Due to the proximity of housing to the proposed 6 metre corridor a condition on this relaxation will be required to indemnify the Board against damage to three dwellings when operating a 30 tonne hydraulic excavator within this 6 metre corridor. There needs to be an understanding that 6 metres is the actual width taken by the heavy machinery and with no garden as buffer the homeowners will inevitably be concerned at the close proximity in which we will be required to work to maintain this section of drain.

2. IDB easement strips must be kept flat and at the current level, i.e. no ground raising within the easement strip.

3. The byelaw distance as approved will be strictly enforced i.e. 6 metres from brink of the drain on the eastern boundary and 9 metres from the brink of the drain on the northern boundary.'

5.6 **Designing Out Crime Officers:** *'I can confirm this office has reviewed the Variation of conditions 10 (surface water drainage) and 20 (list of approved drawings)*

*We are happy to support with no objections in terms of community safety or vulnerability to crime'.*

5.7 **Cambridgeshire Fire and Rescue**

*'[.] To ensure the pre-commencement part of the condition is met, I will need to receive an approved mains design from the Water Authority once the Applicant has applied for one. Once received – I will mark up a provision for fire hydrants & return to the Water Authority. When this has been complete I will be able to discharge a pre-commencement condition.*

*Prior to occupation will need to be notified that the hydrants have been installed to a satisfactory standard, at which point we will arrange an inspection of the apparatus to ensure they are ready for operational use. Once this has been undertaken the condition will be met in full.*

5.8 **Local Residents/Interested Parties**  
None received

## **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: Planning law requires that applications for planning permission must be determined in accordance with the development plan.

Paragraph 11: Presumption in favour of sustainable development.

Paragraph 47: Determine applications in accordance with development plan

Paragraphs 54-56: Planning Conditions and Obligations

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

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

Context: C1 - Relationship with local and wider context

Identity: I1 - Respond to existing local character and identity

Built Form B2 - Appropriate building types and forms

Movement: M3 - Well-considered parking, servicing and utilities infrastructure for all users

Homes and Buildings: H1 - Healthy, comfortable and safe internal and external environment

### **7.4 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

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

## **8 KEY ISSUES**

- **Principle of Development**
- **Implications of changes – character and amenity**
- **Implications of changes – residential amenity**
- **Implications of changes – highways**
- **Implications of changes – drainage**
- **Implications of changes – public open space provision**
- **Evaluation of whether the changes are ‘minor’ in the context of the approved scheme**
- **S106 and Legal obligations**
- **Parish Council comments**

- **Conditions (including evaluation of supplementary information received)**

## **9 BACKGROUND**

- 9.1 As acknowledged by the agent in the submitted Planning Statement which accompanies the submission ‘*A number of applications have been made for the site across the past decade, with the site application and number of dwellings have increased from the original 2011 application of 11 units to a larger site of 76 made in the latest full application validated in 2017 and approved in 2019 (F/YR17/1217/F).*

*Since [approval of F/YR17/1217/F] a non-material amendment (FR/YR19/0544/NONMAT) was made in June of last year to make aesthetic changes to the proposed house types, which was approved in July [2019]. Two discharge of condition applications have also been made to deal with all conditions that were required to be discharged for works up to and including works at slab level.’*

- 9.2 It is further identified in the submitted Planning Statement that the current submission is made to address matters arising at the technical design phase which have identified that ‘*the layout as approved did not allow for the correct maintenance zones around the site and a variation of conditions application was made in June 2019 to correct this. However due to the changes required to the layout to amend the maintenance strip leading to a loss of public open space, Fenland Planning Department informed that it could not be covered as a variation application. The application was withdrawn in October 2019 so that a full application could be made as recommended. A full application [which did not proceed to validation] was made in April 2020 to make changes; however, this was also withdrawn. The withdrawal of this application followed a conversation with the North Level IDB which highlighted that the maintenance strip could be combined within the POS so not to lead to a loss in area, upon which advice from Fenland Planning Department was updated to recommend a Variation of Condition application’.*

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The principle of a development of this scale in this location has been clearly established by virtue of the extant planning permission F/YR17/1217/F as has the quantum of development. It is necessary to evaluate however whether there are any matters arising as a consequence of the revised details in terms of character and visual amenity (LP16), residential amenity (LP2 and LP16), highway safety (LP15) and drainage and flood risk (LP14).
- 10.2 In addition, it must be established whether the changes proposed to the original approval are acceptable as minor material amendments in the context of the approved scheme.
- 10.3 Finally, any issues arising with regard to the original Section 106 must be explored and reconciled.



## **Implications of changes – character and amenity**

- 10.4 The quantum of development will remain the same as will the overall appearance of the appearance within its setting. Whilst there are some changes in respect of some of the units in terms of both positioning and how far they will be located into the previously approved public open space these revisions, when viewed in the context of the approved scheme, are negligible in character and amenity terms.

## **Implications of changes – residential amenity**

- 10.5 Similar to above the changes proposed in terms of the positioning of the dwellings and the revisions to the POS layout will have no consequence with regard to the residential amenity of existing householders. The amendments largely relate to land to the north/north-east of the site and as such these are at some distance from the existing households situated to the south-east within Chapel Avenue and Walnut Close and of no consequence to the householders in High Road.
- 10.6 Within the scheme itself appropriate separation and layout is maintained, and the scheme continues to achieve compliance with Policies LP2 and LP16 of the FLP (2014)

## **Implications of changes – highways**

- 10.7 The LHA initially commented that the applicant should revert to the originally approved layout; however, the LPA does not have such discretion to insist on this and must consider the scheme as submitted – unless of course there are justifiable technical reasons to support such a stance.
- 10.8 Further clarification has been provided by the LHA which identifies that a suitable turning head arrangement should be provided at the end of the spine road. They recommend that a hammer head turning area with a footway wrapped around its perimeter should be detailed at the end of the spine road. The agent is in the process on amending this element of the scheme and the revised drawings are anticipated prior to the consideration of this item at committee, a written update will be provided to the committee in this regard.
- 10.9 Subject to the revised drawing being accepted by the LHA, essentially a matter of technical detail, the scheme will continue to achieve compliance with Policy LP15 of the FLP (2014)

## **Implications of changes – drainage**

- 10.10 As a consequence of the scheme revisions the surface water drainage strategy for the site have been revisited and amended details provided to support this Section 73 application.
- 10.11 The LLFA initially confirmed that the change from a swale to a basin was acceptable however they noted that permeable paving was also required as per the original scheme approval. This has been addressed by the applicant and the LLFA have confirmed that the submitted documents now demonstrate that surface water can be managed through the use of permeable paving over private parking and shared parking and access areas with surface water then entering the proposed basin with a discharge from site at 10l/s.

- 10.12 Similarly no objection has been raised to the scheme by the North Level Internal Drainage Board, whilst they have made a number of comments relating to the ongoing responsibilities of the developer/householders these appear to be matters covered by their byelaws and as such have no implications in terms of the planning considerations of the proposal.
- 10.13 The scheme maintains conformity with the requirements of Policy LP14 in so far as they relate to flood risk and surface water management and as such the revisions are acceptable.

**Evaluation of whether the changes are ‘minor’ in the context of the approved scheme:**

- 10.14 This submission is made under Section 73 of the Town and Country Planning Act 1990 (as amended). New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 73 of the Town and Country Planning Act 1990 will need to be submitted. Where less substantial changes are proposed, there are options for amending a proposal that has planning permission, these being:
- A non-material amendment (a section 96A application)
  - A minor material amendment (a section 73 application)

There is no statutory definition of a ‘minor material amendment’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

- 10.15 Whilst the changes listed in the proposals section appear extensive when listed, in reality, within the context of the approved scheme, they are considered minor. The quantum of development will remain the same as will the overall appearance of the appearance within its setting.
- 10.16 There is greater flexibility to agree changes to layout and design when considering larger scheme proposals. This understands that the impacts of revisions to a single plot are likely to be greater as the constraints of the surrounding area are likely to be more significant. Within a greenfield setting on the periphery of a settlement, as in this case, there is more scope to accept more significant changes as ‘minor’ when giving due regard to context.
- 10.17 Having due regard to the changes proposed and mindful of the responses which have been forthcoming in response to the consultation process undertaken it is considered that the changes proposed may be deemed as minor in the context of the original approval and may proceed as a Section 73 approval.

**S106 and Legal obligations**

- 10.18 The earlier approval secured the following items under the Section 106 agreement –
- Delivery of a LEAP – trigger being prior to the occupation of Phase 3
  - Submission of a public open space maintenance scheme prior to any development above slab level and ongoing maintenance in perpetuity

- NHS contribution of £27,600 – trigger being prior to commencement of any development on site

10.19 These provisions will be taken forward to the revised approval and as required under clause 16.1 of the earlier S106 the applicant will be required to enter into a supplemental deed to reflect the revised details.

**Parish Council comments**

10.20 The comments of the Parish Council are noted, and whilst it is clearly disappointing that the scheme will not provide for the full policy obligations it remains the case that viability was fully explored as part of the original submission, this being duly accepted by the Committee. It is not possible or indeed warranted to revisit this aspect of the proposal.

10.21 In respect of the bus shelter, again this is as per the original approval and is a civil matter for the developer to resolve. They (the developer) have indicated that they are *‘aware of comments from the Parish and have received separate correspondence from them directly, and this is something the client is now discussing with them so we can resolve in a future application relating to the bus shelter details’*.

**Conditions (including evaluation of supplementary information received)**

10.22 Section 73 results in the issue of a new stand-alone consent and as such conditions imposed on the original approval must be brought forward to any decision notice granted, similarly it will be necessary to vary the terms of the original S106 to ensure that the scheme maintains continuity with the original obligation.

10.23 It is further noted that the applicant as an integral part of this submission has sought to discharge the ‘detail’ of some of the matters previously conditioned for future submission; these relating to external lighting, flood mitigation, the provision of fire hydrants, confirmation that the landing window of Plot 71 should be obscure glazed, removal of non-native planting from scheme and details of bat and bird boxes.

10.30 For ease of reference the table below covers these aspects

Condition	Item	Submission details	Response
5	External lighting	A drawing has been submitted showing locations along with calculations of light levels and product information (19031-EXT-LTG and Kingfisher VivaCity Pro product information sheet refers)	The Designing Out Crime team have confirmed that they have no objection to the scheme as presented; accordingly, it is appropriate to vary this condition to solely require implementation in accordance with the

			agreed details
6	Flood mitigation	A drawing is included demonstrating the proposed concepts for providing flood resilient and resistant measures within the design of the units and demonstrating compliance with this condition. These concepts will be developed upon as part of the technical design stage of the project. See drawing 3QH7-MHA-ZZ-ZZ-DR-A-20001. Also included in the application is a revised Flood Risk Assessment by Geoff Beel Consultancy which is revised for the changes to the site layout discussed in the previous section.	This condition was a safeguarding condition and as such does not require the submission of details. The condition will therefore be reimposed.
9	Provision of Fire Hydrants	A drawing is included which identifies proposed locations for hydrants across the site and distances to furthest points within dwelling units demonstrating the compliance to Approved Document Part B. See drawing 3QH7-MHA-SA-XXDR-A-01108.	It is noted that in the absence of an approved mains design from Anglian Water it is not possible to discharge the submission element of this condition.  Accordingly, the condition will be reimposed as per guidance from the Cambridgeshire Fire and Rescue Service
16	Window of plot 71 shall be obscured glazed	Drawing 3QH7-MHA C1-ZZ-DR-A-00401 now includes a note to confirm that this window will be opaque glazed and fixed on unit 71, however it should be noted that the window is now into an en-suite bathroom as opposed to a landing as stated in the condition.	This condition becomes superfluous as a result of the revised layout given that there will be a requirement to build in accordance with the approved plans.

17 (i)	Non-native planting	It has been confirmed that the non-native <i>Cornus Sibirica</i> has been removed from Native Shrub Mix 9A and will be replaced with pro-rate quantities of other species.	Again, this condition becomes superfluous given the updated details.
17 (ii)	Bird & Bat Boxes	Bird and bat boxes are proposed to select units and are now identified on the boundary treatment drawing along with specifications of products and mounting heights. See drawing 3QH7-MHA-SA-CC-DR-A-01104.	Comments of the Councils Ecologist are awaited in this regard and will be reported to the committee, the condition may be amended to require implementation only should the details be confirmed as satisfactory.

10.31 From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

The applicant has been consulted on the proposed conditions and their response will be updated to the committee as part of the written update in order to evidence that the requirements of section 100ZA(5) have been met.

The proposed conditions are as follows;

- Condition 4 – Levels
- Condition 8 - Archaeology
- Condition 14 - Materials

## 11 CONCLUSIONS

11.1 The principle of development has been clearly established through the earlier grant of full planning permission. The changes proposed, largely as a consequence of the need to ensure appropriate maintenance strips are available with regard to the drains which run to the northern and eastern boundaries of the site are considered acceptable in the context of the approved scheme. This being subject to the technical detail raised by the LHA being addressed to their satisfaction.

11.2 Whilst the amendments proposed appear extensive when viewed in isolation they are, within the context of this major housing development scheme, minor. There are no implications or consequences arising from agreeing the

amendments proposed and as such a favourable recommendation may be forthcoming.

## 12 RECOMMENDATION

### Grant subject to:

- (i) Receipt of amended drawing resolving highways layout issue and re-consultations with no new grounds of objection arising
- (ii) Prior completion of supplemental deed securing the obligations outlined in respect of F/YR17/1217/F; should the supplemental deed not be completed within 3-months of the committee decision, due to delays on the applicants part, delegated authority is given to Officers to refuse the scheme.

### Conditions

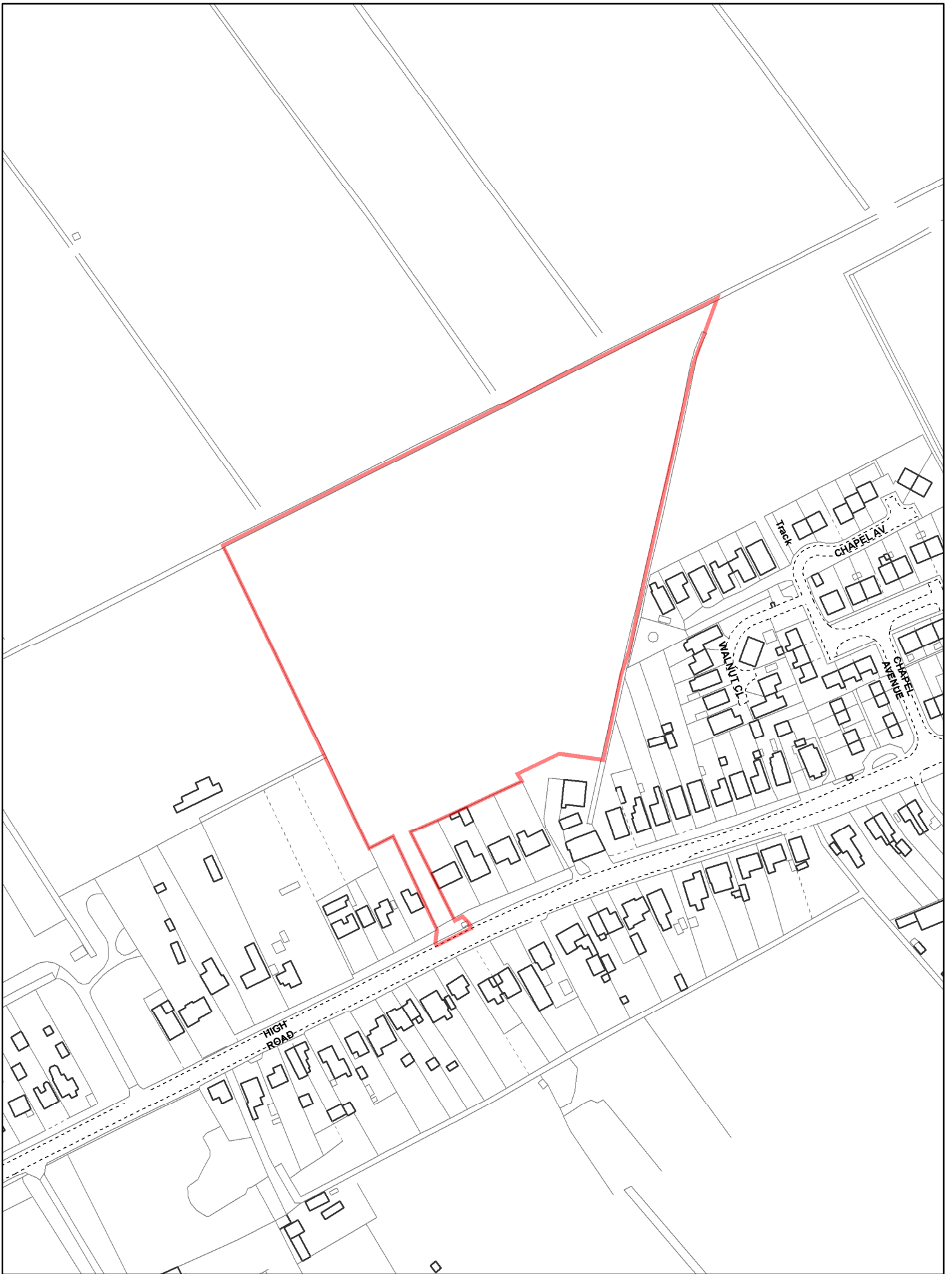
1	<p>The development permitted shall be begun before the 11th April 2022</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved amended remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety and ensure compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
3	<p>The development shall be undertaken in full accordance with the details contained within the following documents:</p> <p>Construction Traffic and Compound Plan reference: 3QH7 MHA SA XX DR A 01105 S2 P2, and Site Waste &amp; Management Plan Document - Revision A - Dated 20.01.2020 (as previously submitted and agreed under conditions discharge application F/YR19/3124/COND )</p> <p>Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
4	<p>Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details.</p> <p>Reason - To ensure that the precise height of the development can be considered in relation to adjoining dwellings.</p>
5	<p>The external lighting scheme as detailed on drawing number 19031-EXT-LTG</p>

	<p>REV P1 shall be implemented in full accordance with the agreed details and retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with</p>
6	<p>The scheme shall be delivered in full accordance with the Flood Risk Assessment (FRA) submitted for this development by Geoff Beel Consultancy dated January 2020 GCB/QUEENSBRIDGE and the proposed mitigation measures shall be fully adhered to -</p> <ul style="list-style-type: none"> <li>i. Finished floor levels of the proposed development will be set no lower than 2.0mAO.</li> <li>ii. Flood resilient and resistance measures will be incorporated into the development.</li> <li>iii. The development will be two storeys.</li> </ul> <p>Reason: To prevent the increased risk of flooding and take appropriate measures with regard to flood risk management in accordance with Policy LP14 of the Fenland Local Plan, adopted May 2014.</p>
7	<p>The proposal shall be delivered in full accordance with the recommendations of the Ecological Report prepared by Wild Frontier Ecology Report (as updated 2<sup>nd</sup> July 2019 in support of conditions discharge submission F/YR19/3058/COND).</p> <p>Reason: To protect and enhance biodiversity on site in accordance with Policy LP19 of the Fenland Local Plan, adopted May 2014</p>
8	<p>CCC Archaeology condition – precise wording to be advised</p>
9	<p>Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling.</p> <p>Reason: In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
10	<p>Surface water drainage strategy condition to be confirmed by LLFA</p>
11	<p>Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff subcatchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.</p> <p>Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraph 165 of the National Planning Policy Framework</p>
12	<p>Landscaping condition to be advised</p>

13	<p>All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.</p>
14	<p>Prior to the commencement of the relevant parts of the work full details of the materials to be used in the development hereby approved for the walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason - To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
15	<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>
16	<p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the approved details.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
17	<p>Prior to the first occupation of any part of the development hereby approved, visibility splays shall be provided on each side of the main estate access to High Road and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway. Minimum dimensions to secure the required splays shall be 2.4 metres measured along the centre line of the proposed access from its junction with the channel line of the highway carriageway, and 120 metres measured along the channel line of the highway carriageway and the centre line of the proposed access.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>



18	<p>All vegetation clearance at the site shall only take place outside the bird breeding season of March to August inclusive, or that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds.</p> <p>Reason: To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of Planning Policy Statement 9 Biodiversity and Geological Conservation.</p>
19	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p>



Created on: 15/10/2020

© Crown Copyright and database rights 2020 Ordnance Survey 100023778

**F/YR20/0952/VOC**

Scale = 1:2,500



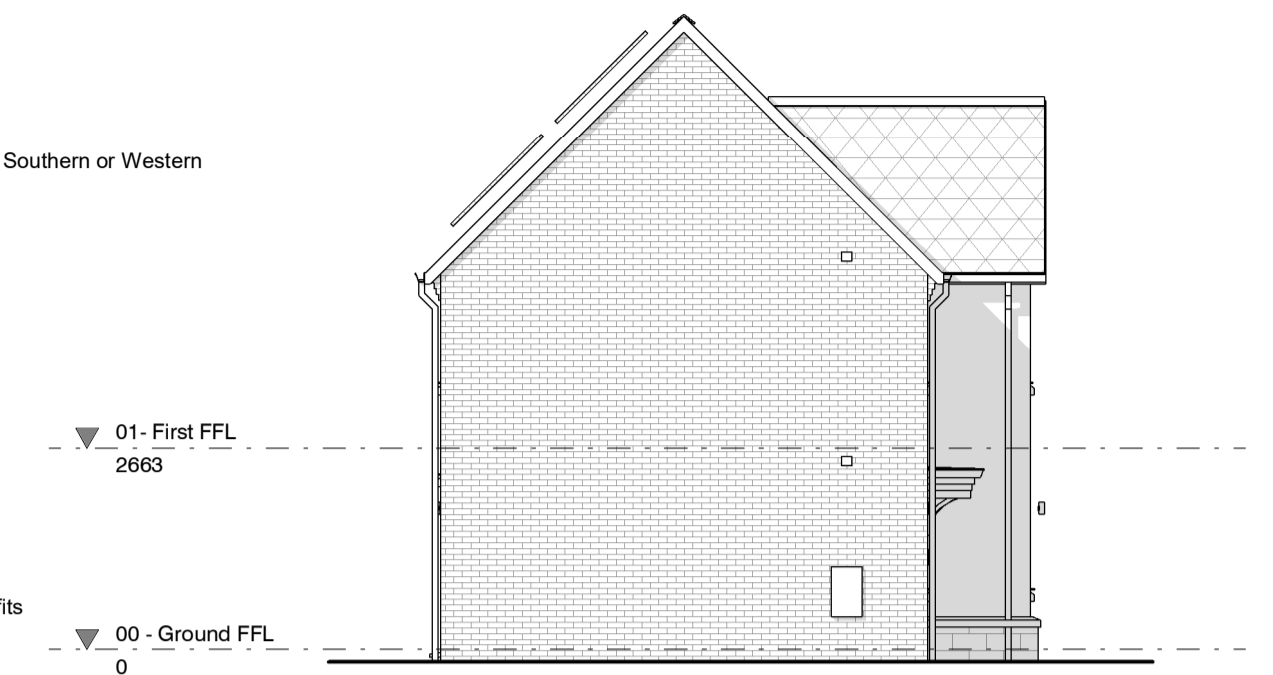




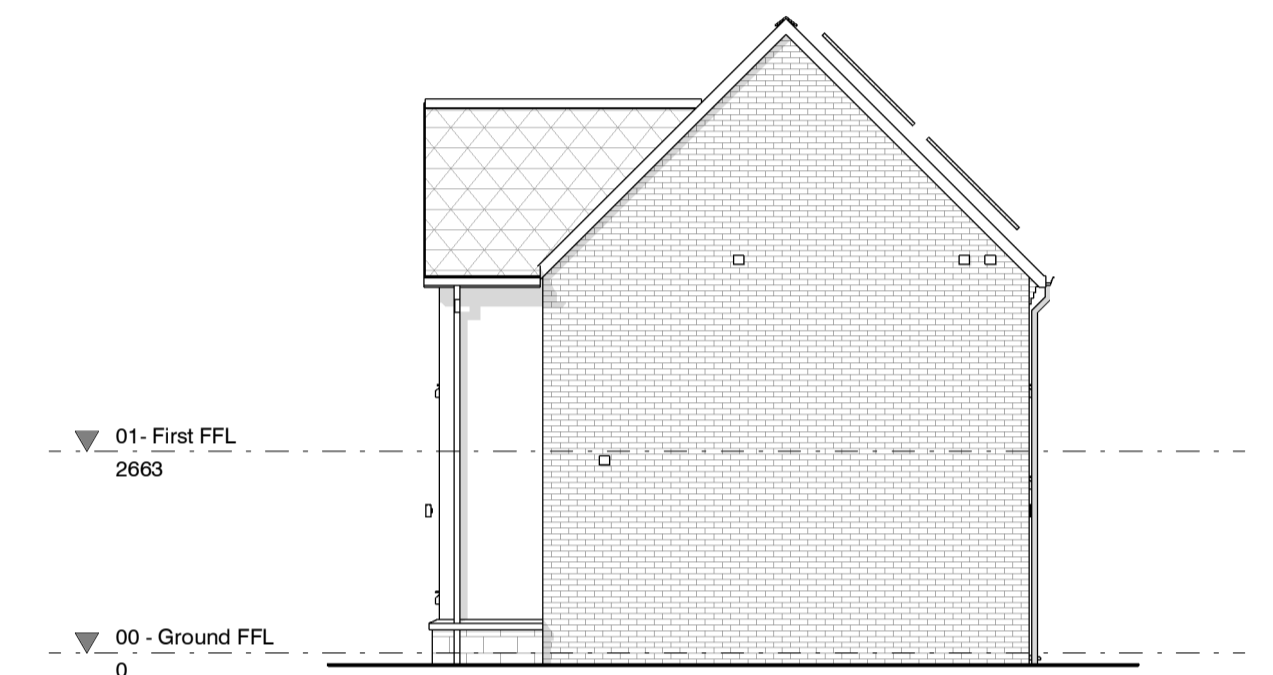
**Front Elevation**  
1 : 50



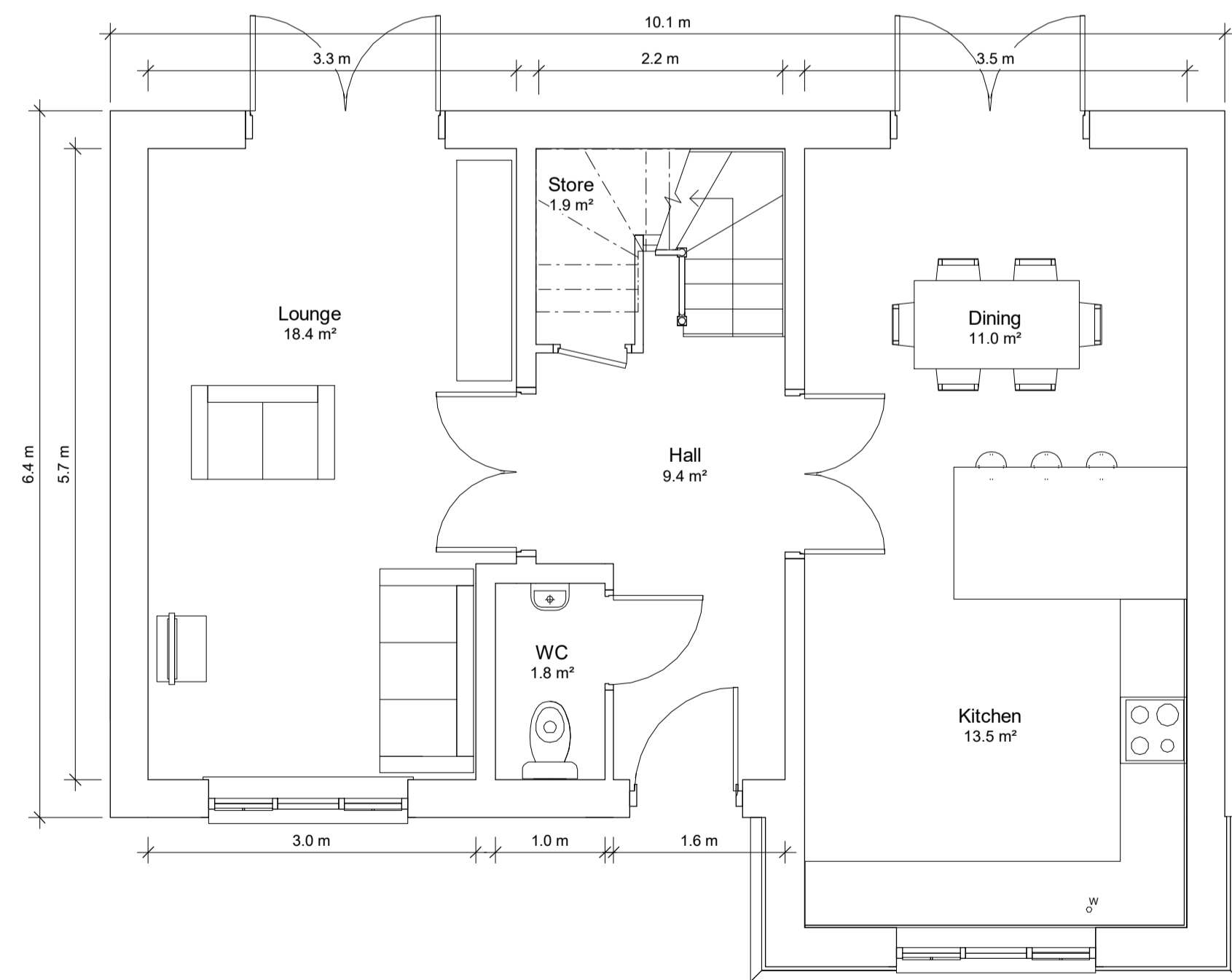
**Rear Elevation**  
1 : 50



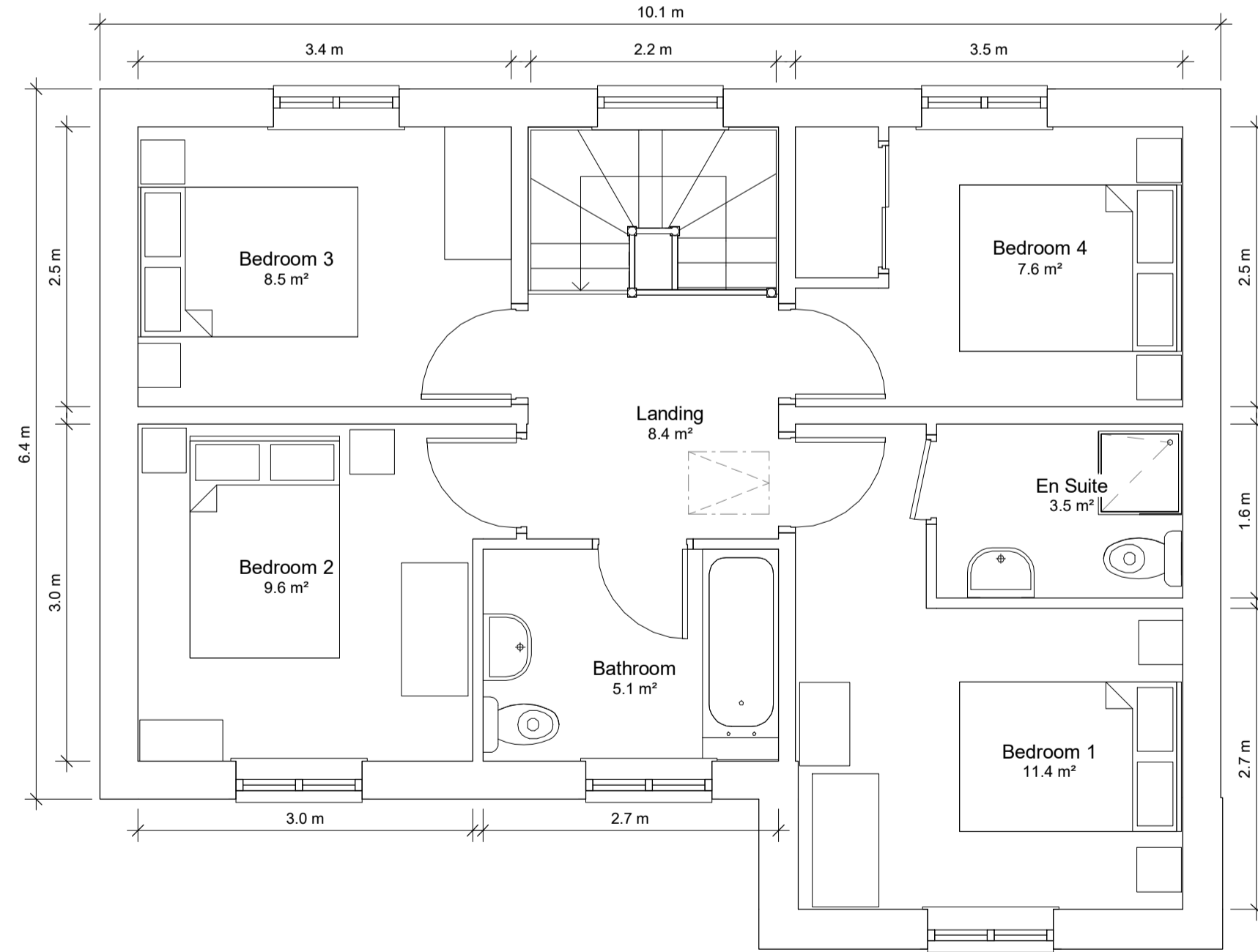
**Side Elevation**  
1 : 100



**Side Elevation**  
1 : 100



**Ground Floor Plan**  
1 : 50



**First Floor Plan**  
1 : 50

**Room Schedule**

Name	Area
00 - Ground FFL	70 m²
Dining	11.0 m²
Hall	9.4 m²
Kitchen	13.5 m²
Lounge	18.4 m²
Store	1.9 m²
WC	1.8 m²

**Room Schedule**

Name	Area
01- First FFL	59 m²
Bathroom	5.1 m²
Bedroom 1	11.4 m²
Bedroom 2	9.6 m²
Bedroom 3	8.5 m²
Bedroom 4	7.6 m²
En Suite	3.5 m²
Landing	8.4 m²

Areas & lengths subject to technical development of the design.  
 Lengths a nominal at widest/longest points, refer to drawing for full measurements.

**Area Schedule (GEA)**

Level	Area
00 - Ground FFL	70 m²
01- First FFL	70 m²
Grand total	141 m²

**Area Schedule (GIA)**

Level	Area
00 - Ground FFL	59 m²
01- First FFL	59 m²
Grand total	119 m²

Areas subject to technical development of the design

REV	DATE	DESCRIPTION	DRN	CHK
P13	2020-09-04	Issued for VOC application	GW	CY
P12	2020-04-07	Issue for April 2020 application	IR	GW
P11	2019-06-24	Revised following planning validation letter	IR	GW
P10	2019-06-03	Non-material amendment issue	IR	GW
P9	2019-03-22	Rooms dimensions provided	GW	GW
P8	2019-03-14	External materials noted	GW	GW
P7	2019-02-28	Revised internal arrangement	AL	GW
P6	2019-02-22	Revised internal arrangement	AL	GW
P5	2019-02-19	Revised front door & rear feature window	GW	GW
P4	2019-02-18	Revised following comments received from QBH	GW	CY
P3	2019-01-23	Revised external materials following client's comments	JCZ	GW
P2	2019-01-10	Issued for comments	JCZ	GW
P1	2018-11-15	Issue for comments	MBD	GW
REV	DATE	DESCRIPTION	DRN	CHK

CLIENT  
Queensbridge Homes Ltd.

PROJECT TITLE  
Wisbech St. Mary  
Cambridgeshire

TITLE  
House Type A2 G.A.

SUITABILITY  
Suitable For Information

DRAWN / CHECKED	INITIAL ISSUE DATE	SCALE
MBD / GW	OCT 2018	As indicated @ A1

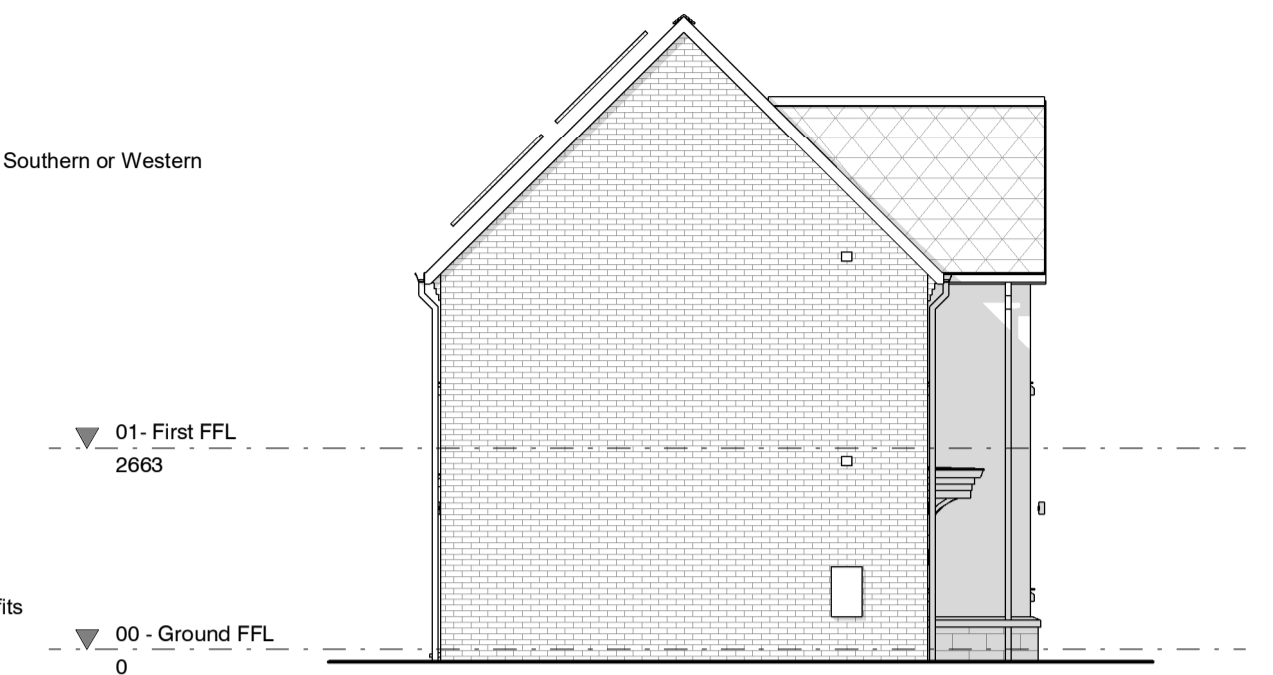
Project	Originator	Volume	Level	Type	Role	Number	Status	Revision
3QH7	MHA	A2	ZZ	DR	A	00201	S2	P13



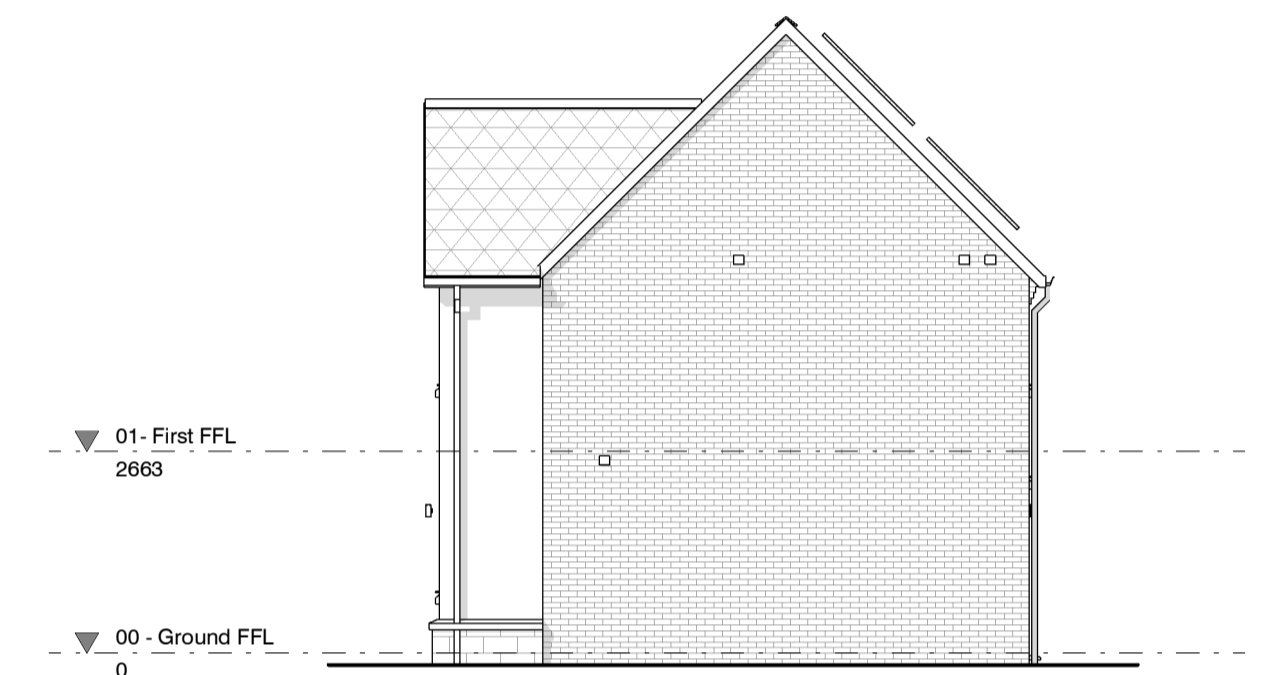
**Front Elevation**  
1 : 50



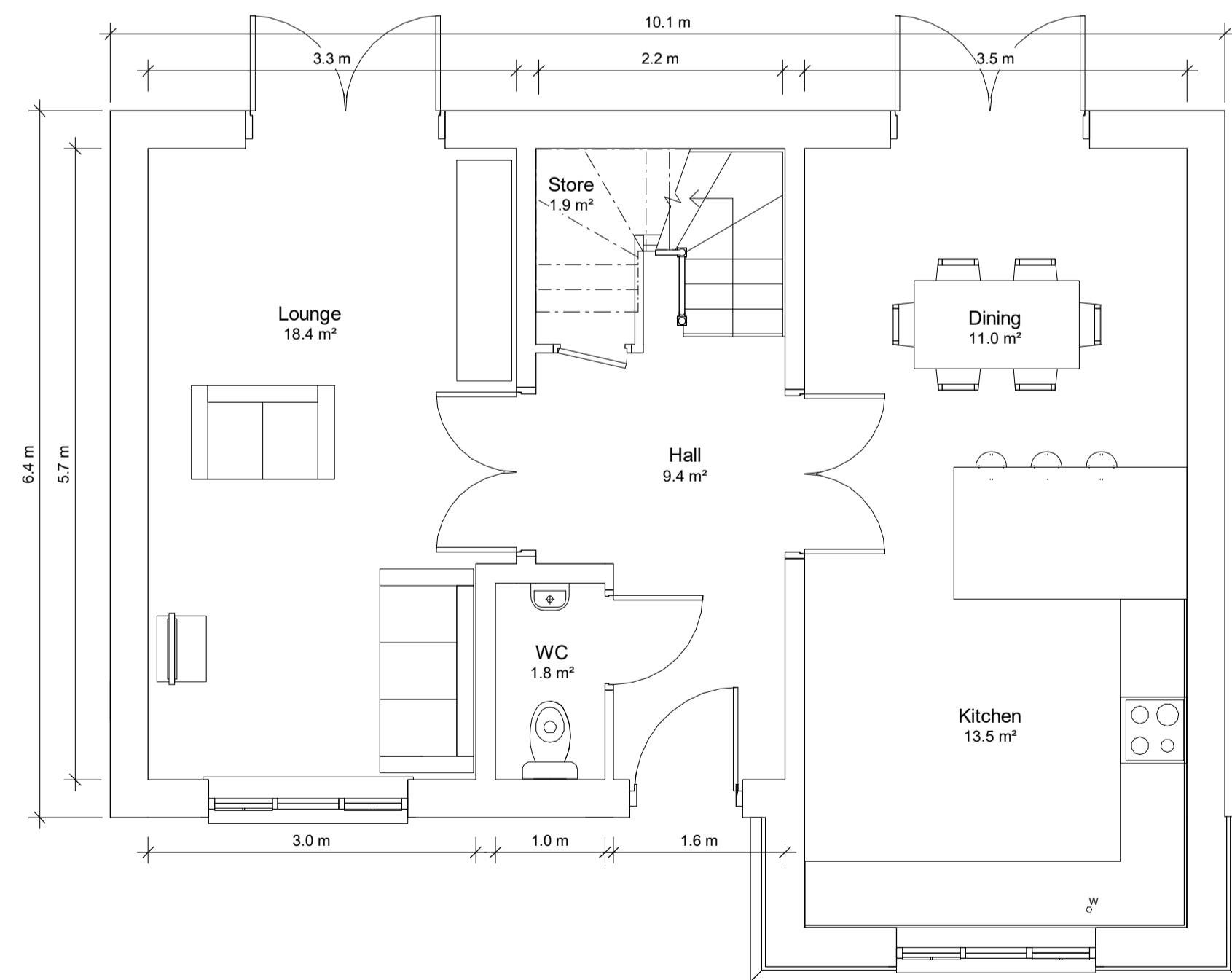
**Rear Elevation**  
1 : 50



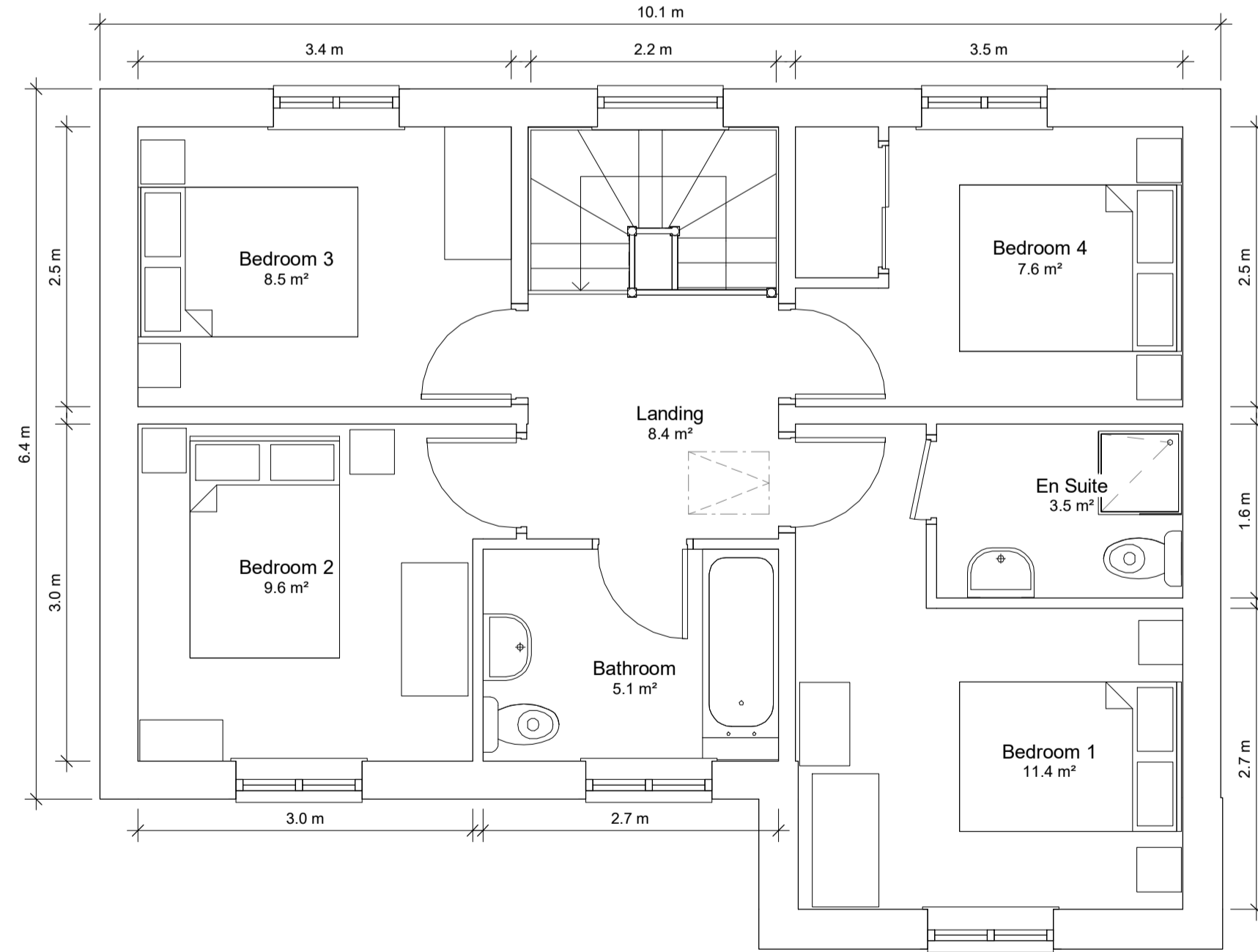
**Side Elevation**  
1 : 100



**Side Elevation**  
1 : 100



**Ground Floor Plan**  
1 : 50



**First Floor Plan**  
1 : 50

**Room Schedule**

Name	Area
00 - Ground FFL	70 m²
Dining	11.0 m²
Hall	9.4 m²
Kitchen	13.5 m²
Lounge	18.4 m²
Store	1.9 m²
WC	1.8 m²

**Room Schedule**

Name	Area
01- First FFL	59 m²
Bathroom	5.1 m²
Bedroom 1	11.4 m²
Bedroom 2	9.6 m²
Bedroom 3	8.5 m²
Bedroom 4	7.6 m²
En Suite	3.5 m²
Landing	8.4 m²

Areas & lengths subject to technical development of the design.  
 Lengths a nominal at widest/longest points, refer to drawing for full measurements.

**Area Schedule (GEA)**

Level	Area
00 - Ground FFL	70 m²
01- First FFL	70 m²
Grand total	141 m²

**Area Schedule (GIA)**

Level	Area
00 - Ground FFL	59 m²
01- First FFL	59 m²
Grand total	119 m²

Areas subject to technical development of the design

REV	DATE	DESCRIPTION	DRN	CHK
P13	2020-09-04	Issued for VOC application	GW	CY
P12	2020-04-07	Issue for April 2020 application	IR	GW
P11	2019-06-24	Revised following planning validation letter	IR	GW
P10	2019-06-03	Non-material amendment issue	IR	GW
P9	2019-03-22	Rooms dimensions provided	GW	GW
P8	2019-03-14	External materials noted	GW	GW
P7	2019-02-28	Revised internal arrangement	AL	GW
P6	2019-02-22	Revised internal arrangement	AL	GW
P5	2019-02-19	Revised front door & rear feature window	GW	GW
P4	2019-02-18	Revised following comments received from QBH	GW	CY
P3	2019-01-23	Revised external materials following client's comments	JCZ	GW
P2	2019-01-10	Issued for comments	JCZ	GW
P1	2018-11-15	Issue for comments	MBD	GW
REV	DATE	DESCRIPTION	DRN	CHK

CLIENT  
Queensbridge Homes Ltd.

PROJECT TITLE  
Wisbech St. Mary  
Cambridgeshire

TITLE  
House Type A2 G.A.

SUITABILITY  
Suitable For Information

DRAWN / CHECKED	INITIAL ISSUE DATE	SCALE
MBD / GW	OCT 2018	As indicated @ A1

Project	Originator	Volume	Level	Type	Role	Number	Status	Revision
3QH7	MHA	A2	ZZ	DR	A	00201	S2	P13