
F/YR21/0231/F

Applicant: Mr Mannion

**Agent : Mr Chris Walford
Peter Humphrey Associates Ltd**

Land North East Of 81 - 87 High Street Accessed From, Slade Way, Chatteris, Cambridgeshire

Erect 9 dwellings comprising of 3 x 2-storey 3-bed; 2 x 2-storey 2-bed; 1 x single storey 2-bed and 3 x single-storey 3-bed with garages to Plots 4 and 5 only

Officer recommendation: Refusal

Reason for Committee: Town Council comments contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission for 9 dwellings comprising of 3 x 2-storey 3-bed, 2 x 2-storey 2-bed, 1 x single storey 2-bed and 3 x single-storey 3-bed.
- 1.2 The site is a surviving medieval burgrave plot, located within Chatteris Conservation Area, within the setting of the Grade II Listed buildings of 81-83 High Street and adjoining the non-designated heritage asset of 87 High Street. The scheme is considered to be of poor design and scale and does not consider its historic context to the detriment of the heritage assets.
- 1.3 The site is severely constrained by its location, narrowness and existing trees which dictate the level of development which is achievable. The proposal is considered to constitute an overdevelopment of the site, resulting in a poor and convoluted layout and design.
- 1.4 The convoluted layout and number of dwellings results in poor residential amenity in relation to usability of gardens, the scheme is considered to result in an unacceptable residential amenity provision for future occupiers and an unacceptable impact on the residential amenity of surrounding dwellings. In addition, parking provision and usability is considered inadequate.
- 1.5 The north eastern part of the site is considered at a high and medium risk of surface water flooding. The application is not accompanied by a flood risk assessment and the sequential test has not been undertaken.
- 1.6 Insufficient assessment has been undertaken and inadequate information submitted to enable the Local Planning Authority to ascertain whether the proposal would impact protected species and what mitigation measures may be required.

2 SITE DESCRIPTION

The application site is a narrow strip of land surrounded by the existing built form of High Street, Slade Way, Furrowfields Road, Gull Way and Tern Gardens, enclosed by various forms of boundary treatment. To the immediate west of the site are one and a half storey cottages which appear nearing completion. The site itself is overgrown and there are a large number of trees, some of which are substantial. It is located within Chatteris Conservation Area, within the setting of listed buildings 81-83 High Street and adjoining the non-designated heritage asset of 87 High Street.

3 PROPOSAL

3.1 The application seeks full planning permission for 9 dwellings comprising of:

- 3 x 2-storey 3-bed (plots 1, 4 and 5)
- 2 x 2-storey 2-bed (plots 2 and 3)
- 1 x single storey 2-bed (plot 6)
- 3 x single-storey 3-bed (plots 7-9)

3.2 Detached single garages are proposed to plots 4 and 5.

3.3 Access is via Slade Way and a 5.5m wide sharded surface is provided leading to a private drive.

3.4 Full plans and associated documents for this application can be found at:

[F/YR21/0231/F | Erect 9 dwellings comprising of 3 x 2-storey 3-bed; 2 x 2-storey 2-bed; 1 x single storey 2-bed and 3 x single-storey 3-bed with garages to Plots 4 and 5 only | Land North East Of 81 - 87 High Street Accessed From Slade Way Chatteris Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/Planning/2021/02/23/FYR21/0231/F)

4 SITE PLANNING HISTORY

20/0018/PREAPP	Erection of 8no dwellings	
F/YR17/1157/F	Erection of 10 x 2-storey 3-bed dwellings including 1 x with detached single garage, 2 x with detached double carport	Withdrawn
F/YR11/0712/TRCA	Works to Hawthorn, Elder, Ash and Sycamore Trees within a conservation area	Granted 20/10/2011
F/YR04/4383/O	Erection of 11 dwellings comprising 4 x 3-bed and 4 x 2-bed houses and 3 x 2-bed bungalows	Refused 15/9/2006

5 CONSULTATIONS

5.1 Cambridgeshire County Council Highways (23/3/2021)

If the development is intended to remain private then the access should be changed from a bell mouth to a dropped kerb crossover.

Defer for amended plan or re-consult for highway conditions.

5.2 Cambridgeshire County Council Highways (21/6/2021)

The road layout and access arrangement is acceptable so long as the access road and site infrastructure remain private.

I have no highway objections subject to the following condition recommendations;

1.) The buildings shall not be occupied until the means of vehicular access has been laid out and constructed in accordance with the approved plans.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

2.) 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.

3.) The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, 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.

Advisories

1.) This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

2.) The applicant should note that the nature of the highway works proposed will necessitate the completion of a Section 184 Highway Works Agreement between the developer and the LHA prior to commencement.

3.) The development proposes a greater number than 5 dwellings served by a private drive. Your Authority must consider the long-term implications of permitting such development in terms of construction, future maintenance, lighting and surface water drainage of the access road(s) together with refuse collection.

5.3 Cambridgeshire Fire and Rescue

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

The position of fire hydrants are generally agreed upon when the Water Authority submits plans to:

*Water & Planning Manager
Community Fire Safety Group
Hinchbrook Cottage
Brampton Road*

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the "National Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

If there are any buildings on the development that are over 11 metres in height (excluding blocks of flats) not fitted with fire mains, then aerial (high reach) appliance access is required, the details of which can be found in the attached document.

5.4 Town Council

Support, request swift nesting places be incorporated into the buildings

5.5 Environmental Health (FDC)

Initial comments received required clarification, comments below were received as a result:

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development as it is unlikely to be affected by the local air quality or noise climate.

The proposal seeks to develop the site by erecting 9 dwellings. Maps show the application site is surrounded by existing dwellings who may be adversely affected during the construction phase given the close proximity.

Due to the size of the development being in close proximity to sensitive receptors, this service recommends the applicant submits a construction management plan to show how the potential for environmental nuisance such as noise and dust, will be controlled during the development process. Ideally this should be submitted during the determination period but could be imposed as a pre-commencement condition should planning permission be granted.

Records indicate previous structures may have once stood on the application site. It remains unclear what previous activity has been undertaken on site but given the age and therefore likely historical use, this services recommends the 'Unsuspected Contaminated Land' condition be applied to any planning permission granted to ensure the development complies with approved details in the interests of both human health and the environment.

5.6 Conservation Officer (FDC)

This application concerns the erection of 9 dwellings, comprising a mix of 3 and 2 bed two storey dwellings and 3 and 2 bed single storey dwellings and garages on land to the rear of the high street, and within the conservation area. No.s 81-83

are grade II listed and date to the late 17th century. No. 87 is a double fronted Victorian dwelling of some scale and presence, formerly the Spade and Bucket public house, with outbuildings. It is now residential, with the outbuilding also converted to residential. The land to the rear, is a surviving undeveloped medieval burgage plot and would have been associated with those properties facing the high street.

Consideration is given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.

Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.

Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2019, specifically, paragraphs 190, 192 – 194, and 196. The following comments are made:

Due regard is given to relevant planning history. An application for residential development to the rear was submitted under F/91/0265/O at land north east of 81-89 High Street was refused; F/94/0806/O was granted; F/YR04/4383/O, for the erection of 11 dwellings was refused; F/YR17/1157/F was withdrawn. None of the previous applications had consulted the conservation officer.

A heritage statement has been submitted with the application. The information is sufficient to comply with paragraph 189 of the NPPF and policy LP18 of the 2014 local plan, though it does not seem to recognise or understand the character or appearance of the conservation area, though it is accepted that the character appraisal is currently out of date and not available for public viewing. However, other resources could have been consulted, such as historic mapping, photos, or local websites.

This application is objected to. The following comments are made:

i. The character of Chatteris derives from its layout, originating from ancient routes and junctions, developing gradually over centuries with a rich mixture of mainly domestic buildings in local materials. A defining characteristic of Chatteris is its linear street layout, with narrow allies that run off these, and evidence of medieval burgage plots still apparent in the street plans and plots sizes, particularly, off High Street. Most plots are now foreshortened and infilled with modern development to the rear. The odd site survives, including the plot which is the subject of this application. This history, evident in many of its buildings and street layouts, is nonetheless affected by an accelerating pace of change, especially during the last half of the 20th century, and increasingly into the 21st century, affecting this fragile authenticity.

ii. Two other plots of open land to the rear of the High Street, which currently also reflect the rural, agricultural, and medieval character of Chatteris conservation area are both subject to planning applications. Land to the rear of grade II listed No. 133 High Street, Chatteris has been granted permission for the development

of 9 dwellings under application F/YR20/0365/F, and so this surviving element of the conservation will be lost; land to the rear of Bridge Street, and within the setting of grade II listed Kent House, has been the subject of a pre-application enquiry for development of nine dwellings and so may also be lost to development. However, an application (F/YR18/0805/F) for the erection of a new dwelling to the rear of No. 107 High Street was refused on grounds that the impact on the character and appearance of the conservation area and on the setting of the listed building would be to further erode the significance of both. The previously approved developments in the surrounding area have already eroded the character of the burgage plots and obscured the traditional grain of development. There was an appeal against the decision, but the inspector upheld, and expanded on this decision and dismissed the appeal (REF: APP/D0515/W/19/3221692). New development continues to encroach and serves to infill the remainder of the undeveloped backland plots.

iii. The surviving burgage plot which is the subject of this application and what it represents in terms of the character and appearance of the conservation area is now almost a uniquely surviving element of the conservation area and as such it also contributes to the wider setting of the grade II listed cottage at No. 81-81 High Street. The land now effectively forms a buffer between the historic core of the conservation area and the modern development beyond. It is within this context that this proposal is considered.

The scheme seeks to create an access of Slade Way, with plot 1 facing Slate Way, sited adjacent to two new dwellings to the rear of listed building No. 81-83 High Street, permitted under F/YR10/0104/F, which are of a style and scale to compliment the adjacent listed building. Plot 1 of the current scheme is a three bay two storey dwelling of considerable scale. The remaining plots are situated along the access road, with the end plots (2,3 and 5) orientated east-west and the remainder orientated north-south. Plots 2 and 3, those closest to the rear of the listed building are also of two storey. No clear indication as to materials, or details of any of the plots have been submitted.

The scheme would result in the loss of a rare surviving element of historic undeveloped back land and medieval burgage plot to the detriment of the character and appearance of the conservation area, and subsequently, though to a lesser extent given the recent development, the setting of the listed buildings. The design of the buildings is poor and the scale does not consider their setting or reflect the historic characteristics of the immediate location or wider area, contrary to LP16 d, and para 192 of the NPPF.

The overall impact must be considered as less than substantial harm, both to the character and appearance of the conservation area and the setting of the listed building, though it must be noted that further loss of these increasingly rare undeveloped linear plots is resulting in significant cumulative harm to the character and appearance of the conservation area. Where an application results in less than substantial harm to a heritage asset, this harm should be weighed against the public benefits of the proposal. It is acknowledged that there is public benefit arising from the positive economics during the period of construction, but that thereafter, it is unclear how the extent of public benefit of private dwellings can be measured.

Suggested amendments would be to reduce the scale to 1 and half storey dwellings, certainly the first four plots, and to use materials that respect and compliment the historic, local palette. It would further respect the historic linear

grain of the plot if the development were in the form of a terrace, such as that at Porters Yard, Pecks Yard and Dobbs Yard – and indeed those single storey outbuildings to the rear of No. 89 High Street, which illustrate the linear characteristic of outbuildings to the rear of dwellings facing the high street.

CONDITIONS

i. This application is recommended for refusal, but should it be approved, notwithstanding the approved plans and prior to the commencement of development, samples of all materials to be used in the construction of external surfaces of the house, proposed extensions, and new boundary walls, and garage shall be required to be submitted to and approved in writing by the LPA.

RECCOMENDATION: **REFUSE**

5.7 Arboricultural Officer (FDC)

I believe there was a previous application at this site and it was noted at the time that a number of the trees (group G3 on the latest application) were in poor condition with significant structural defects requiring work irrespective of any development.

Whilst this group cannot be considered a constraint to the development, they do not merit a TPO, collectively they provide amenity and screening and likely contribute to wildlife value. The loss of this group would also remove screening between existing properties and the proposed development and I therefore object to the current layout.

The loss of the proposed unit adjacent to G3 would allow replanting of the area to create a communal open space and retain screening between properties following tree establishment.

5.8 Refuse Team (FDC) (4/5/2021)

In broad principal we have no objection to this development however the following points regarding access would need addressing:

- To allow access the private road would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from landowners or future management company against any potential damage to the road surface etc. which may be caused during vehicle operations.*
- A swept path plan would be required to demonstrate that an 11.5m refuse vehicle could access the site turn and leave the site in a forward direction.*
- The shared bin collection point for plots 6-9 appears of sufficient size.*
- New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.*
- Refuse and recycling bins will be required to be provided as an integral part of the development.*

5.9 Refuse Team (FDC) (15/6/2021)

Happy with the response in the comments.

Would just need the tracking to cover vehicle movement along the private road using vehicle dimensions. These can be found on the attached, the vehicle we use is the OL-23W 6x2RS (right hand column), overall length with bin lifting equipment on the rear is 11.5m. I cannot see with the dimensions and layout of the road this would be an issue, tracking would however demonstrate this.

5.10 Refuse Team (FDC) (21/6/2021)

Thank you for sending through updated plan with tracking indicating that we will be able to access. No concerns.

5.11 Local Residents/Interested Parties

Two representations have been received (1 from Fen Ditton and 1 from Gull Way, Chatteris) in relation to:

- Address of the application doesn't refer to 11 and 15 Gull Way which border the site.
- Concerns regarding safety measures when felling trees

Six objections have been received (5 from Tern Gardens, 1 from Slade Way, all Chatteris) in relation to:

- One of the last areas of genuine wildlife left in Chatteris/only green space in town centre
- Extra strain on infrastructure (doctors etc)
- Extra cars
- Devaluation of surrounding properties/issues selling house
- Conservatory is only 12ft (3.36m) from the site
- Loss of privacy/outlook
- Loss of light
- Light pollution from streetlights
- Surface water flooding
- No benefit to the people of Chatteris
- Noise and pollution
- Impact on High Street (congestion/parking)
- Loss of habitat for ecology
- Development cramped and congested
- Loss of trees
- Slade Way is narrow and proposed access dangerous
- Overshadowing
- Tree in garden of 49 Tern Gardens not indicated, development would impact
- Plot 9 would be better orientated as plots 7 and 8

Comments where they relate to planning matters will be considered in the sections below. It should be noted that devaluation of property is not a planning consideration.

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).

- 6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context – C1, C2

Identity – I1, I2

Built Form – B2

Movement – M3

Nature – N3

Homes and Buildings – H2, H3

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

LP10 – Chatteris

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

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

DM4 – Waste and Recycling Facilities

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Heritage**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Highways/Parking**
- **Flood Risk and Drainage**
- **Ecology**

9 BACKGROUND

This site has been the subject of repeat attempts for development, most recently F/YR17/1157/F for 10 dwellings which was withdrawn. It has since been the subject of pre-application discussions for 8 and 10 dwellings, concerns were raised regarding the impact on the historic environment, access, number of dwellings, relationships with existing dwellings, parking and amenity of proposed dwellings. It was advised that the schemes were unlikely to be supported.

10 ASSESSMENT

Principle of Development

- 10.1 The application site is located within the settlement of Chatteris which is identified within the Settlement Hierarchy as a Market Town; Market Towns are identified within Policy LP3 as the focus for housing growth, accordingly there is a presumption in favour of development within this location. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of heritage, residential or visual amenity, design, parking, highways, flood risk and ecology.

Heritage

- 10.2 The site is a surviving medieval burgage plot, located within Chatteris Conservation Area, within the setting of the Grade II Listed buildings of 81-83 High Street and adjoining the non-designated heritage asset of 87 High Street. It is an almost uniquely surviving element within the Conservation Area with other examples having been redeveloped or have permission to redevelop, eroding the character of the burgage plots. The scheme would result in the loss of the surviving undeveloped back land and medieval burgage plot to the detriment of the conservation area and to a lesser extent the setting of the listed buildings, however this is not considered in principle to necessarily prevent or justify the non-development of the site given its context. Notwithstanding this, any development of the site would need to reflect the historic characteristics of the immediate location and wider area and be sympathetic to these. The current scheme is considered to be of poor design and scale and does not consider its historic context to the detriment of the heritage assets.
- 10.3 Para 193 of the NPPF states that when considering the impact of a proposal on the significance of a heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm. The proposed development is considered to have less than substantial harm on the significance of the conservation area and setting of the listed buildings. Para 196 of the NPPF states that where a development would have less than substantial harm this harm should be weighed against the public benefits of the proposal. It is not considered that the provision of nine private market dwellings on this site would outweigh the harm created.

10.4 The proposal is therefore considered contrary to Policies LP16 (a & d) and LP18 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014 and para 192, 192 and 196 of the NPPF 2019 and chapter C2 of the NDG 2019 which seek to ensure that heritage assets are protected and enhanced and that developments make a positive contribution and are reflective of the local character and distinctiveness.

10.5 Cambridgeshire County Council Archaeology have been consulted on this application, however, to date no comments have been received. Comments were provided on F/YR17/1157/F which advised that the site is in an area of high archaeological potential and requested (as they did on F/YR04/4383/O) the standard archaeological condition be imposed to secure an archaeological investigation of the site. Hence, if minded to grant this application a pre-commencement condition will be required in this regard.

Design considerations and visual amenity of area

10.6 Notwithstanding the detrimental impact on heritage assets detailed above, the site is severely constrained by its location, narrowness and existing trees which dictate the level of development which is achievable.

10.7 The proposal put forward is considered to constitute an overdevelopment of the site, resulting in a poor and convoluted layout and design, which is dominated by the access and parking arrangements and would result in high level boundary treatments appearing prominent in the streetscene, effectively enclosing the access road due to the location of private gardens. The entrance to the site is met with views of the side of plot 2 and a substantial parking area and plot 6 is orientated side on to the main access without a street presence and would be prominently visible along the length of the access, neither of which are conducive to a high-quality visual environment.

10.8 Furthermore, the design of the dwellings has failed to consider their surroundings, for example plot 1 is located to the east of and in close proximity to the newly constructed one and a half storey cottages which have traditional design features and are modest in scale, this has not been reflected in the proposed scheme or detailed on the submitted streetscene.

10.9 The application has been accompanied by a Tree Survey, however there are discrepancies within this and between this and the submitted drawings, hence it is unclear which trees are to be retained or felled and therefore the precise impact and mitigation measures which may be required. In addition, there are a number of large off site trees in close proximity (for example in the rear of 49 Tern Gardens and 87 High Street) which have not been surveyed and as such the impact of the development on these third party trees is unknown. The proposal results in the loss of substantial trees which provide visual amenity to the area; the Council's Arboricultural Officer objects to the scheme in its current form due to the loss of G3 in the north eastern section of the site and the impact of this.

10.10 The proposal is considered contrary to Policy LP2 and LP16 (c & d) of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 127 of the NPPF 2019 and chapters C1 and I1 of the NDG 2019, which seek to ensure that developments avoid adverse impacts, achieve a high design quality, retain and incorporate natural features, make a positive contribution to the local distinctiveness and that are informed by the local built environment and character.

- 10.11 Full details of landscaping and materials have not been provided; however, these could be secured by way of a condition if minded to grant the scheme.

Residential Amenity/Health and wellbeing

- 10.12 The convoluted layout and number of proposed dwellings results in poor residential amenity in relation to usability of gardens, Plot 6 would be dominated by the existing tree and significantly overshadowed. The gardens are narrow, Plot 9 is located only 2.5m from the boundary and as such outlook from the lounge in particular is poor. Plots 4 and 5 are overlooked by the 2-storey dwellings on Tern Gardens and Plot 6 overlooked by the external first-floor balcony of the block of flats to the south (17-24 Slade Way). Parking is located directly in front of Plots 2, 3 and 6 and the private access directly abuts Plot 9 and its bedroom window resulting in a lack of privacy and disturbance.
- 10.13 In relation to the residential amenity of surrounding dwellings, plot 1 is separated from the new cottages by the access and parking. Nos. 61 and 63 Tern Gardens are directly overlooked by the first-floor bedroom windows of Plots 4 and 5 within 6-7m of the boundary. Plots 6-8 are single-storey and located approximately 6.5m from the boundary of the rear gardens of 53-57 Tern Gardens, this relationship is not considered to result in a high-quality environment. Plot 9, whilst single-storey, is located less than 1m from the rear boundary of 49 Tern Gardens and 2.5m from the rear boundary of 15 Gull Way, this relationship in respect of overshadowing and loss of outlook is considered unacceptable.
- 10.14 Overall, the scheme is considered to result in an unacceptable residential amenity provision for future occupiers and an unacceptable impact on the residential amenity of surrounding dwellings. As such, the scheme is considered contrary to Policy LP2 and LP16 (e) of the Fenland Local Plan 2014 and para 127 of the NPPF 2019 which seek to ensure that developments avoid adverse impacts, create high quality environments, promote health and well-being and provide a high standard of amenity for existing and future users.
- 10.15 With regards to bin storage and collection a bin collection area is shown alongside the turning head of the shared surface road to serve Plots 6-9, this results in excess of the of 30m drag distance recommended by DM4 and RECAP guidance for Plots 8 and 9. No details of bin storage areas for individual houses have been shown on the submitted plans. The submitted site plan indicates tracking to evidence that a refuse truck would be able to access the shared surface road.
- 10.16 If minded to grant this application a condition will be required to ensure adequate provision of fire hydrants as requested by Cambridgeshire Fire and Rescue; a Construction Management Plan due to the location and nature of the site and full details of external lighting as no information has been submitted in this regard.

Highways/Parking

- 10.17 The access to the site is via Slade Way; details of the junction with Slade Way have been amended during the course of the application following advice from Highways, they are now content that this is acceptable providing that the access remains private.
- 10.18 Whilst 2 parking spaces have been provided for each dwelling in accordance with the provisions of Policy LP15 and Appendix A, these are inadequate in relation to their size, these should be a minimum of 2.5 x 5m where there are no obstructions, 2.7m when there is an obstruction one side and 2.9m where there is an obstruction both sides. Banks of parking spaces, such as that near the entrance to the site are

not good practice and dominate the streetscene. A minimum of 6m is required in front of the garages serving plots 4 and 5 to enable a vehicle to clear the access road while the garage door is opened, the current space is inadequate. In order to successfully exit a parking space 6m is required behind the space; plots 6-8 have only 4m to exit which is considered unacceptable.

10.19 The parking for plot 9 has been amended and located to the south of the private drive, this removes the turning head and as such would require vehicles to either turn with difficulty or reverse the length of the private drive.

10.20 The proposal is considered contrary to Policy LP2 and LP15 of the Fenland Local Plan and para 108 of the NPPF 2019 which seek to achieve safe and suitable access for all users and well-designed car parking.

Flood Risk and Drainage

10.21 The application site falls within Flood Zone 1 (low risk) however the north eastern part of the site is considered at a high and medium risk of surface water flooding, as detailed the flood warning information services maps. The previous application on this site (F/YR17/1157/F) was not supported by the Lead Local Flood Authority on the basis that the site plan did not reflect the indicative drainage strategy and as such the scheme did not have a surface water strategy and therefore the risk of flooding would be increased as a result of the development.

10.22 The Flood Risk Assessment submitted with the previous application (F/YR17/1157/F) advised that the site falls in a north easterly direction and that surface water flows towards the site from the higher land to the south and could come on to the site, it would tend to follow across the site in a north easterly direction then off the site towards the network of drains to the north east. The Environment Agency surface water flood mapping indicates ponding of a maximum depth of 300mm may occur in the eastern section of the site and it was proposed to have finished floor levels 300mm above ground level with external levels designed to ensure that existing flow paths are maintained.

10.23 Para 158 of the NPPF 2019 and Policy LP14 of the Fenland Local Plan 2014 state that all development proposals should adopt a sequential approach to all forms of flooding. Footnote 50 of the NPPF states that a site specific flood risk assessment is required for land which has been identified by the Environment Agency as having critical drainage problems or land that may be subject to other forms of flooding, where its development would introduce a more vulnerable use (such as dwellings).

10.24 The application is not accompanied by a Flood Risk Assessment, nor a sequential test and it is likely that there would be other land available at a lesser risk of flooding within the settlement of Chatteris. As such the proposal is contrary to Policies LP2 and LP14B of the Fenland Local Plan 2014, the Cambridgeshire Flood and Water SPD 2016 and Chapter 14 of the NPPF 2019

Ecology

10.25 Public Authorities have a duty under Section 40 of the Natural Environment and Rural Communities Act 2006 to have regard to conserving biodiversity in policy and decision making.

10.26 Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 170 of the NPPF 2019 seek to conserve, enhance and promote biodiversity. Paragraph 177 advises that the presumption in favour of sustainable development does not

apply where a project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that it will not adversely affect the integrity of the habitats site.

10.27 The previously submitted application (F/YR17/1157/F) was accompanied by an ecology report which revealed bat roosting features, the possibility that reptiles and common amphibians may utilise areas of the site and considered that trees and shrubs on site were likely to support nesting birds. This report is now out of date and no such report has been submitted with the current application. The site is now overgrown, and it is considered there is potential for this to provide habitat or provide support for protected species, as was previously revealed. A biodiversity checklist has been submitted for which all answers are no, clearly conflicting with the findings of the previous report.

10.28 Insufficient assessment has been undertaken and inadequate information submitted to enable the Local Planning Authority to ascertain whether the proposal would impact protected species and what if any mitigation measures may be required, as such it is considered contrary to the aforementioned policies.

11 CONCLUSIONS

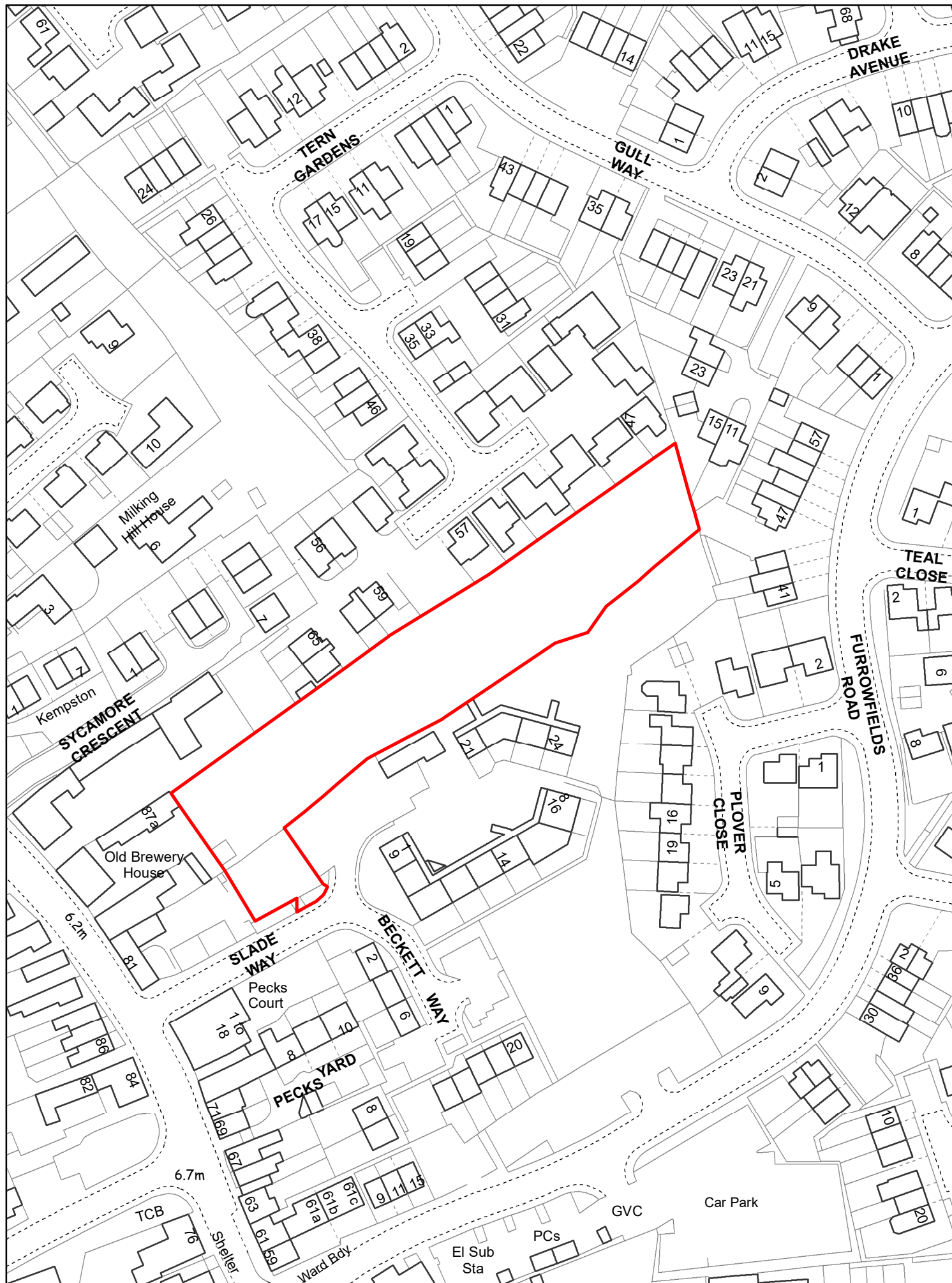
Whilst the principle of development on this site is broadly accepted, the proposed scheme is considered an overdevelopment of the site with a poor design resulting in an unacceptable impact on heritage assets which is not outweighed by public benefit, a significant detrimental impact on the character and visual amenity of the area, inadequate residential amenity and parking provision and insufficient information and consideration of surface water flooding and ecology.

12 RECOMMENDATION

Refuse for the following reasons:

1.	<p>Policies LP2, LP15, LP16 (a, c, d and e) and LP18 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014 and paras 108, 127, 192, 192 and 196 of the NPPF 2019 and chapters C1, C2 and I1 of the NDG 2019 seek to avoid adverse impacts, protect and enhance heritage assets, achieve a high design quality which promotes health and well-being and provides a high standard of amenity for existing and future users, make a positive contribution to local distinctiveness, informed by the local built environment and character, achieve safe and suitable access for all users and well-designed car parking.</p> <p>The proposal put forward is considered to constitute an overdevelopment of the site, resulting in a poor and convoluted layout and design, which does not consider its historic context to the significant detriment of the character of the area and impact on heritage assets. Furthermore, it provides inadequate residential amenity for future occupiers, an unacceptable impact on the residential amenity of surrounding dwellings and inadequate parking and turning provision. As such it is considered contrary to the aforementioned policies.</p>
2.	<p>Polices LP2 and LP14B of the Fenland Local Plan 2014, the Cambridgeshire Flood and Water SPD 2016 and Chapter 14 of the NPPF 2019 require development proposals to adopt a sequential approach to flood risk from all forms of flooding, seek to steer development to areas at the lowest risk of flooding and ensure developments are safe from all sources of flooding and</p>

	<p>will not increase the flood risk elsewhere.</p> <p>The north eastern section of the site is at high and medium risk of surface water flooding, the application is not accompanied by a site-specific Flood Risk Assessment, nor a sequential test. Hence the scheme has not evidenced that it would be safe from surface water flooding or increase the risk of flooding to surrounding land and dwellings, furthermore the sequential test to establish if there are any sequentially preferable sites has not been undertaken. As such, the proposal is considered contrary to the aforementioned policies.</p>
3.	<p>Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 170 of the NPPF 2019 seek to conserve, enhance and promote biodiversity and Paragraph 177 advises that the presumption in favour of sustainable development does not apply where a project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that it will not adversely affect the integrity of the habitats site.</p> <p>The application site is considered to have potential to provide habitat for or support protected species. Insufficient assessment has been undertaken and inadequate information submitted to enable the Local Planning Authority to ascertain whether the proposal would impact protected species. As such the proposal is considered contrary to the aforementioned policies.</p>



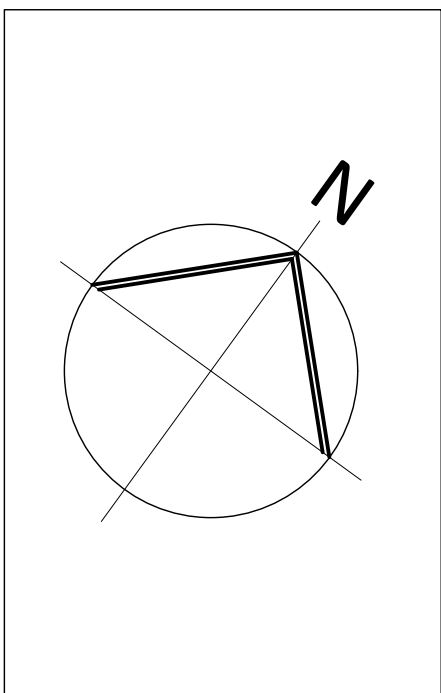
Created on: 15/03/2021

© Crown Copyright and database
rights 2021 Ordnance Survey
100023778

F/YR21/0231/F

Scale = 1:1,250







Peter Humphrey Associates

ARCHITECTURAL DESIGN AND BUILDING

TELEPHONE: 01945 466 986

E-MAIL: info@peterhumphrey.co.uk

31 OLD MARKET WISBECH CAMBS PE13 1NB

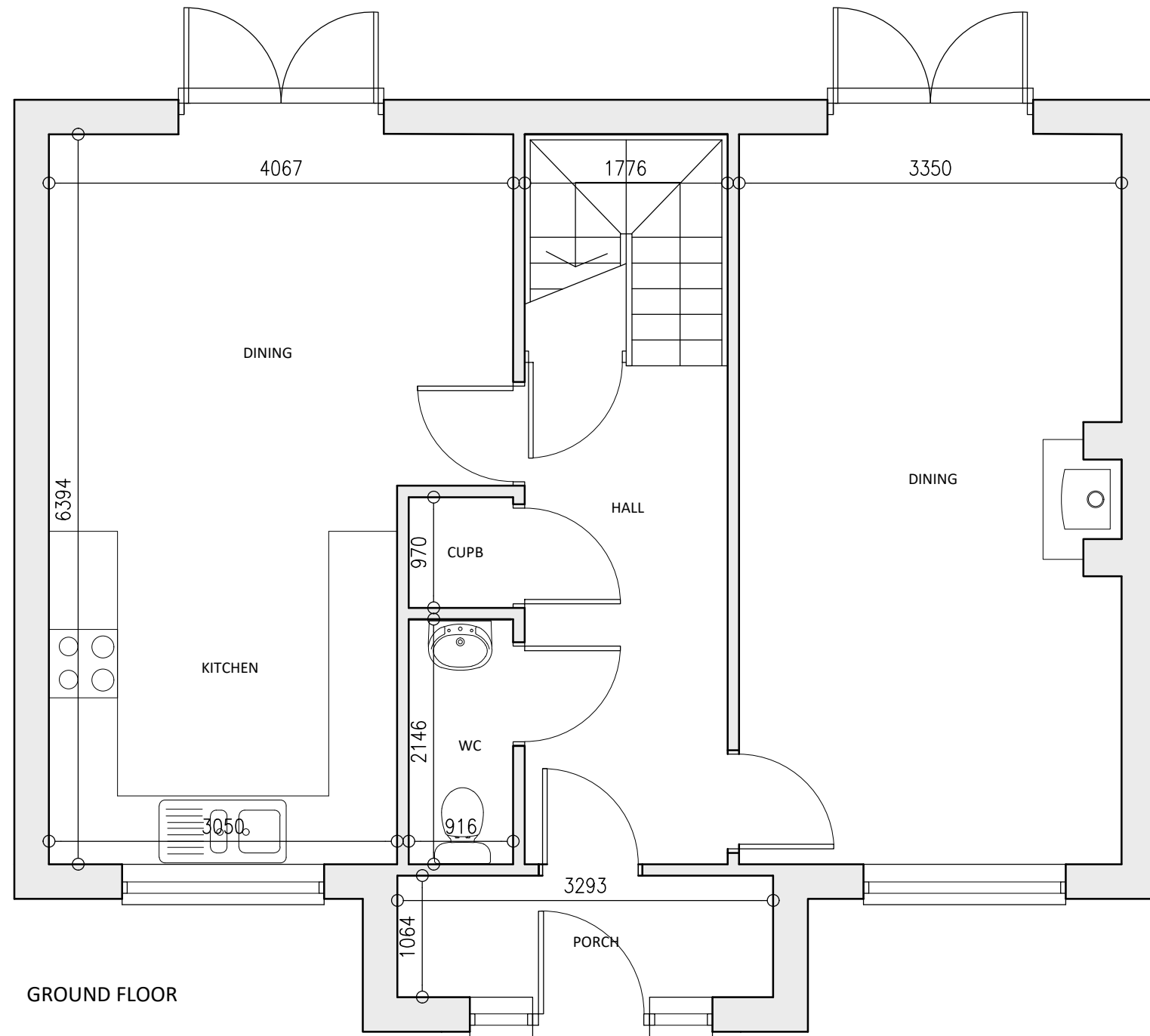
Fenland District Council



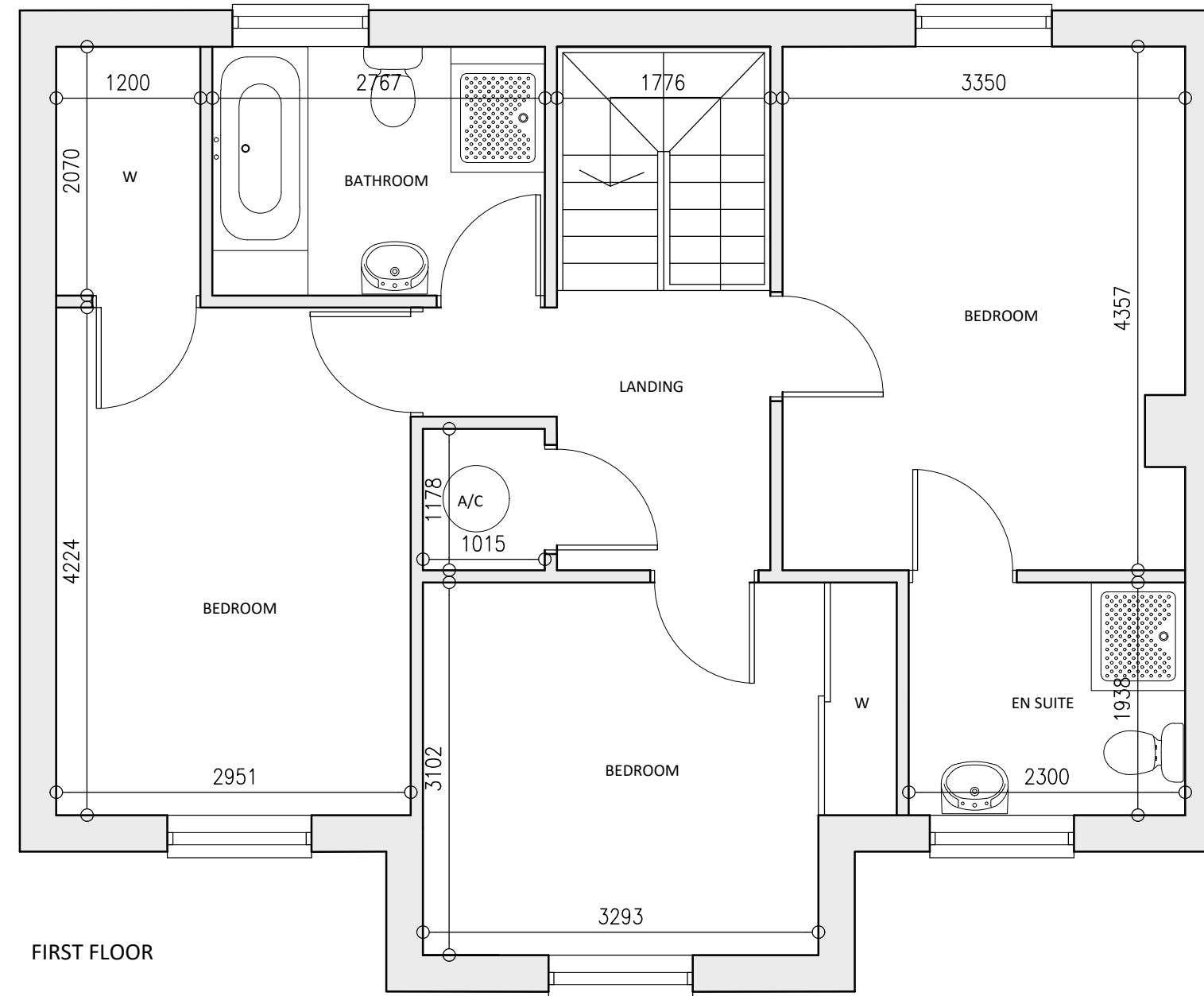
**Building
Design Awards**

Building Excellence in Fenland

Category Winner 08/09/10



GROUND FLOOR

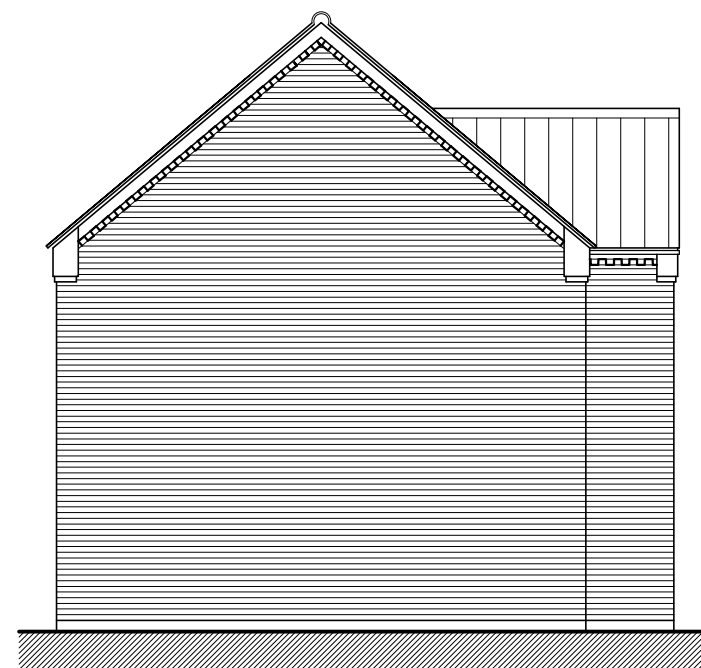


FIRST FLOOR

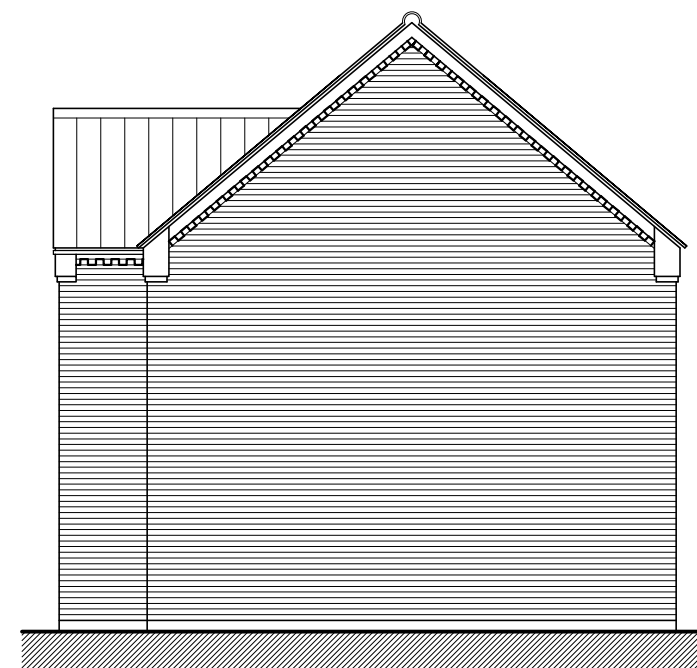
PLANS 1:50



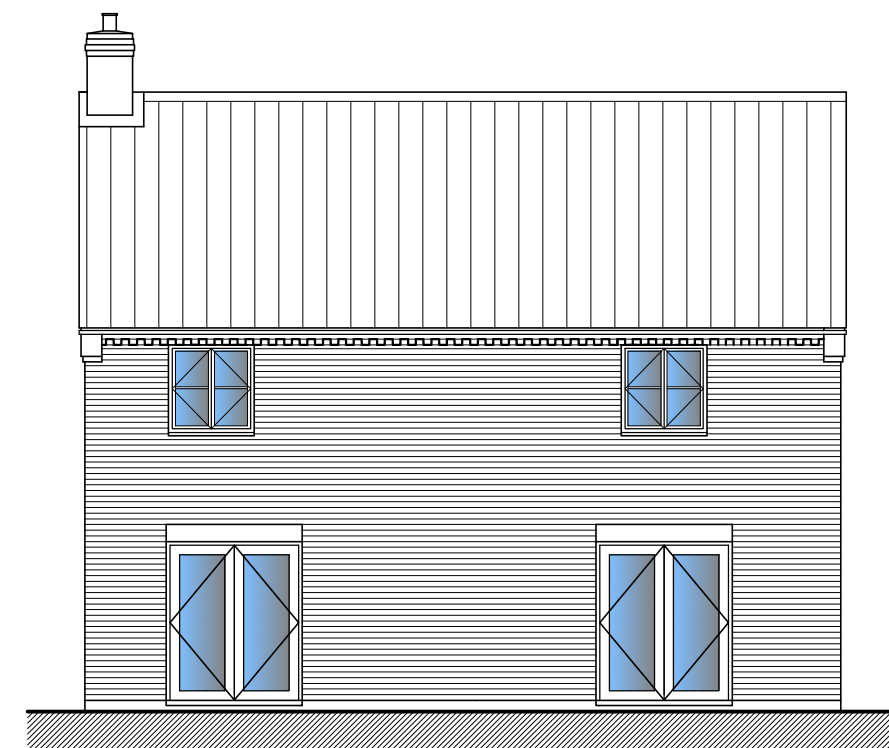
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

ELEVATIONS 1:100



PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
LAND OFF SLADE WAY
CHATTERIS
CAMBS

DRAWING
TYPE 1 PLANS & ELEVATIONS

CLIENT
MR T MANNION

DATE NOV 2020 SCALE AS SHOWN JOB No 5706 - PL01A

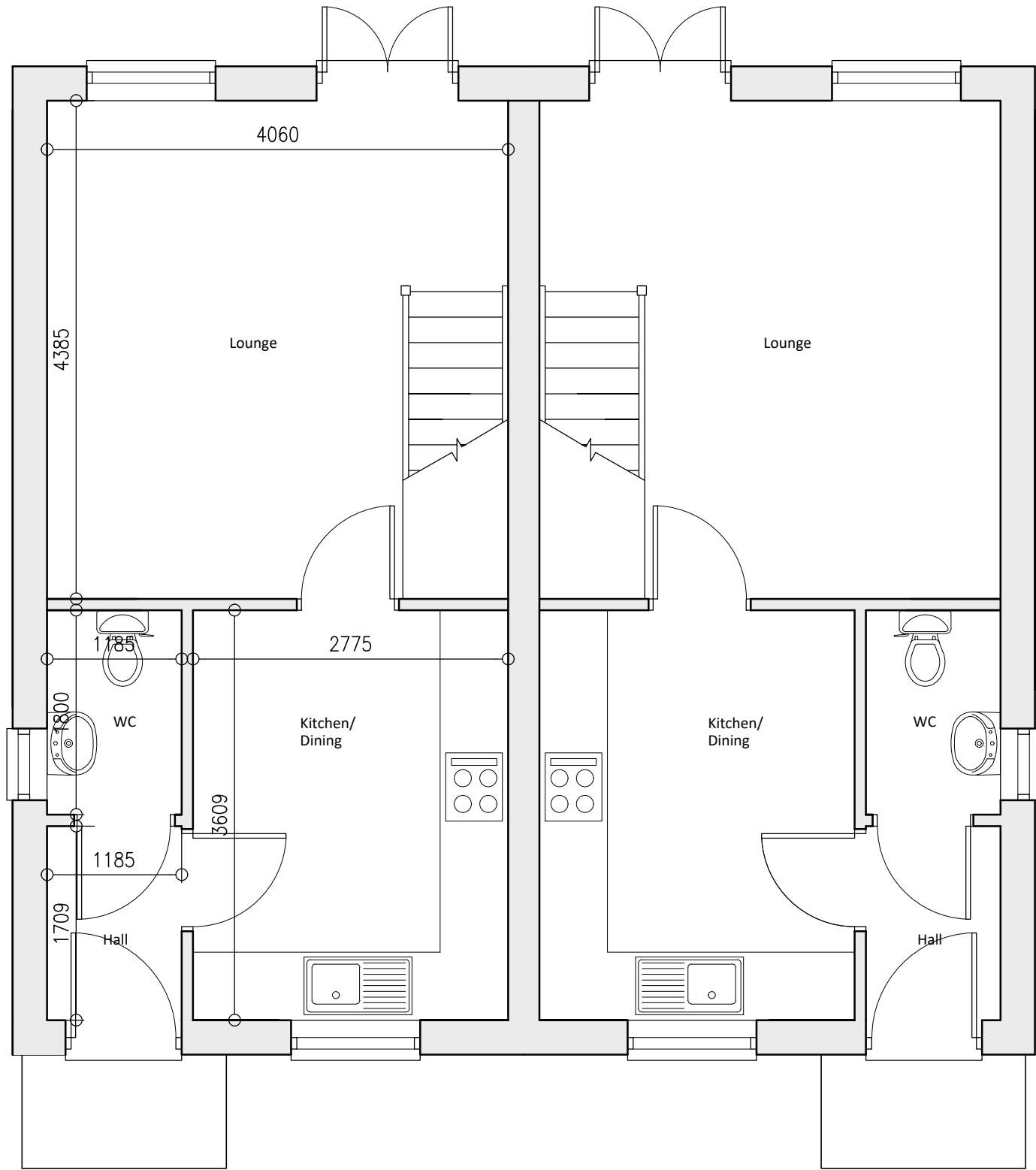
COPYRIGHT: THIS DRAWING MUST NOT BE ISSUED, LOANED OR COPIED
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES



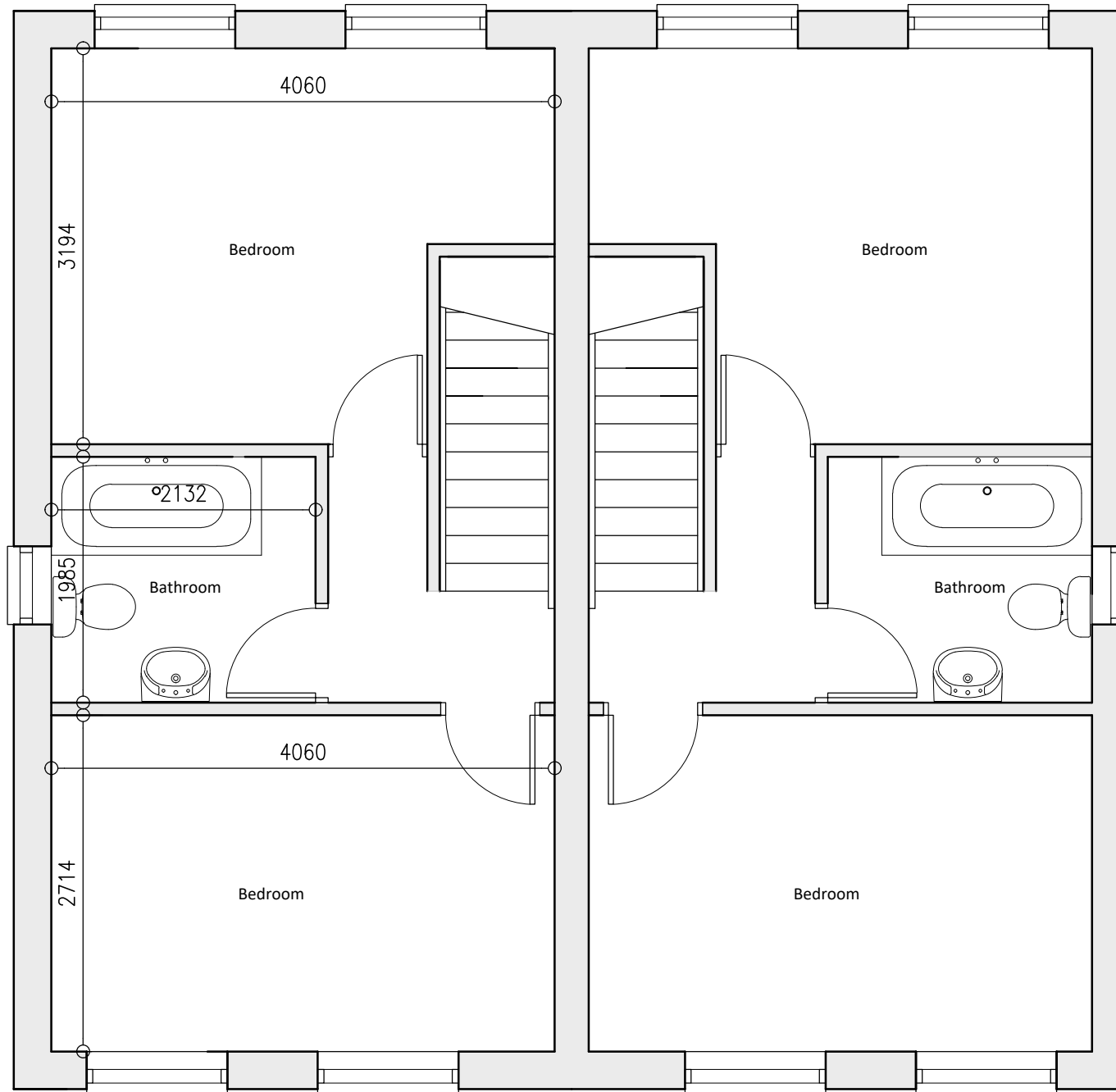
Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING
TELEPHONE: 01945 466 966

E-MAIL: info@peterhumphrey.co.uk
31 OLD MARKET WISBECH CAMBS PE13 1NB

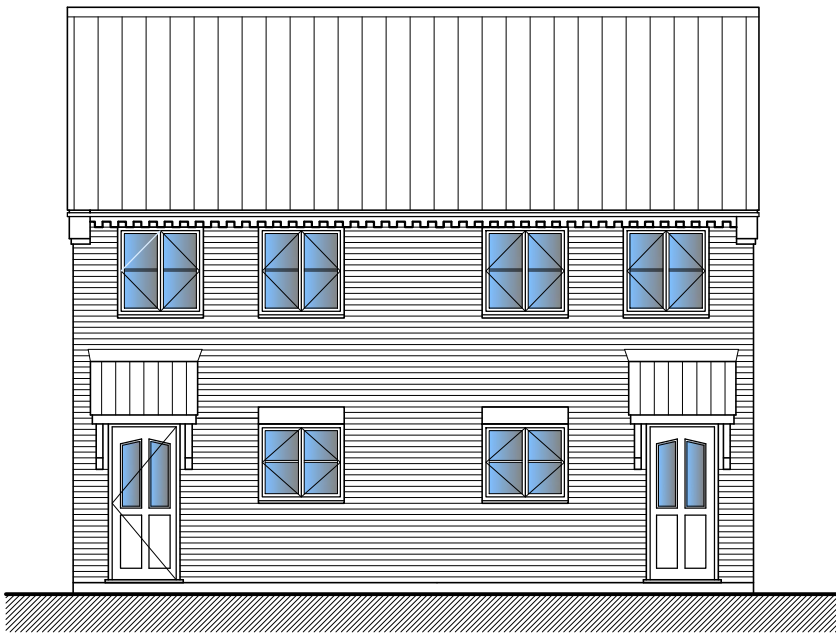




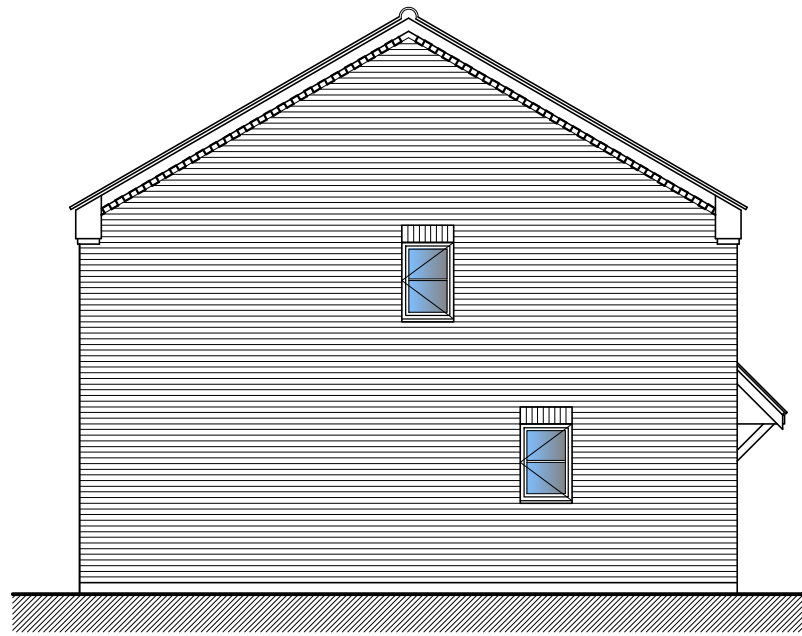
PLANS 1:50
GROUND FLOOR



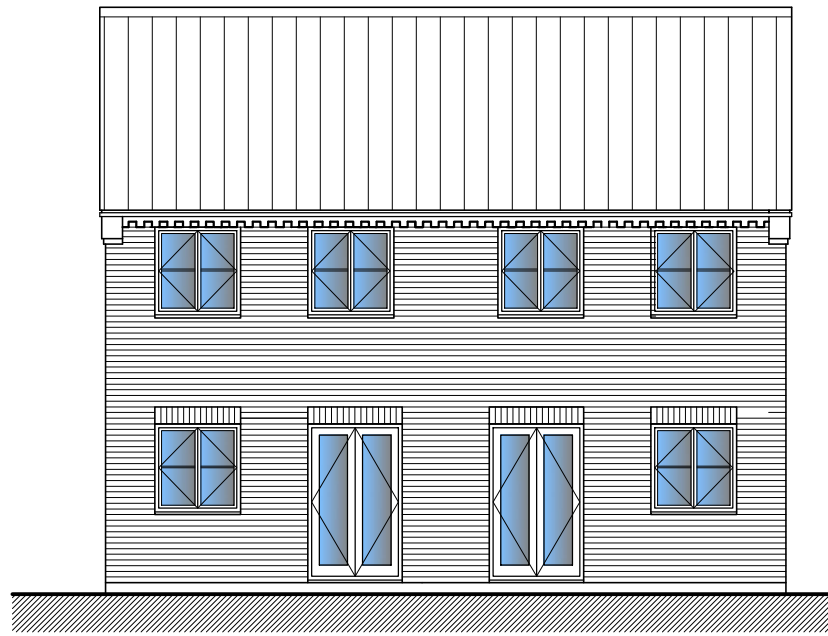
FIRST FLOOR



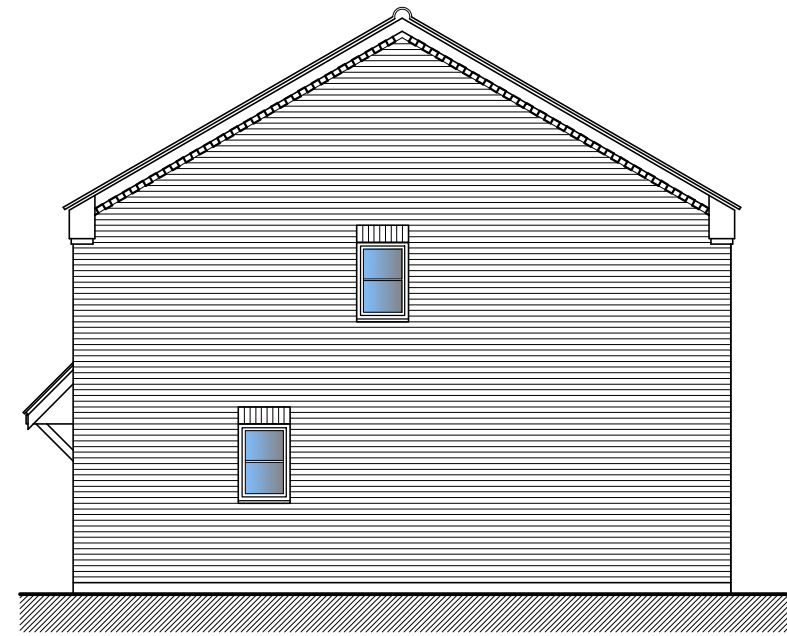
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

ELEVATIONS 1:100



PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

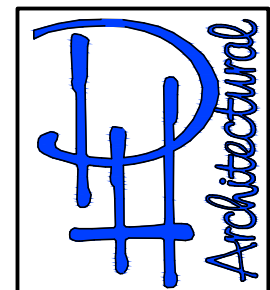
SITE
LAND OFF SLADE WAY
CHATTERIS
CAMBS

DRAWING
TYPE 2 PLANS & ELEVATIONS

CLIENT
MR T MANNION

DATE NOV 2020 SCALE AS SHOWN JOB No 5706 - PL02A

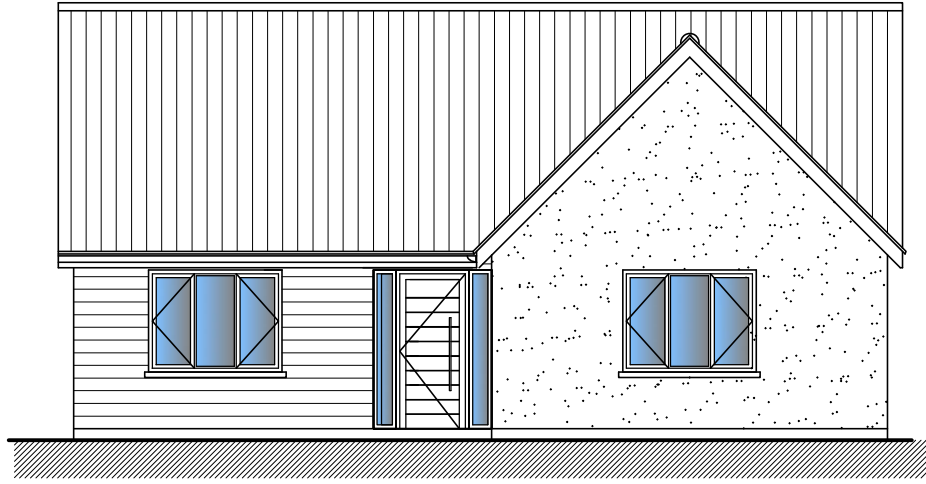
COPYRIGHT: THIS DRAWING MUST NOT BE ISSUED, LOANED OR COPIED
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES



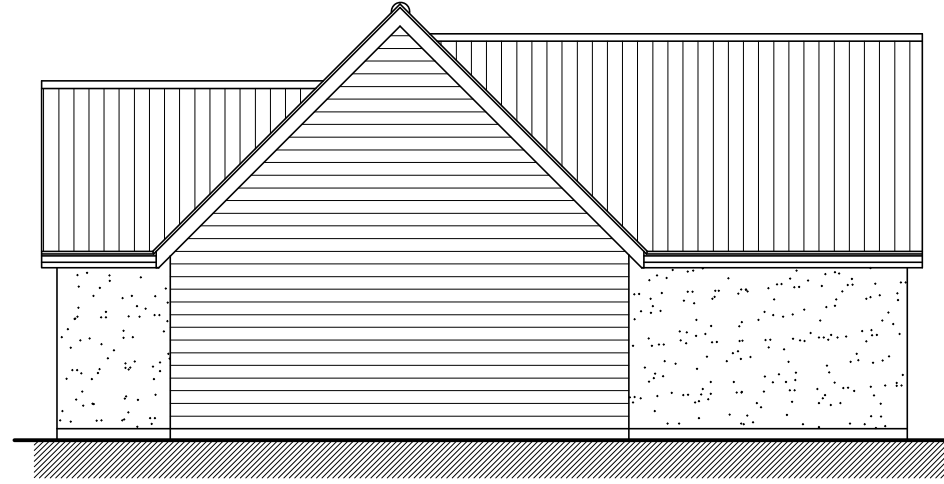
Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING
TELEPHONE: 01945 466 966

E-MAIL: info@peterhumphrey.co.uk
31 OLD MARKET WISBECH CAMBS PE13 1NB

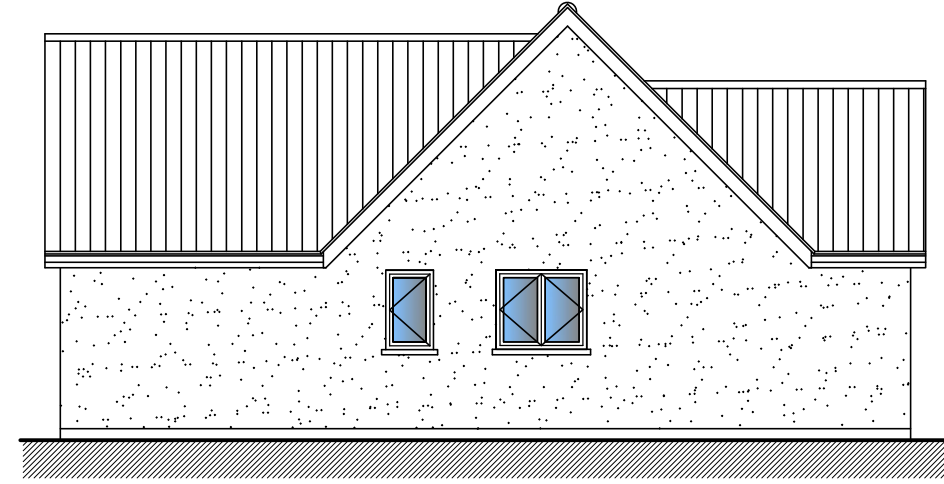




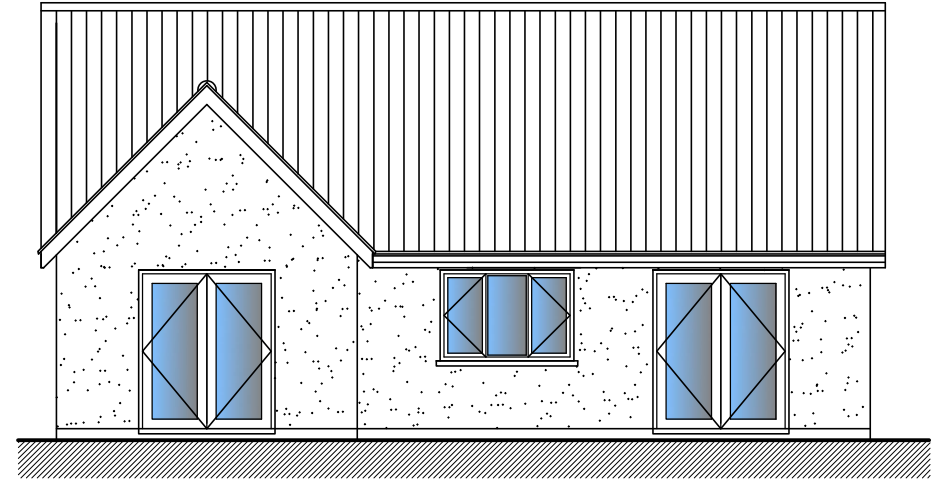
FRONT ELEVATION



SIDE ELEVATION

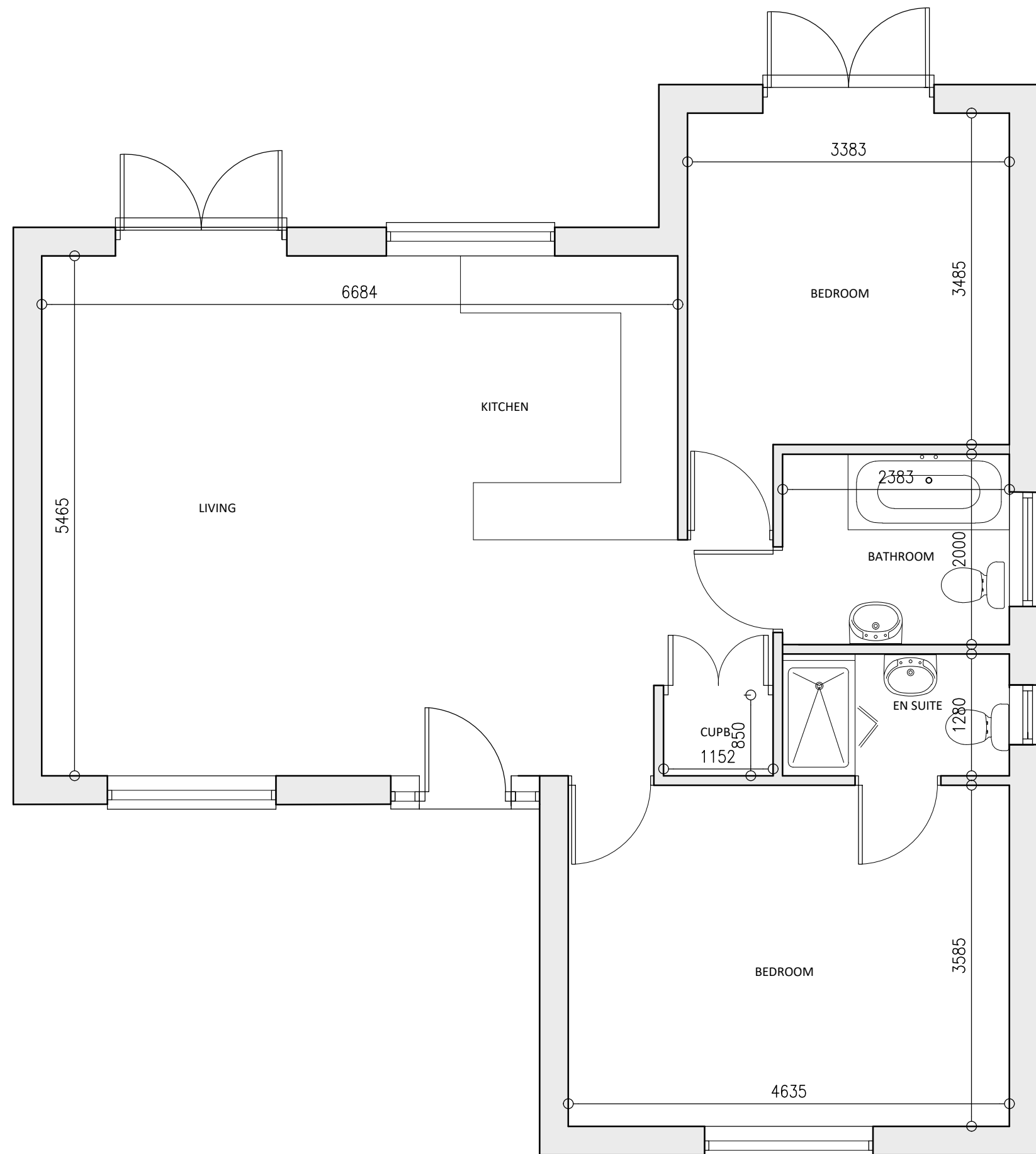


SIDE ELEVATION



REAR ELEVATION

ELEVATIONS 1:100



PLANS 1:50



PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
LAND OFF SLADE WAY
CHATTERIS
CAMBS

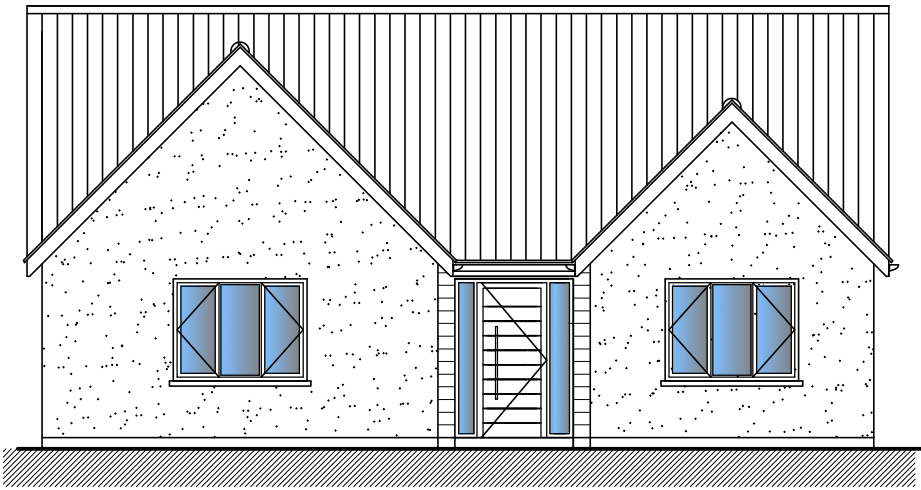
DRAWING
TYPE 3 PLANS & ELEVATIONS

CLIENT
MR T MANNION

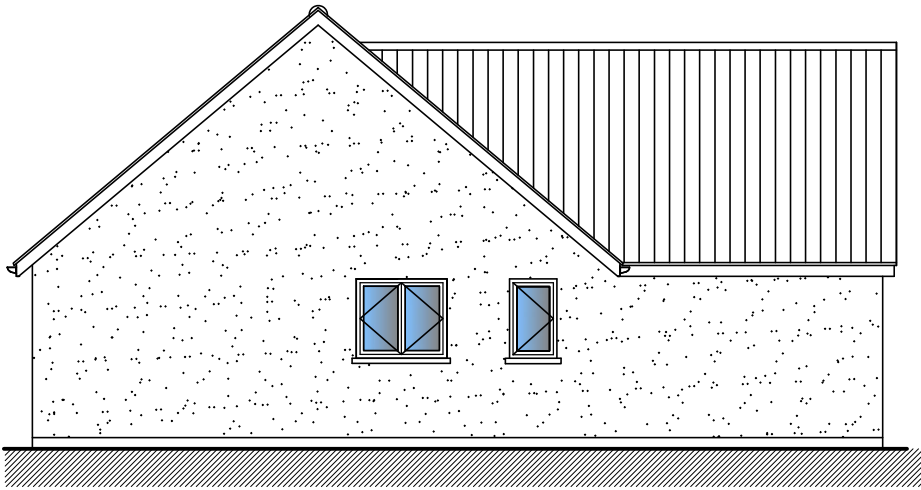
DATE NOV 2020 SCALE AS SHOWN JOB No. 5706 - PL03A

COPYRIGHT: THIS DRAWING MUST NOT BE ISSUED, LOANED OR COPIED
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES

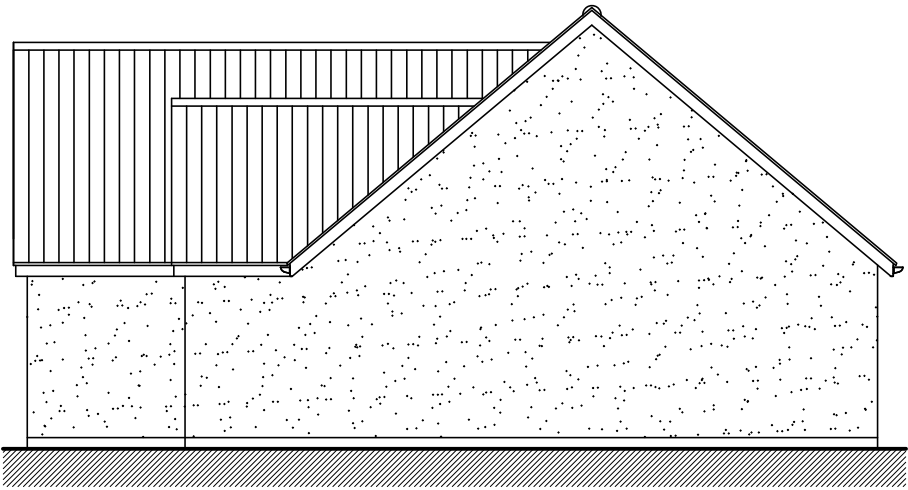




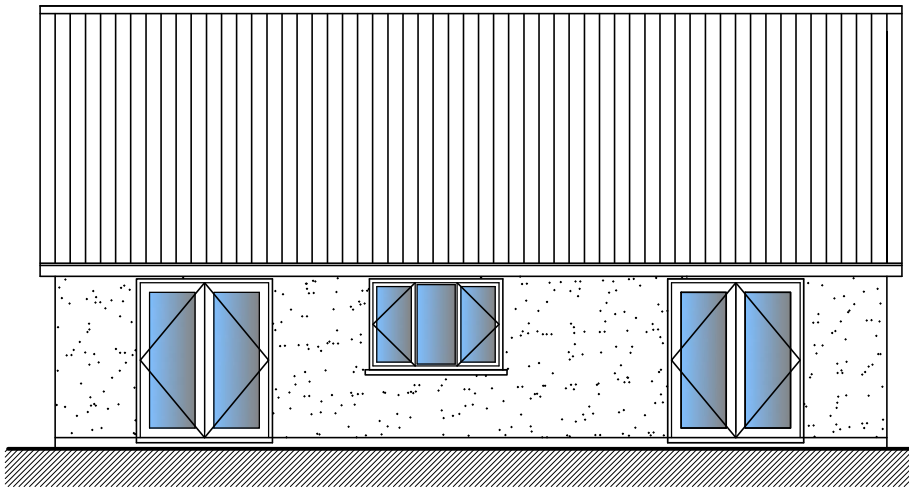
FRONT ELEVATION



SIDE ELEVATION

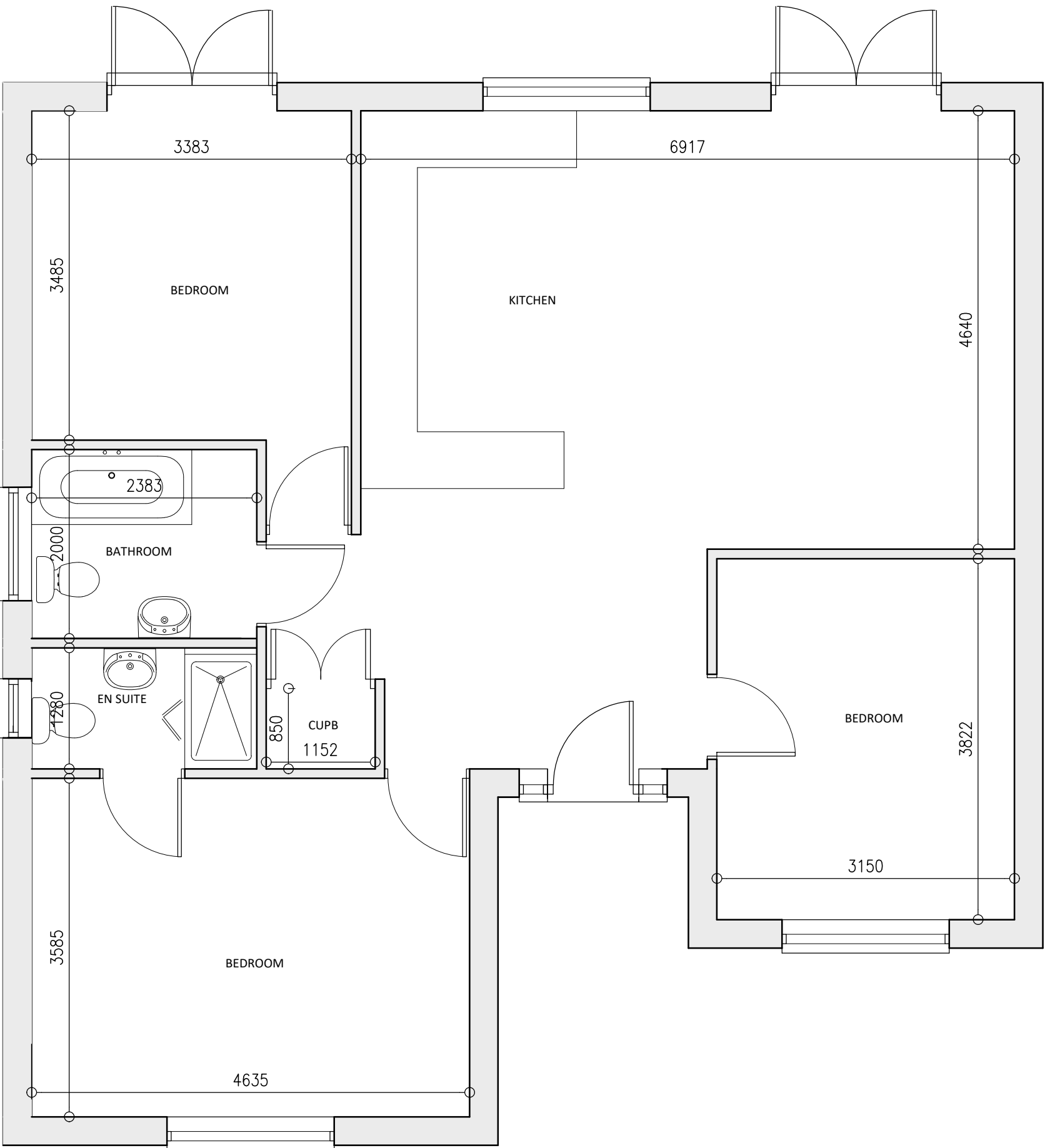


SIDE ELEVATION



REAR ELEVATION

ELEVATIONS 1:100



PLANS 1:50

Peter Humphrey Associates Ltd.
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
LAND OFF SLADE WAY
CHATTERIS
CAMBS

DRAWING
TYPE 4 PLANS & ELEVATIONS

CLIENT
MR T MANNION

DATE NOV 2020 SCALE AS SHOWN JOB No 5706 - PL04A

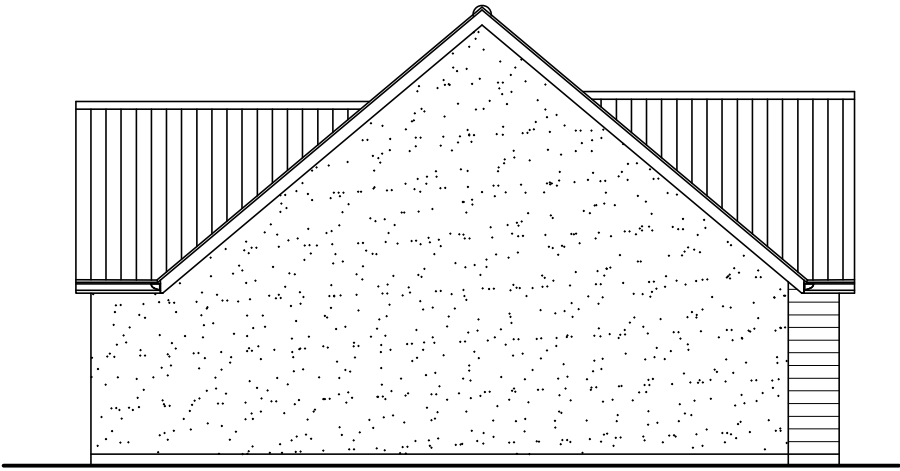
COPYRIGHT: THIS DRAWING MUST NOT BE ISSUED, LOANED OR COPIED
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES



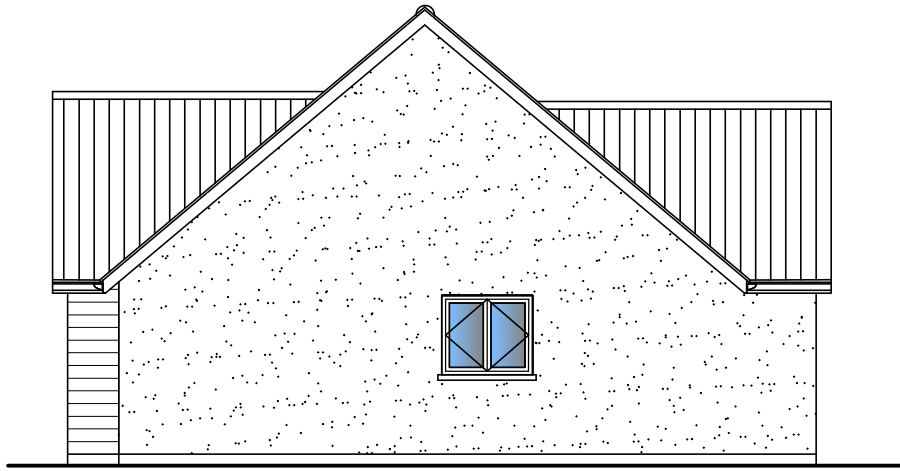
Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING
TELEPHONE: 01945 466 966
E-MAIL: info@peterhumphrey.co.uk
31 OLD MARKET WISBECH CAMBS PE13 1NB
Fenland District Council
Building Design Awards
Building Excellence in Fenland
Category Winner 08/09/10
Overall Winner 2010



FRONT ELEVATION



SIDE ELEVATION

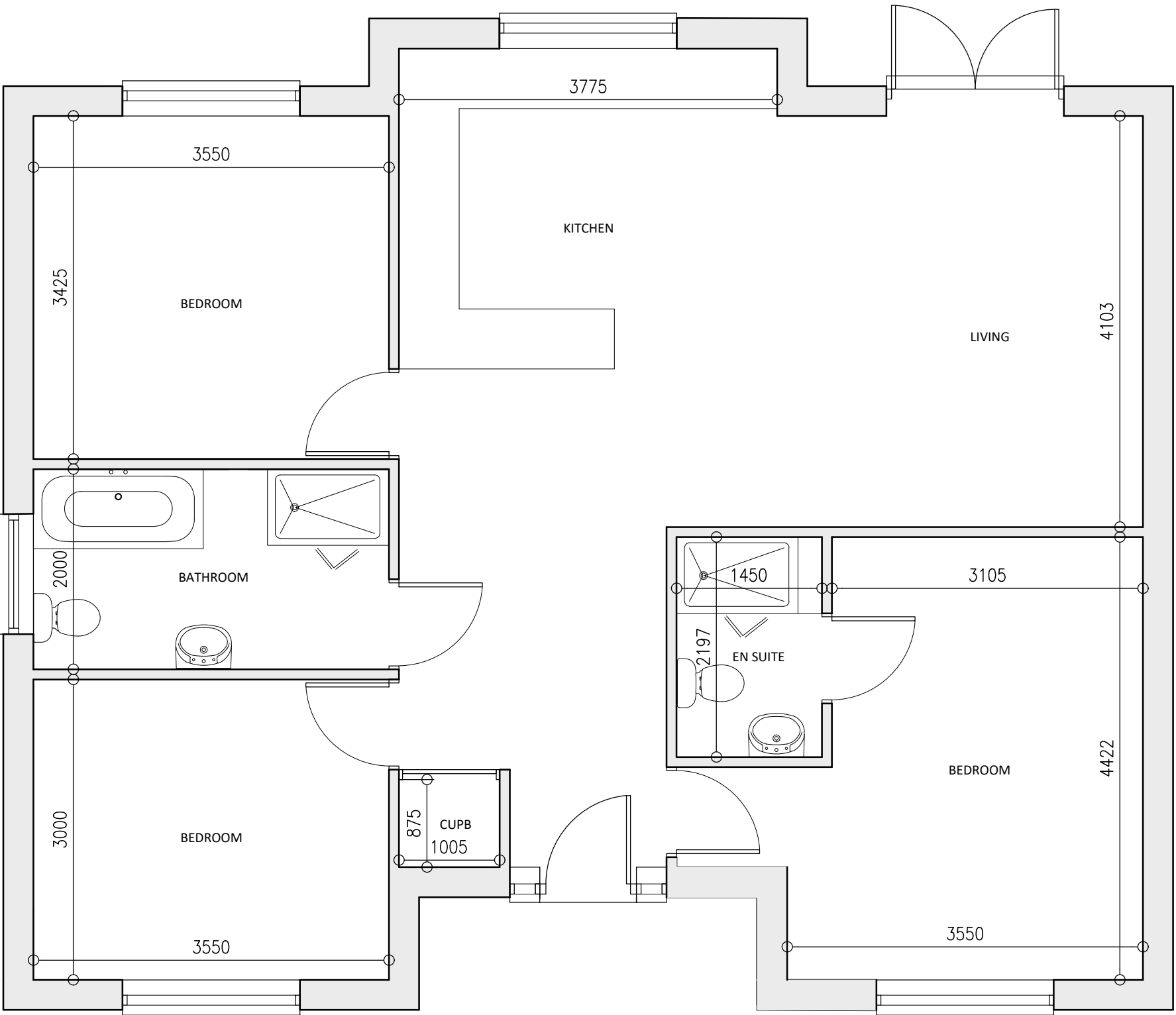


SIDE ELEVATION



REAR ELEVATION

ELEVATIONS 1:100



PLANS 1:50



PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
LAND OFF SLADE WAY
CHATTERIS
CAMBS

DRAWING
TYPE 5 PLANS & ELEVATIONS

CLIENT
MR T MANNION

DATE NOV 2020 SCALE AS SHOWN JOB No 5706 - PL05A

COPYRIGHT: THIS DRAWING MUST NOT BE ISSUED, LOANED OR COPIED
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES



Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING
TELEPHONE: 01945 466 966

E-MAIL: info@peterhumphrey.co.uk
31 OLD MARKET WISBECH CAMBS PE13 1NB

