
F/YR19/1001/O

Applicant: Mr A Mason

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

Land South Of 63-77, Newgate Street, Doddington, Cambridgeshire

Erect up to 9 dwellings (outline application with matters committed in respect of access)

Officer recommendation: Grant

Reason for Committee: Number of representation received contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission for up to 9 dwellings with matters of access only committed at this time.
- 1.2 The site comprises agricultural land and lies adjacent to the main built form of Doddington whereby the principle of the proposal is acceptable under policy LP3.
- 1.3 The committed access and indicative layout and design of the development is considered acceptable having regard to the general character of the area. The proposal is not considered to have a significant detrimental impact on the surrounding properties, the local highway or drainage and a suitable package of mitigation has been agreed to make the development acceptable e.g. footpath extension and a traffic regulation order for speed reduction at the entrance to Doddington.
- 1.4 A S106 unilateral undertaking to secure a financial contribution toward open space has already been completed.
- 1.5 In summary, there are no overriding technical objections that indicate that permission should not be granted and the application is therefore recommended to be approved subject to relevant and necessary conditions and inclusion of the completed S106 agreement.

2 SITE DESCRIPTION

- 2.1 The site lies on the edge of Doddington and comprises c1.2ha of open agricultural land. Dwellings exist directly opposite and to the east leading into the main settlement. beyond the track which serves a commercial business to the south east. To the west is a single dwelling set in an agricultural setting with an array of barns.
- 2.2 An established hedgerow runs across the frontage of the site.

- 2.3 The site is mostly in Flood Zone 1 but with the eastern side partially lying in zone 3.

3 PROPOSAL

- 3.1 The application seeks outline planning permission for the erection of up to 9 dwellings and associated infrastructure. Only access is committed at this time with matters of layout, appearance, scale and landscaping reserved for future consideration.
- 3.2 The application is accompanied by an indicative layout plan (6000/02/F and 6000/01K). The plan has been amended through the application process, mainly following discussions with the Local Highways Authority and Lead Local Flood Authority to address concerns over access and surface water drainage respectively. The quantum of development has also been reduced from 10 dwellings to up to 9 dwellings.
- 3.3 The indicative layout denotes a continuation of the frontage, linear style of development predominantly found along Newgate Street and Primrose Hill with a single point of access which then runs parallel to the highway but set back from the verge. Detached dwellings front onto the private driveway but with a pair of semi-detached properties at the eastern end adjacent to a SuDS pond. The footprints of all dwellings sit within Flood Zone 1 land.
- 3.4 The application also proposes to incorporate a length of public footway adjacent to the highway which stretches across the entire frontage and links to the existing footway at Newgate Street. The 30mph highway sign is also proposed to be relocated further west as part of the development.
- 3.5 The existing agricultural access at the eastern end of the site is proposed to be closed off.
- 3.6 Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

No relevant site history

5 CONSULTATIONS

5.1 Doddington Parish Council

“Members were pleased to note that the outline plan now shows that a number of the plots would now be used to provide smaller units. They would, however, like to suggest that as the proposed development is taking place adjacent to the Primrose Hill / Newgate Street bend that street lighting be erected along the development boundary.

This road takes a significant amount of traffic into and out of the village and with a single entrance from the main road servicing the development of 10 units there will be an increase of traffic at this entrance.

Members felt that additional street lighting along this bend will significantly improve road safety. Members were also very pleased to note that there was an email recorded on your website acknowledging that the landowner was prepared to provide land for allotments for the village.”

5.2 FDC Housing

Acknowledges that no affordable housing will be sought with this development due to the quantum of development not exceeding 9 dwellings

5.3 FDC Environmental Protection

Raises no objections subject to a planning condition addressing unsuspected contaminated land.

5.4 FDC Environmental Services (waste and refuse)

Raises no objections - Acknowledges that based on the indicative layout that 2 shared bin collection points for the 9 dwellings have been included which will be accessible from the public highway.

5.5 CCC Local Highways Authority (LHA)

Raises no objections subject to conditions securing [summarised];

1.) a 1.8m wide footway laid out and constructed along Newgate Street in accordance with submitted plan 6000/01K

2.) Prior to first occupation of the development, the vehicular access shall be laid and constructed in accordance with submitted plan 6000/01K.

3.) No development shall commence until the 30pmh speed limit Traffic Regulation Order has been amended along Newgate Street, in accordance with a scheme to have previously been submitted to and approved in writing by the Local Planning Authority.

4.) Prior to the first occupation of the development the proposed on-site parking /turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use. (unless this is to be committed at a later stage)

5.) Prior to first occupation of the development, visibility splays shall be provided as shown on the approved plan and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

5.6 CCC Lead Local Flood Authority (LLFA)

Initially objected to the SuDS feature being located in Flood Zone 3 [23.07.2020]. However, following a review advised they are able to remove their objection and reverts to their comments dated 29.05.2020 as follows;

“As part of the report infiltration testing has been undertaken. This demonstrates some limited infiltration potential but it is unlikely to be sufficient to provide the sole means of surface water disposal. An alternative strategy of discharging into the Internal Drainage Board (IDB) network at greenfield rates has been proposed. This will need to be consented by the IDB under the Land Drainage Act 1991.

“Whilst the application is outline, an indicative pond location has been shown. This is partially within flood zone 3. As outlined in the Flood and Water SPD, ‘the natural floodplain must be protected and considered in the design of SuDS. Where SuDS are proposed in a fluvial or tidal floodplain the features may fill during a flood event and would therefore not have capacity to hold the rainfall runoff from the site as originally intended’. At the detailed design stage, alternative locations for the basin should be considered or other features considered such as permeable paving of the access road which is in flood zone 1.

“The report also states that some flooding of the site is expected during the critical 1 in 100 year plus 40% climate change rainfall event. Whilst some short term above ground flooding is permissible, flood water should be managed to be safe and not enter any buildings or disrupt emergency access routes.”

Requests a pre-above ground works condition agreeing a surface water drainage scheme for the site, based on sustainable drainage principles.

5.7 CCC Education & Libraries

Acknowledges that the planning application (F/YR19/1001/O) has been reduced in number down to 9 dwellings and therefore below the threshold of 10 dwellings for seeking s106 contributions.

5.8 Environment Agency (EA)

[Comments received 20.12.2019] - Initially objected to the scheme due to capacity limitations under Anglian Water’s current network.

[Updated comments received 03.07.2020]

“Further to discussions with our Water Quality planners and consideration of the new Anglian Water permit and proposed works, we are able to withdraw our objection to the proposed development. We wish to make the following comments.

Flood Risk

National Planning Policy Framework Sequential Test

The site is partly located within Flood Zones 2 and 3 on our Flood Map for Planning. In accordance with the National Planning Policy Framework (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test. By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test.

Internal Drainage Board

We have reviewed the submitted Flood Risk Assessment (FRA) with regard to tidal and designated main river flood risk sources only. We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Curf & Wimblington Internal Drainage Board (IDB). As such, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

Review of Flood Risk Assessment

We have no objection to the proposed development on flood risk grounds but recommend that the mitigation measures proposed in the submitted FRA are adhered to. In all circumstances where flood warning and

evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.”

[Also provides advice to the applicant in respect of flood resilience and warning measures.]

5.9 Middle Level Commissioners - Internal Drainage Board (IDB)

No comments received

5.10 Anglian Water (AW)

The Pre-Development Team provide comments on planning applications for major proposals of 10 dwellings or more. However, comments based on the 10 dwelling scheme (3 December 2019) set out;

“The foul drainage from this development is in the catchment of Doddington Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

“The sewerage system at present has available capacity for [used water] flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.”

AW also acknowledged the approach to disposal of surface water was by sustainable drainage system (SuDS) as required in the first instance under current Building Regulations and therefore does not relate to AW assets

5.11 Cambs Fire & Rescue

Requests that adequate provision for fire hydrants is secured.

5.12 Cambs Police (Designing out Crime)

“Happy to support and have no further comments other than to support comments made by the Parish Council in regard to additional street lighting. We would support any additional column lights in this area.”

5.13 Local Residents/Interested Parties

Objection

6x letters of objection received from the following locations;

5 at Newgate Street, Doddington,

1 at Primrose Hill, Doddington

Raising the following concerns;

- Access
- Anti social behaviour
- Backfill
- Density/Over development
- Devaluing property
- Drainage
- Flooding
- Light pollution/ nuisance

- Local services/schools - unable to cope
- Loss of view/Outlook
- Noise
- Overlooking/loss of privacy
- Parking arrangements
- Shadowing/ loss of light
- Smell
- Traffic or Highways
- Visual Impact
- Wildlife & Biodiversity – hedgerow retention
- Would set a precedent
- The village is expanding beyond its existing outline footprint
- Requests for traffic calming measures

Supporters

2 x Letters of support received for the following locations;

1 at Bridge Lane, Wimblington

1 at Cedar Avenue, Doddington

with the following comments;

- Doddington is a growth village.
- The homes would be ideal
- Continuation of the build line following recent approval of 3 dwellings opposite Cowslip Close
- Housing in the village is needed
- Could support local shops

Representations

Representations received from 3 people at 2 households in Primrose Hill with the following comments;

- Reducing the speed limit/ extending the 30mph zone is important
- Leaving the vegetation and hedgerow is important to protect wildlife
- Drainage is a concern
- Gaps between the properties would be welcome
- Construction at weekend should be kept to a minimum
- Would the local surgery cope?
- The village shouldn't be allowed to become overdeveloped

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

- Context
- Identity

- Built Form
- Movement
- Nature

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP19 – The Natural Environment

Supplementary Planning Documents/Guidance:

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- FDC Developer Contributions SPD (2015)
- Cambridgeshire Flood & Water SPD (2016)
- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) which includes the RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES

- **Principle of Development**
- **Loss of agricultural land**
- **Access & Highways**
- **Impact on the character and appearance of the area**
- **Drainage**
- **Biodiversity**
- **Infrastructure**
- **Residential amenity**
- **Other matters**

9 BACKGROUND

- 9.1 The application is before the Planning Committee due to 6 letters of objection having been received, contrary to Officer recommendation.
- 9.2 Prior to the receipt of the 6th objection (received January 2021) this application was determined under delegated powers to the Head of Planning in September 2020, whereby a recommendation of approval was made, subject to the completion of a S106 agreement.
- 9.3 This recommendation triggered the undertaking of the associated S106 legal agreement (by way of a unilateral undertaking) which has now been completed to the satisfaction of the applicant and Officers.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 of the Fenland Local Plan, 2014 ('the FLP') identifies Doddington as a 'growth village' where development and new service provision either within the existing urban area or as a small extension will be appropriate.
- 10.2 The site lies adjacent to the main urban settlement of Doddington, separated by an access road which serves a commercial unit to the south east. Directly adjacent (west) is No.2 Primrose Hill which comprises a modest dwelling set within an established farmstead. Outline planning permission was recently granted for the erection of 3 dwellings in spacious plots within this farmstead whereby the Council at the Planning Committee of 9 October 2019 determined that the farmstead land fell within the built-up area of Doddington. In this regard, it must follow that the application site also falls within the urban framework of the settlement for which LP3 provides in-principle support.
- 10.3 In addition, regard is had to the NPPF whereby Paragraph 78 of the NPPF seeks to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities through supporting services and businesses in nearby settlements, whilst avoiding new isolated homes in the countryside. In this regard it is noted that the site benefits from existing links to the core of Doddington including a footpath immediately opposite where frontage development can be found and the proposal is to link up with the southern footpath to the east of the site thereby providing sustainable links.
- 10.4 Policy LP12 (Part A) supports development which contributes to the sustainability of the settlement and does not harm the wide, open character of the countryside and satisfies all of criteria (a) to (k) covering matters such as; relationship and scale to the settlement and neighbouring settlements, retention and respect of; natural boundaries, heritage assets, ecology and biodiversity features, loss of agricultural land, exposure to identified risks and infrastructure provision. These are considered below in greater detail and form the general assessment of the policies. The site comprises open agricultural land and as such, any development of this land will result in some landscape harm. This level of harm needs to be balanced with the public benefits of the scheme. Notwithstanding this, the site is not recorded as being recognised as an important space in the village and there are no landscape assessments which indicate that development of this site would result in significant character harm in principle, particularly when considering the built form either side of the application site.

Indicative layout

- 10.5 Whilst the application is in outline with only access committed, the indicative layout plan indicates how the site could be laid out in order to achieve both the quantum of development and necessary supporting infrastructure e.g. roads, open space, drainage. Officers consider that the proposed quantum of development could likely be delivered within the site area along with adequate private curtilage and amenity greenspace and supporting infrastructure. Whilst the individual plots indicated and the footprint of the dwellings are generally larger than those found immediately north and east, regard is had to the aforementioned dwellings approved to the west which proposed similar plot and footprint sizes.

10.6 In conclusion, having regard to the location of the development, the existing settlement pattern (which includes the aforementioned 3-dwelling scheme at Primrose Hill) and the indicative layout provided, Officers consider that criteria (a), (b), (c), (d), (e) and (h) of policy LP12 (Part A) are satisfied.

Community Consultation

10.7 LP12 also requires demonstrable evidence of local support where the development threshold set at the time of adopting the FLP has been exceeded. This demonstration is required to be evidenced through a community consultation exercise proportionate to the scale of the development as directed by LP12. In effect this means that subject to demonstration of 'clear local community support' following a consultation exercise, policy LP3 enables sustainable development beyond the initial village threshold limits set under LP3.

10.8 Doddington is identified as having exceeded the 15% development threshold set, with 174 dwellings committed or built since April 2011 against a threshold of 127 (based on 844 dwellings in existence as at 2011). Therefore, the requirement to undertake the community consultation stages as detailed under LP12 and to demonstrate local support would apply to any proposed residential development in Doddington.

10.9 Whilst the application is accompanied by 6 letters of local support (undertaken prior to validation of the application), there is no evidence of any such consultation exercise having been carried out.

10.10 It is clear that the scheme fails to address the requirements of LP12 in so far as they relate to community engagement and this is disappointing. However, the LPA is mindful of the 2017 appeal decision (APP/D0515/W/17/3182366) where the Planning Inspector in considering an appeal which was solely based on the failure of a scheme to achieve support under LP12, found that the failure to achieve community support in accordance with Policy LP12 should not render an otherwise acceptable scheme unacceptable.

10.11 Against this backdrop it is not considered that the scheme could be refused purely on the grounds of LP12 threshold considerations.

10.12 In respect of establishing the principle of development therefore, it is considered that, subject to all of the criteria of LP12 (Part A) being met and overall compliance with other policies of the FLP as considered below, the principle of development can be supported having regard to policy LP3 and LP12 of the FLP.

Loss of agricultural land

10.13 Criteria (i) of Policy LP12 (Part A) seeks to resist the loss of high-grade agricultural land unless supporting evidence is provided to justify the loss.

10.14 The site comprises 1.2Ha of Grade 2/3 agricultural land (data taken from DEFRA 'magic' mapping, 2020).

10.15 The NPPF, Para.171(footnote 53) advises that the economic and other benefits of best and most versatile agricultural land (BMV land) should be taken into account and that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred

to those of a higher quality. Annex 2 of the NPPF defines BMV land to be land in Grades 1, 2 and 3a of the Agricultural Land Classification.

- 10.16 Therefore, the site is identified as comprising 'high grade' (BMV) agricultural land. Having regard to the wider DEFRA mapping site, it is notable that a significant majority of Fenland District falls within the BMV land with only the main Market towns, the Kings Delph and Morton's Leam areas and the north of March including the prison area falling within the lower grades (3b and below). As such, it is recognised that there are very few areas of poorer quality agricultural land and it would not be possible therefore for Fenland to achieve its housing targets without developing areas of BMV land. It is also important to note that the Council's housing target is not a ceiling and opportunities to deliver housing in places outside of those allocated through the development plan should be favourably considered where they comply with the development plan when taken as a whole.
- 10.17 Notwithstanding this, the site area is not considered to be 'significant' having regard to para 171 of the NPPF and the extent of BMV land which would remain were the site developed. In this regard, it is considered that there is no conflict with criteria (i) of LP12.

Access & Highways

- 10.18 The LHA has raised no objection to the proposal following amendments to the scheme which now includes the provision of the footpath linking to the existing path to the east, and a Traffic Regulation Order (TRO) to move the 30pmh zone further west along the approach road into Primrose Hill which is considered necessary given the gradual growth of residential development along Primrose Hill.
- 10.19 Despite some residents' concerns over the location of the access, the LHA has concluded that the access arrangement provides safe and effective access to the development and would not pose a risk to the highway which accords with the requirements of policy LP15, subject to compliance with the relevant planning conditions as set out by the LHA. In this regard, whilst a condition has been requested regarding the parking layout, matters of layout are not committed at this stage and it would therefore be prudent to secure this condition at reserved matters stage once the final layout has been agreed.
- 10.20 In summary, given that only the access is committed at this time, with matters of layout to be determined through reserved matters, the application satisfies Policy LP15 and LP16 in respect of access design and highways impacts, subject to conditions securing timing of access and visibility splay delivery, the footway and the TRO.

Drainage

- 10.21 Policies LP12(k) LP14 and LP16 of the FLP seek to ensure that development can be served by adequate surface and wastewater infrastructure, avoids identified risk e.g. flooding, and uses sustainable drainage systems which should be designed to contribute to improvement in water quality in the receiving water course.
- 10.22 The site mainly lies in Flood Zone 1 and therefore at the lowest risk of flooding. Given the scale of the development with a site area of over 1Ha, a site specific flood risk assessment (FRA) and drainage strategy has been provided which indicates that Sustainable Drainage Systems (SuDS) can be used.

Surface water

- 10.23 The County Council, as Lead Local Flood Authority, has considered the FRA and is supportive of the scheme subject to conditions securing a detailed surface water drainage scheme for the site, based on sustainable drainage principles and using infiltration where ground conditions are conducive to this and/or attenuation. They have raised concerns over the location of the SuDS feature within an area identified at Flood Zone 3 and has suggested that this is reviewed at detailed design stages (reserved matters) to explore options and alternatives e.g. the use of permeable surfacing to accommodate surface water discharge. In principle however, no objections are raised at this time. Furthermore, whilst the EA has raised the matter of the necessity for undertaking the sequential test to flood risk due to part of the site lying in flood zone 3, the indicative plan denotes that none of the buildings would need to be sited within flood zone 2 or 3 land and could be easily accommodated within zone 1 land. In this respect, the application of the sequential test is not required, but would need to be revisited should the layout submitted at reserved matters stage indicate dwellings in flood zones 2 or 3.

Foul & Wastewater

- 10.24 The applicant proposes to discharge foul water into the existing mains sewer. Anglian Water has reviewed the application and advises that there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Therefore, the future site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991.
- 10.25 Anglian Water advises that the foul drainage from this development is in the catchment of Doddington Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Local Planning Authority grant planning permission.
- 10.26 The EA has confirmed that the new permit and future proposals by Anglian Water are sufficient to overcome their initial concerns over capacity issues, indicating that the development would not result in problems to the existing foul drainage network.
- 10.27 In conclusion, the development (in respect of the indicatively placed building footprints) lies in an area at lowest risk of flooding and could be served by sustainable surface water and waste water drainage systems which would avoid any potential increase in flood and pollution risk from the development in accordance with policies LP14 and LP16 of the FLP.

Biodiversity

- 10.28 The proposal raises no significant concerns on biodiversity grounds subject to biodiversity enhancement opportunities being incorporated into the scheme at design stage (reserved matters) which would be expected to include the retention of the frontage hedgerow (as required by LP12 (f and g)) and demonstration that where this is necessary to be lost in order to provide access points, that this loss is offset elsewhere within the development.

10.29 It is considered that biodiversity impacts and opportunities for enhancement could be secured and assessed through future reserved matters and could meet the aims of policies LP16 (b) and LP19 in this regard.

Infrastructure

10.30 Policy LP13 sets out the Council's approach to securing appropriate infrastructure to mitigate the impact of development and a growing district. LP16(g) seeks to ensure that development provides publicly accessible open space and access to nature.

10.31 In accordance with Developer Contributions SPD 2015 the development would trigger the requirement for open spaces obligations which can be broken down as follows: (site area is 1.2Ha hectares)

- Neighbourhood Park – £ 5,200 off site contribution
- Natural greenspace – £ 6,500 off site contribution

10.32 These above contributions/ obligations are all considered to meet the statutory tests under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 as they are required to mitigate the impacts of this development i.e. to make the development acceptable.

10.33 The applicant has submitted a S106 agreement by way of a unilateral undertaking. The Council's legal officers have confirmed that this is legally sound, and Officers are satisfied that it would adequately mitigate the impacts of the development.

Residential amenity

10.34 Only matters of access are committed at this time and therefore matters of scale, layout and appearance would be considered at a future time. In respect of the access, this is located a considerable distance from the nearest properties and on the opposite side of the road, with the associated dwellings likely to be forced further back by the grass verge and hedgerow (as denoted on the indicative layout plan). Whilst concerns regarding light nuisance from the headlights of cars emerging from the access are noted, it is not anticipated that these would result in any severe or frequent harm. The Council's Environmental Protection team has raised no concerns in this regard.

10.35 Matters of light pollution arising from the development would be considered at detailed matters stages; likewise matters of overshadowing, loss of light, overlooking or overbearing impacts. Again, having regard to the distance separation between the application site and existing properties, these issues are not anticipated to be difficult to mitigate or avoid.

10.36 Concerns have also been raised in respect of a loss of view or outlook. The planning system operates in the public interest and there is no right to a private view within planning legislation. Matters of outlook are however material considerations but not considered in this instance to be severely compromised as a result of the development given the separation distances from existing properties, the maximum quantum of development proposed and the size of the site. This matter however would need to be revisited at detailed matters stage.

10.37 The residential use of the site for up to 9 dwellings is unlikely to yield significant adverse impacts through noise or odour. Notwithstanding this, the Council's

Environmental Protection team have legislative powers to control statutory noise nuisance where this arises.

- 10.38 The Parish Council and Cambs Police have both expressed an interest in street lighting. Whilst it is anticipated that street lighting along the highway as part of the new footway would be considered under S278 arrangements with the LHA, the final details of reserved matters should include for lighting of the new properties within the unadopted private drives in the interests of community safety as per FLP policy LP17. The impacts on this lighting on existing residents would be considered at that stage.
- 10.39 It is considered that based on the detail submitted for consideration, that the development could achieve high level of residential amenity for future occupiers and would not severely compromise the amenity of existing residents in accordance with LP16 of the FLP.

Other matters – resident comments

Anti-Social behaviour (ASB)

- 10.40 It is not anticipated that the design and location of the development would in itself result or encourage any ASB issues. Nonetheless, this matter would need to be revisited at detailed matters stage.

Devaluing property

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

Would set a precedent

- 10.42 All applications are to be considered against the development plan as required by law (unless material considerations indicate otherwise). As such, should any future development proposals come forward, these would be dealt with on a case by case basis in accordance with the development plan having regard to the overall sustainability of the proposal.

Local services/schools - unable to cope

- 10.43 Cambridgeshire County Council as the Local Education Authority has been consulted on this application and have acknowledged that they would not be seeking contributions on the development due to the scale of the development not being a major development. They have not raised any sustainability issues as a result and therefore there is no evidence to suggest that existing education services would be under any undue strain resulting from this proposal.

- 10.45 NHS England have not been consulted due to the minor nature of the development which is below their threshold for consultation.

- 10.44 Notwithstanding this, as noted above, Doddington is identified as a growth village (rather than a limited or small village - which are generally restricted in development scale due to their limited services) and therefore some expansion of the settlement is envisaged through the Local Plan. As such, it would be unreasonable to refuse an application on these grounds, particularly without any supporting evidence.

11 CONCLUSIONS

- 11.1 The development would be located in a settlement identified for growth and can be served by safe and effective access and would provide suitable transport and open space infrastructure to mitigate the impact of the development.
- 11.2 In terms of sustainability, the proposal would contribute towards economic growth, including job creation both during the construction phase and in the longer term through the additional population assisting the local economy through spending on local services/ facilities. Environmentally, the proposal could likely secure additional planting and habitat enhancement albeit the final layout will dictate the extent of these opportunities. Furthermore, the visual impacts of the development are considered to be acceptable, given the mainly residential surroundings.
- 11.3 Finally, it would moderately increase the supply of housing, assisting to address the District's housing targets, which has social benefits.
- 11.4 Having assessed all three dimensions of sustainable development and in applying the planning balance it is concluded that the benefits of the proposal outweigh the identified harm/ disbenefits. This is predicated on a satisfactory scheme coming forward in the future at reserved matters stage.
- 11.5 In summary, there are no overriding technical objections that indicate that permission should not be granted and the application should therefore be approved subject to the relevant conditions and inclusion of the completed S106 agreement

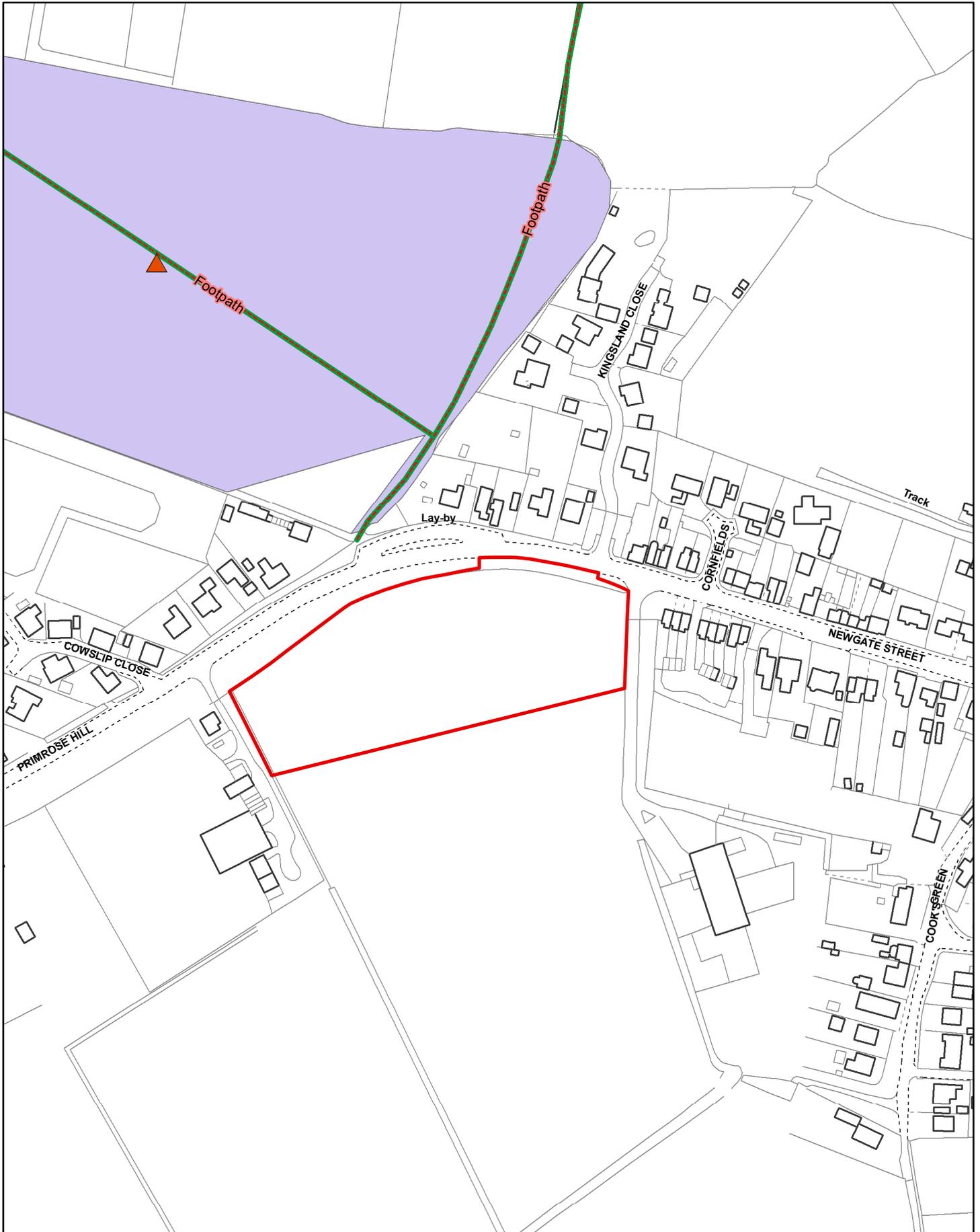
12 RECOMMENDATION

Grant subject to the inclusion of the completed S106 agreement and the following conditions;

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the layout of the site ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the landscaping <p>(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>

4	<p>The residential elements of the development shall not exceed 9 dwellings (Use Class C3).</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5	<p>The reserved matters submission shall also include details of the finished floor level of all buildings and associated external ground levels relative to an adjacent, fixed datum point.</p> <p>The development shall be implemented in accordance with the approved details.</p> <p>Reason: In the interests of visual and residential amenity in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
6	<p>The reserved matters submission shall also include a surface water drainage scheme for the site, based on sustainable drainage principles which has been agreed by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.</p> <p>The scheme shall be based upon the principles within the agreed Sustainable Drainage Strategy prepared by Ellingham Consulting Ltd dated July 2020 and shall also include:</p> <ul style="list-style-type: none"> a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance; c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers; d) Full details of the proposed attenuation and flow control measures; e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants; f) Full details of the maintenance/adoption of the surface water drainage system; g) Measures taken to prevent pollution of the receiving groundwater and/or surface water <p>The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with LP14 of the Fenland Local Plan 2014.</p>
7	<p>The access to the development as detailed on plan ref: 6000/001 Revision K shall be provided and completed to Cambridgeshire County Council Highways construction specification prior to the first occupation of the development.</p> <p>Reason: In the interests of highway safety in accordance with policy LP13 and LP15 of the Fenland Local Plan 2014.</p>
8	<p>Prior to first occupation of the development, a 1.8m wide footway shall be laid out and constructed along Newgate Street in accordance with plan ref: 6000/01</p>

	<p>revision K</p> <p>Reason - In the interests of highway and pedestrian safety in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
9	<p>No development shall commence until a scheme (including a timetable for implementation) has been submitted to and approved in writing by the Local Planning Authority detailing a speed limit Traffic Regulation Order, which amends the location of the 30mph limit along Newgate Street, beyond the western boundary of the site.</p> <p>Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
10	<p>Prior to first occupation of the development hereby approved, visibility splays shall be provided as shown on the approved plan and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.</p> <p>Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
11	<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>
12	<p>If, during development, contamination not previously identified is found to be present at the site:</p> <ul style="list-style-type: none"> (i) it shall be reported to the Local Planning Authority within 1 working day; (ii) no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until site investigations have been carried out and a remediation strategy has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination will be dealt with; (iii) the remediation strategy shall be implemented as approved; (iv) no occupation of any part of the development identified in the remediation strategy as being affected by the previously unidentified contamination shall take place until: <ul style="list-style-type: none"> a. the approved scheme has been implemented in full and any verification report required by the scheme has been submitted to and approved in writing by the local planning authority; b. if required by the Local Planning Authority, any proposals for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action have been submitted to and approved in writing by the Local Planning Authority. (v) the long-term monitoring and maintenance plan shall be implemented as approved. <p>Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with LP2 and LP16 of the Fenland Local Plan 2014.</p>
13	<p>Approved plans and documents insofar as they relate to access.</p>



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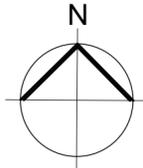
F/YR19/1001/O

Scale = 1:2,500





Proposed Site Plan 1:500 - (Indicative layout shown)



<p>SITE PROPOSED DEVELOPMENT LAND SOUTH OF 63-77 NEWGATE STREET DODDINGTON PE15 0SR</p>	<p>DRAWING PROPOSED SITE PLAN</p> <p>CLIENT MR A MASON & MR R MASON</p> <p>DATE MARCH 2019 SCALE As Shown JOB No. 6000/01K</p>	 <p>Peter Humphrey Associates ARCHITECTURAL DESIGN AND BUILDING TELEPHONE: 01945 466 966 FAX: 01945 466 433 E-MAIL: info@peterhumphrey.co.uk 30 OLD MARKET WISBECH CAMBS PE13 1NB Fenland District Council</p>  <p>Building Design Awards Building Excellence in Fenland Category Winner 08,09,10 Overall Winner 2010</p>
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