

**Applicant: Mr Chris Dwan  
Allison Homes**

**Agent :**

**Phase 4 Land At Bassenhally Farm, Drybread Road, Whittlesey, Cambridgeshire**

**Erect 130 x dwellings (8 x 3-storey 4-bed, 18 x 3-storey 3-bed, 26 x 2-storey 4-bed, 59 x 2-storey 3-bed, 19 x 2-storey 2-bed) with associated garages, parking and landscaping**

**Officer recommendation: Grant**

**Reason for Committee: Update to Committee in respect of Viability Report submission following recommendation to grant**

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## **1 EXECUTIVE SUMMARY**

- 1.1 Members last considered this application at the Planning Committee meeting held on 18<sup>th</sup> August 2021.
- 1.2 It should be noted that the planning permission has not been issued as the viability matter was raised before the S106 was finalised.
- 1.3 The application returns to committee to update Members in respect of the post recommendation submission of a Viability Assessment which evidences that the scheme is currently unviable based on the S106 contributions identified in the earlier report.
- 1.4 The revised proposals seek to agree a revised S106 schedule and Officers recommend that the revisions are accepted, and authority given to conclude the S106 process on the basis of the new Heads of Terms outlined.

## **2.0 UPDATE**

- 2.1 Members will recall that this application was formally considered at the Planning Committee Meeting of the 18<sup>th</sup> August 2021. The committee considered the original report, included as an appendix to this update along with a written update advising that the FDC Environmental Protection Team and CCC Archaeology team had confirmed the amended details had no implications for their original recommendations. In addition, it was noted that the applicant had confirmed their agreement to the pre-commencement conditions outlined in the above report and had provided an updated drawing which corresponded with the access/footway drawing which formed part of the applicant.
- 2.2 Members resolved to delegate authority to the Head of Planning to finalise the planning conditions and complete the S106 agreement to secure the necessary contributions and affordable housing as detailed in the original report below.
- 2.3 Subsequent to the above the applicant has advised on the 7<sup>th</sup> October 2021 that it had become apparent that the scheme was *'struggling to remain viable with full affordable provision and S106 Payments'*. To this end they requested that

the Council consider the viability report which accompanied their correspondence.

- 2.4 Formal re-consultations were raised with the ‘non-technical’ consultees, noting that the ‘technical’ details of the scheme, e.g. drainage, highways, biodiversity and archaeology would be unchanged by S106 considerations. In addition, all the neighbours/interested parties who had originally been consulted/responded were notified. The outcome of this consultation exercise are detailed below.

### 3.0 CONSULTATIONS

- 3.1 **Whittlesey Town Council:** No comments received

- 3.2 **FDC Housing Strategy:** *‘As I understand it, a viability assessment has been submitted by the applicant to demonstrate that the scheme is only viable with reduced affordable housing provisions and other S106 contributions.’*

*At this stage, the outcome of the assessment has not been determined however we would like to see the delivery of affordable housing maximised as part of the decision process. [...] I would like the opportunity to be included in future discussions about the property mix by tenure for the affordable housing when those discussions take place once the viability assessment has been concluded.’*

- 3.2 **Local Residents/Interested Parties:** No comments received

### 4.0 HEADLINES FROM VIABILITY REPORT

- 4.1 Sensitivity analysis has been conducted within the Viability Report which illustrates that the scheme is not viable on the basis of the provision of affordable and other S106 contributions at the level originally proposed. The report assumes a profit level of 17.5% for market units.
- 4.2 A range of scenarios have been outlined within the report as follows:

| Scheme   | Surplus/Deficit |
|--|-----------------|
| 130 Units with 25% affordable housing and S106 cash contributions of £1,508,239                        | -£1,148,951     |
| 130 Units with 20% affordable housing and reduced S106 cash contributions of £515,000                  | -£93            |
| 130 Units with 1no affordable house (affordable rented) and full cash S106 contributions of £1,508,239 | -£1,724         |
| 130 Units with 10% affordable housing and reduced S106 cash contributions of £1,036,000                | -£619           |

### 5.0 ASSESSMENT

- 5.1 It is acknowledged that the earlier phases of this development have delivered a fully policy compliant level of affordable housing, along with the other financial obligations outlined in the local policy framework. The applicant has highlighted within their viability submission that the *‘the general build cost inflation and also the project unproductive costs that have accumulated throughout the rest of the*

*‘viable’ phases in respect of infrastructure and ground costs, which have to be recovered from the final phase’.*

- 5.2 The Viability Report has been accepted by the Viability Officer and subsequent to this the Head of Planning has negotiated the precise S106 heads of terms (HoT) which are outlined below to ensure the best outcomes from the project. The HoT have been accepted by the applicant, noting that the applicants details have been updated to Allison Homes at the request of the applicant following a ‘re-brand’ in November 2021 to reflect the new ownership of the company.

**5.3 Terms of revised S106 Agreement**

- 23 Affordable housing units – which equates to 17.7 % affordable units across the scheme. The units are shown to be delivered as 50% affordable rented units and 50% Affordable Shared Ownership units. An updated layout plan has been submitted detailing the proposed Affordable Housing Scheme which is currently under review by the Housing Strategy Officer.
- Financial contributions of £1,000,000.00 to be used towards the following projects:
  - (i) increased provision at Park Lane Primary & Nursery School;
  - (ii) increased provision at Alderman Jacobs Primary School; and
  - (iii) increased provision at Sir Harry Smith Community College

The contributions will be payable at certain trigger points, and these will be reflected in the S106. It is further noted that the financial contributions will be payable at certain trigger points. If, within the period of eight years from the date the Financial Contribution is transferred to the County Council by the District Council, the County Council has not spent or allocated to be spent the whole or a portion of the Financial Contribution, such unexpended portion shall be returned to the District Council. The District Council shall spend or allocate to be spent the aforementioned portion of the Financial Contribution on any or all of the following –

- (a) provision of Affordable Housing (throughout the district),
- (b) improved sport and recreation facilities, or improved community facilities within the administrative area of Whittlesey Town Council.

- 5.4 Officers are content that the viability case has been made and that the terms of the revised S106 may be accepted.

**6 RECOMMENDATION: Grant subject to:**

1. That the Committee delegates authority to finalise the planning conditions and agree the Affordable Housing scheme layout to the Head of Planning, and
2. Following completion of the S106 obligation to secure the necessary contributions and affordable housing as detailed in the update at Section 4.3, application F/YR20/0861/F be granted subject to conditions.

OR

3. Refuse the application in the event that the S.106 agreement referred to above has not been completed within 4 months and that the applicant is unwilling to

agree to an extended period of determination to accommodate this, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

**APPENDIX TO UPDATE REPORT: Original report considered by Planning Committee 18<sup>th</sup> August 2021**

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**F/YR20/0861/F**

**Applicant: Mark Mann  
Larkfleet Homes**

**Agent :**

**Phase 4 Land At Bassenhally Farm, Drybread Road, Whittlesey, Cambridgeshire**

**Erect 130 x dwellings (8 x 3-storey 4-bed, 18 x 3-storey 3-bed, 26 x 2-storey 4-bed, 59 x 2-storey 3-bed, 19 x 2-storey 2-bed) with associated garages, parking and landscaping**

**Officer recommendation: Grant**

**Reason for Committee: Level of representations received contrary to Officer recommendation.**

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## **1 EXECUTIVE SUMMARY**

- |     |   |
|-----|---|
| 1.1 | This submission relates to the final phase of a residential development first granted outline planning permission in 2010 for approximately 460 dwellings along with an extra care facility.  |
| 1.2 | The principle of development on the site has been firmly established and there are no technical issues or site constraints that would render the proposals unacceptable.  |
| 1.3 | The comments of the Town Council have been noted however there is no indication from earlier files that there was a commitment, or indeed a requirement, to restrict through traffic on the main estate road which links Eastrea Road to Drybread Road. The Transport Assessment team and Local Highway Officer have raised no objection to the scheme and there are no matters to reconcile from a highway safety perspective. |
| 1.4 | The scheme as outlined will make appropriate provision for affordable housing and will make contributions towards Education and Libraries in line with policy.  |
| 1.5 | There are no policy or material considerations which would indicate that the scheme as detailed should not receive a favourable recommendation.   |

## **2 SITE DESCRIPTION**

- 2.1 The site forms part of a larger development which has previously benefitted from outline planning consent, although this is time expired. Earlier phases of the development as listed in the history are either complete (Phase 1 and 2), underway (Phase 2a) or scheduled to start (Phase 3). Phase 4 remains the final 'parcel' of

the wider site. The site is open land with a landscaped western boundary, which demarcates the existing residential development at Feldale Place and Crescent Road which is two-storey in nature.

- 2.2 To the east of the site is the Whittlesey Athletic Football ground which comprises a pavilion building and sports pitches; this is at present accessed through the site from Drybread Road adjacent to No 112. Drybread Road features two-storey dwellings adjacent to the site (southern side) with single-storey development immediately opposite to the northern side of the road; albeit this reverts to two-storey development opposite the layby.
- 2.3 The site is located within a flood zone 1 area.

### **3 PROPOSAL**

- 3.1 This application seeks to agree the details in respect of phase 4 of the development. It proposes a development of three-storey and two-storey properties as a continuation to the wider site. The dwellings are a mix of detached, semi-detached and terraced properties. A full materials schedule forms part of the application which proposes a continuation of the earlier phase approvals.
- 3.2 It should be noted that the scheme has evolved since it was submitted to address matters raised during the initial consultations, the most significant of these changes being the creation of a separate access to serve the sports facilities to the east, whereas previously these were proposed to be accessed via the main estate. In addition, the drawings now indicate a 3-metre cycleway to Drybread Road.
- 3.3 Access is to be derived from both the main estate road to the south, as a continuation of the highway serving Phase 3 and from Drybread Road to the north, the main road will spur to the east to facilitate access to the eastern part of the site. Further southward the main access will feature roads to the west and east which will in turn link back to Phase 2 and Phase 3
- 3.4 SUDs features will be located midway within the site.
- 3.5 There are a mix of dwellings within Phase 4 as captured in the description of development at the beginning of the report.

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

<https://www.publicaccess.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

### **4 SITE PLANNING HISTORY**

|                 |   |                       |
|-----------------|---|-----------------------|
| F/YR18/0331/F   | Erection of 110 x dwellings comprising of: 5 x 2-storey 5-bed, 19 x 2-storey 4-bed, 73 x 2-storey 3-bed, 11 x 2-storey 2-bed and 2 x 2-bed flats with associated garages, parking and landscaping | Granted<br>02.10.2018 |
| F/YR18/0018/VOC | Variation of condition 12 (imposition of a condition listing approved plans) relating to planning permission F/YR17/0711/F - reduction in building size and amendments to roof                    | Granted<br>04/04/2018 |

|                |  |                        |
|----------------|--|------------------------|
|                | elevations balconies doors and windows and landscaping   |                        |
| F/YR17/0711/F  | Erection of a 3-storey Extra Care Housing Scheme comprising of 13 x 2-bed and 47 x 1-bed; communal facilities (lounge bistro laundry beauty room scooter and cycle stores etc); offices and external works             | Granted<br>11/01/2017  |
| F/YR16/0994/NO | Non-material amendment: Substitution of house types on Plots 316 and 317 from type 2224 to type 2323 relating to planning application F/YR16/0316/F  | Approved<br>06/12/2016 |
| F/YR16/0316/F  | Erection of 47 x 2-storey dwellings (Phase 2a) comprising of 6 x 1-bed apartments 10 x 2-bed 26 x 3-bed 1 x 4-bed and 4 x 5-bed with garages   | Granted<br>30/09/2016  |
| F/YR15/0877/F  | Erection of 93 residential dwellings with associated garages and infrastructure to form Phase 2 of Whittlesey Green.   | Granted<br>18/08/2016  |
| F/YR13/0473/RM | Erection of 120 x 2-storey dwellings comprising; 3 x 2-bed flats 5 x 2-bed 87 x 3-bed 22 x 4-bed 3 x 5-bed with associated garages and landscaping   | Approved<br>20/09/2013 |
| F/YR12/0723/F  | Variation of Condition 21 of planning permission F/YR10/0904/O to allow relocation of roundabout   | Granted<br>06/04/2013  |
| F/YR10/0904/O  | Residential/Mixed Development of 460 (approx) market and affordable dwellings 70-bed nursing home extra care accommodation local centre associated landscaping open space water attenuation features and highway works | Granted<br>05/03/2012  |

## 5 CONSULTATIONS

- 5.1 **Whittlesey Town Council:** It was noted that no response was received in respect of 27<sup>th</sup> May 2021 consultation, and on following this up with the Town Council it became apparent that the consultation actioned had not been received by the Town Council or Ward Councillors; albeit other consultations actioned at the same time using the same process had been received and responded to. The Town Clerk has subsequently advised that the Ward Councillors have confirmed that they have no objection to the re-consultation.

*April 2021 consultation response noted that: 'Cllr Mayor proposed approval, this was seconded by Cllr Munns, there was no other councillors in favour, therefore the item was refused for the following reasons, Internal road layout within the site and lack of restrictions to allow vehicles to travel throughout the site and onto Drybread Road. The Clerk was asked to see if there was any historic evidence regarding this. Cllr Gerstner advised it was verbal agreement to have bollards at this point and not full site access. The bollards would be retractable to all for emergency vehicles. He also confirmed that an independent traffic survey had been carried and confirmed that the A605 would be at full capacity by 2025.'*

*November 2020: The Town Council recommend rejection of phase 4 in its current form, but are mindful to approve a revised layout with the type and number of properties (50) accessing the site from Drybread Road. The proposed layout is very problematic, Whittlesey Town Council would welcome Larkfleet communicate with the council or the officer at Fenland District council to discuss changes to the proposed layout and resolve the issues that have arisen.*

## **5.2 Transport Assessment Team - Cambridgeshire County Council Highways Authority**

*It should be noted that the Transport Assessment has been through several iterations regarding matters of detail and content culminating in the following formal consultation response (for simplicity of reporting earlier responses are not included however these are available via Public Access):*

*'No Objection Subject to Mitigation: The Highway Authority do not object the proposals subject to the following mitigation to be delivered by the developer:*

- o New 3m wide cycleway on the southern edge of Drybread Road between Coronation Avenue and the new Whittlesey Athletic Football Ground access*
- o Travel Plan with bus taster and/or cycle discount vouchers*

*Background - The documents reviewed are the Transport Assessment Addendum and Response Letter both dated 18th June 2021 and produced by ADC Infrastructure Ltd for the proposed development of 130 dwellings. This full planning application is for Phase 4 of the Bassenhally Farm development which was granted outline planning permission in 2010. Since planning permission was granted in 2010 the deadline for submitting reserved matters applications has expired. Therefore Phases 2, 2a, 3 and 4 have all been submitted as full planning applications, because of this the Highway Authority will ensure all the information required for this application is included within this submission.*

### **Transport Assessment Review**

**Cycling Accessibility:** *It is noted a 3m wide cycleway along Drybread Road will be delivered as part of the proposals. Such cycleway will route along the southern edge of Drybread Road between Coronation Avenue and the new Whittlesey Athletic Football Ground access and will facilitate pedestrian and cycle movement to nearby facilities in Whittlesey.*

**Public Transport Network:** *The closest bus stops to the site are situated 200m east of the development access junction onto the A605 (westbound services) and 500m west of the development on Victory Avenue (eastbound services). Both stops are served by the Stagecoach 33 service which operates between March and Peterborough every 30 minutes Monday to Saturday and comprise a bus flag, timetable, and shelter.*

**Parking Provision:** *It is noted the development will provide 294 car parking spaces comprising of 252 parking spaces and 42 garage spaces. It will ultimately be up to the Local Planning Authority to agree car and cycle parking provision.*

**Trip Generation:** *Vehicle trip generation for the development has been calculated using TRICS software. The Phase 4 development is anticipated to generate 81 two-way vehicle trips in the AM peak and 89 two-way vehicle trips in*

*the PM peak. This is agreed. Multi-modal trip generation for the Phase 4 development is agreed*

**Study Area and Trip Distribution:** *The applicant has proposed the following study area for the site:*

- *A605 Eastrea Road/Dandelion Drive roundabout (southern site access)*
- *A605 Eastrea Road/Cemetery Road/Blunt's Lane roundabout*
- *A605 Syers Road/B1040 Orchard Road roundabout*
- *A605 West End/Church Street T-junction*

*It is noted details of the Site Access/Drybread Road T-junction (northern site access) were agreed as part of the original outline permission which is still extant as it was implemented (Phase 1). It was not a reserved matter. It was agreed at the outline stage that the northern site access was suitable to accommodate the total Bassenhally Farm development traffic.*

*The development traffic flow diagrams are acceptable for use. It is noted the internal spine road will be designed to limit vehicle speeds to 20mph where possible to reduce the attractiveness of the route through the site as a 'rat-run'.*

**Assessment Year Traffic Flows:** *The following assessment year scenarios used within this assessment are acceptable for use:*

- *2025 Future year scenario without development (2018 flows + TEMPRO Growth + committed development)*
- *2025 Future year scenario with development (2018 flows + TEMPRO Growth + committed development + development)*
- *2031 Design year (sensitivity test) scenario without development (base + TEMPRO Growth + committed development)*
- *2031 Design year (sensitivity test) scenario with development (base + TEMPRO Growth + committed development + development)*

*The TEMPRO growth factors submitted are acceptable for use.*

**Committed Developments:** *The applicant has included the following committed developments within the assessment:*

- *169 Dwellings on former Eastfield Nursery site - F/YR16/1017/O*
- *250 Dwellings on land at Bassenhally Farm (Phases 2, 2a, and 3) F/YR10/0904/O*
- *Food retail premises, café, and petrol filling station on land off Eastrea Road - F/YR15/0657/F*
- *220 Dwellings on land east of East Delph - F/YR15/0134/O*

*Given Phase 1 of the Bassenhally site has already been constructed, it is agreed that Phase 1 traffic flows are included in the baseline traffic surveys. It is also agreed that planning application ref: F/YR15/0657/F has been included as committed development within this assessment.*

*The rationale provided in the Response Letter detailing the committed developments included within this assessment is agreed. The committed developments included within this assessment are acceptable for use.*



**Junction Capacity Assessments:** Use of ARCADY/PICADY software to model the development's impact on junction capacity is agreed. Both the geometries input into the model and traffic profile type input into the models are accepted on this occasion.

Whilst the A605 Eastrea Road/Dandelion Drive roundabout (southern site access) is anticipated to operate over capacity on the A605 (E) arm in the PM peak of the 2031 with development (Sensitivity Test) scenario with a maximum RFC value of 0.97, it is considered the development will not have a severe impact to capacity at this roundabout given it is anticipated to increase RFC values by 0.05 on the A605 (E) arm in the PM peak between the 2031 with and without development sensitivity test scenarios. It is noted that the southern access roundabout has been modelled assuming 100% of Phase 2, 2a and 3 development traffic will use this junction instead of the 86% of Phase 2, 2a, and 3 traffic anticipated to use the junction, thus providing a robust assessment.

Whilst the A605 Eastrea Road/Cemetery Road/Blunt's Lane roundabout is anticipated to operate over capacity on the A605 (E) arm in the AM peak and the A605 (W) arm in the PM peak of the 2031 with development (Sensitivity Test) scenario, it is considered the development will not have a severe impact to capacity at this roundabout given it is anticipated to increase RFC values by 0.05 on the A605 (E) arm in the AM peak and by 0.03 on the A605 (W) arm in the PM peak between the 2031 with and without development sensitivity test scenarios. Vehicle queues on the A605 (E) arm in the AM peak are anticipated to increase by 5 vehicles, whilst vehicle queues on the A605 (W) arm in the PM peak are anticipated to increase by 6 vehicles between the 2031 with and without development sensitivity test scenario

The development not considered to cause detriment to capacity at the A605 Syers Road/B1040 Orchard Road roundabout with RFC, queues and delays remaining similar to the 2031 baseline model outputs. The development is anticipated to increase RFC values by a maximum 0.04 RFC adding a worst-case 2 additional vehicles to queues at the A605 Syers Lane arm in the AM peak.

The A605 West End/Church Street T-junction is anticipated to operate within capacity under all future year scenarios.

Whilst capacity challenges will occur along the A605 corridor in the 2031 future year assessments, given the development is anticipated to increase RFC values on the roundabouts on this corridor by a maximum 0.05 RFC and queue lengths by a maximum 9 vehicles, it is evident that the development alone will not have a significant impact to capacity along this corridor. As such we do not consider these impacts to be severe enough to warrant an objection. This is identified as a strategic issue. The improvements to sustainable travel infrastructure requested for this development will look to encourage a modal shift to further reduce the development impact.

**Travel Plan:** The Travel Plan will be subject to a condition should approval be given. The Travel Plan should include suitable measures and incentives such as bus taster and/or cycle discount vouchers to promote sustainable travel.

**Mitigation:** The following will form the mitigation package for this development and will be delivered by the developer:

- *New 3m wide cycleway on the southern edge of Drybread Road between Coronation Avenue and the new Whittlesey Athletic Football Ground access*
- *Travel Plan with bus taster and/or cycle discount vouchers*

*The above mitigation package is considered reasonable, proportional, and satisfactory to mitigate the impact of the development and complies with para 108 of the NPPF (2019).'*

- 5.3 **CCC Highways:** Originally raised issue with regard to the scheme details in respect of layout particularly with regard to the provision of a footway along the southern side of Drybread Road along with a cycleway to serve the school. The matter of access to the MUGA was also raised. It was also requested that some geometric details were addressed and that swept path plans should be provided.

The LHA response of 4 June 2021 requested further details in the form of a geometric general arrangement which detailed the following:

- Carriageway widths (this applies to the access to MUGA)
- Kerb/junction radii (6m)
- Access geometry for accesses proposed along DBR
- Visibility splays for accesses proposed along DBR should be detailed (2.4m x 43m)

A separate GA plan should be provided for the full length of footway/cycleway along DBR.

- Cycleway should wrap round the junction and taper to footway after tangent point. This is so suitable transition and signage can be provided for cyclist dismount.

In response to this the Developers Highway Engineer provided an updated drawing direct to the LHA which responds to the matters raised above and it is noted that the LHA are to provide their recommendations for appropriate conditions which will be reported to the committee.

- 5.4 **Environment & Health Services (FDC):** *'The Environmental Health Team note and accept the submitted information and have 'No Objections' in principle as the proposed development is unlikely to have a detrimental effect on local air quality or the noise climate.*

*The applicant should ensure measures to address noise and dust are implemented and maintained throughout the construction stage where given that sensitive receptors exist West and South of the application site. Depending on the risk of dust effects occurring for example, monitoring should be carried out by the developer to ensure applied mitigation measures remain effective in controlling dust emissions.*

*Given the scale and location of this next phase in development we recommend therefore a condition be imposed that requires the applicant to follow latest construction noise and dust guidance that demonstrates their commitment to following quality design and construction principles in potentially sensitive areas.*

*From information provided in an earlier phase of development at Bassenhally Farm, ground contamination is not likely to be an issue. The Phase II Exploratory*

*Investigation report prepared by DeoDyne submitted under planning reference [F/YR16/0316/F] with regard to potential ground contamination has previously been accepted by this service. The results from the intrusive investigation shows this latest application site has been deemed suitable for its intended end use.*

*In Chapter 7.15 of the above report a recommendation was made that in the event contaminated soil was encountered during site construction works, contaminated soils should be left in-situ and subjected to further assessment, to potentially include further chemical testing and risk assessment. Given the scale of the application site Environmental Health agrees with this recommendation and therefore asks for the 'Unsuspected Contamination' to be applied to any permission granted to protect the interest of both human health and the environment.*

Following re-consultation on revised scheme note that their earlier recommendation remains appropriate.

- 5.5 **Lead Local Flood Authority:** Originally noted that they had '*no objection in principle to the proposed development [as the submitted documents] demonstrate that surface water from Phase 4 can be managed through the use of two attenuation ponds and a flow control device. This will restrict surface water runoff to 5 l/s during all events up to and including a 1 in 100-year storm event plus a 40% allowance for climate change, before it is discharged into the wider Whittlesey East site drainage system.*

*The LLFA is supportive of the use of attenuation ponds as in addition to controlling the rate of surface water leaving the site they also provide water quality treatment which is of particular importance when discharging into a watercourse).*

*The site lies entirely within Flood Zone 1 and is at low risk to both surface water and groundwater flooding.*

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

Requested conditions regarding submission of a detailed SWD scheme based on the principles in the agreed FRA and proposals for the long-term maintenance arrangements for the SWD system. Also recommends informatives regarding the need to gain Ordinary Watercourse Consent from the LLFA and Pollution Control,

*Reconsultations on the scheme amendments prompted the following response from the LLFA noting that 'The applicant [had] clarified that the amendments will not result in changes to the proposed impermeable area extent and will therefore not have any impact on the previously agreed surface water drainage strategy. We therefore have no further comments to make beyond those set out in our previous response dated the 8th October 2020 (outlined above).'*

- 5.6 **Anglian Water Services Ltd:** Summary of consultation response as follows:

Assets Affected – Notes 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. Anglian Water request informative in this regard

Wastewater Treatment - The foul drainage from this development is in the catchment of Whittlesey 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.

Used Water Network - The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. [...] again requests informative

Surface Water Disposal – SW Management scheme does not relate to AW operated assets and LPA should take advice from LLFA

- 5.7 **Natural England:** *'Natural England has previously commented on this proposal and made comments to the authority in our letter dated 5 October 2020.'*

*The advice provided in our previous response applies equally to these amended plans.*

*The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.*

*Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again'*

- 5.8 **PCC Wildlife Officer:** *'Please find below comments from the PCCs interim ecologist on the above application. I trust this information is of assistance however do not hesitate to contact me if you require any further help.'*

*In strict planning terms I don't think there's anything in this one to cause me to object. However, the ecological report is not consistent with CIEEM guidance on report writing and (for example) does not include a Phase I habitat map. Of particular concern though is the surveyor found tree sparrow nesting in the scrub. Without the Phase I map it's not clear where the scrub habitat is, and there is no target note to indicate the precise location of the nest. Tree sparrow is a priority/s.41 species and according to the Cambs BAP website there are only a few colonies in the county, and the records suggest that one colony has historically been in the area surrounding the site. In my view there has been a fairly cursory treatment of what could be quite a significant finding, and I'm not entirely comfortable with simply saying that erecting some sparrow boxes on site is sufficient mitigation. Because the precise nest location isn't known it's not clear that the site layout has attempted to (or is even able to) avoid losing the nest.*

*Ideally I would want more information about the tree sparrow nest, and perhaps informed by some thoughts from the local bird recorder as to the potential status of and impact on any local colony. I think this would provide a more robust evidence base for an approach to mitigation. My preference would be that this be done pre-determination so the potential impact is known before a planning decision is made.*

*I recognise that the tree sparrow is only protected while on the nest so legally the council can impose a condition that clearance works not take place during the bird nesting season and the relevant wildlife legislation would be satisfied. If the council is minded to take this approach and not request more information from the applicant then I would recommend a number of conditions:*

- A Construction Environmental Management Plan (CEMP) should be required; this should include a suite of precautionary working measures for biodiversity (called 'biodiversity safeguards' in other conditions for the wider site).*
- Specifications for the 'wildlife enhancement' measures on the mocked-up version of drawing SK01 rev E should be conditioned to ensure the most appropriate nest box models etc. are installed. I don't see any issue with the proposed locations, however I think more detail is warranted.*
- The close board fencing, timber panel fencing and ideally the brick walls identified in the boundary treatment plan should all include hedgehog holes to allow hedgehogs to move among the gardens. It doesn't make much sense to install hedgehog domes/boxes and then not provide a permeable environment so they can forage. I'd suggest the detailed fence designs be conditioned to secure this.*
- No vegetation removal should take place during the bird nesting season. Normally I'm happy for this to be an informative however in this case with tree sparrow on site I think a condition is warranted.*

*Again, I'd rather the tree sparrow issue were explored in more detail pre-determination, so if there are other factors which might delay determination then I would suggest the applicant get their ecologist to look into this. I don't however see any legal reason why the application cannot be determined'.*

- 5.9 **Senior Archaeologist (CCC):** 'I have reviewed our files and confirm that this area requires an archaeological condition to be reimposed and altered to accommodate post-excavation analysis requirements.

The previous condition, for which the WSI for a scheme of investigation was discharged in 2013, should now be refreshed to accommodate this area in the northern block (F/YR20/0861/F). We have this identified as Phase 4 on the attached plan (using Larkfleet Homes' original phasing) that was submitted to you in 2018 in relation to the then application for Phase 3 development. Phase 3, to my knowledge, has not progressed. I would be grateful if you could confirm if this is still the case.

I am concerned that we have received no post-excavation assessment reports for Phases 1 and 2. The archaeological contractor was subject to significant structural changes a few years ago, which led to the parking of their post-excavation commitments. Further archaeological work undertaken at the site should, therefore, include provision to present the results of the Phase 1 and 2 work on the eastern side of the development area where the remains of Bronze Age settlement and funerary site were found.

To address this need, a modified version of the 2018 condition should be applied for this 2020 application [wording provided]

**Following reconsultation note that:** 'We do not object to the revised proposals but remind you that we have outlined an area for excavation to be completed in advance of any construction activity in this final development zone in the north-

west corner of the site. Please see the attached document for the location of the Phase 4 excavation area.'

#### 5.10 **Refuse Collection Team (FDC)**

(25.03.2021) In broad principal we have no objection to this development however the following points regarding access would need addressing:

- A swept path plan would be required to demonstrate that a 11.5m refuse vehicle could access the site turn and leave the site in a forward direction.
- Grouped bin collections points BCP 8, BCP 10, BCP 13, BCP 14, BCP 4 and BCP 5 should be brought closer to the public highway
- 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.

#### 5.11 **Environment & Health Services (FDC):** 'Note and accept the submitted information and have 'No Objections' in principle as the proposed development is unlikely to have a detrimental effect on local air quality or the noise climate.

The applicant should ensure measures to address noise and dust are implemented and maintained throughout the construction stage where given that sensitive receptors exist West and South of the application site. Depending on the risk of dust effects occurring for example, monitoring should be carried out by the developer to ensure applied mitigation measures remain effective in controlling dust emissions.

Given the scale and location of this next phase in development we recommend therefore a condition be imposed that requires the applicant to follow latest construction noise and dust guidance that demonstrates their commitment to following quality design and construction principles in potentially sensitive areas.

From information provided in an earlier phase of development at Bassenhally Farm, ground contamination is not likely to be an issue. The Phase II Exploratory Investigation report prepared by DeoDyne submitted under planning reference [F/YR16/0316/F] with regard to potential ground contamination has previously been accepted by this service. The results from the intrusive investigation shows this latest application site has been deemed suitable for its intended end use.

In Chapter 7.15 of the above report a recommendation was made that in the event contaminated soil was encountered during site construction works, contaminated soils should be left in-situ and subjected to further assessment, to potentially include further chemical testing and risk assessment. Given the scale of the application site Environmental Health agrees with this recommendation and therefore asks for the 'Unsuspected Contamination' to be applied to any permission granted to protect the interest of both human health and the environment. This referral has been considered.

The issues which have prompted the re-consultation dated 27 May 2021, appear to be issues concerning an amendment to the location. Having studied these,

they do not affect the recommendations in previous responses. Consequently, there are still no objections to this proposal subject to the previous responses.

- 5.12 **Housing Strategy (FDC):** *'I accept the 32 affordable dwellings proposed, and the 50% rented tenure and 50% shared ownership tenure split, in accordance with previous S106 agreements on this site and recent discussions with Mark Mann.*

*I understand the proposed housing mix for the affordable dwellings is as below:*

*16 x 2 bed houses for affordable rent  
3 x 2 bed houses for shared ownership  
13 x 3 bed houses for shared ownership*

*I have pulled some figures together from our Housing Waiting List below, to give you a reflection of our current need for rented tenure housing in Fenland. This breakdown of demand by bedroom need shows 43% of applicants require 1 bed housing, 33% require 2 bed, 19% require 3 bed and 5% require 4+ bed housing.*

*Current Housing Waiting List Need as at 29/03/2021:*

| <i>Bed Need</i> | <i>No.</i>  |
|-----------------|-------------|
| <i>1 bed</i>    | <i>596</i>  |
| <i>2 bed</i>    | <i>457</i>  |
| <i>3 bed</i>    | <i>257</i>  |
| <i>4 bed</i>    | <i>52</i>   |
| <i>5 bed</i>    | <i>7</i>    |
| <i>6 bed</i>    | <i>2</i>    |
| <i>Total</i>    | <i>1371</i> |

*We would like to see some 3-bedroom dwellings come forward as affordable rented tenure on this scheme. As a reflection of the percentages outlined above, this would equate to 11 x 2 bed dwellings and 5 x 3 bed dwellings. I accept the housing mix proposed for the shared ownership dwellings, but would be happy to have further discussions if you wished to switch any of these dwellings around for the 3 bedroom affordable rented dwellings mentioned.'*

In respect of the amended scheme proposals comment as follows:

*'As I understand it, the amended proposal for the affordable homes on this site are as below:*

*Affordable rent  
15 x 2-bed two-storey  
1 x 3-bed two-storey*

*Shared Ownership  
4 x 2-bed two-storey  
12 x 3-bed two-storey*

*I am happy to support the amended mix above, as my original comments made on 29th March have been considered and reflected in the new proposal'.*

- 5.13 **Cambridgeshire County Council (Growth & Economy):** Updated consultation response in respect of latest scheme layout.

**Early Years Provision:**  $12.35 \times £19,869 = £245,382.15$

Trigger = 50% prior to commencement and remaining balance on 50% occupancy of phase.

**Primary Provision:** Contribution =  $34.45 \times £19,869 = £684,487.05$

Triggers = 50% prior to commencement and remaining balance on 50% occupancy of phase.

**Secondary Provision:** Contribution =  $23.25 \times £24,013 = £558,302.25$

Trigger = 50% prior to commencement and remaining balance on 50% occupancy of phase.

(In accordance with earlier phases of development alternative triggers may be considered, subject to need/viability. As earlier phase triggers are not yet finalised, standard triggers are set out above).

**Library:** Contribution =  $346 \times £58.00$  per head of population increase = £20,068.

Trigger = 100% prior to 50% occupation of development

Monitoring fee £150

- 5.14 **Designing Out Crime Officers:** *'The proposed layout appears to provide for high levels of natural surveillance with pedestrian and vehicle routes in the main, aligned together, open spaces well overlooked, and that pedestrian safety has been considered. Permeability is limited to essential areas/routes only, away from access to rear of properties and this will also (hopefully) provide high levels of territoriality amongst residents which should deter searching behaviour and/or distraction burglary, which targets vulnerable or elderly occupants. Homes demonstrate some defensible space to their front. Use of rear alley access is restricted and where it is used the routes appear direct - I would only ask for self-closures to be fitted to any rear gates.*

*Vehicle parking is in-curtilage to the front/sides of properties, allowing owners the ability to view their vehicles from inside their home from active windows.*

*In regards to external street lighting we would always recommend column lighting across the development. This office would not recommend bollard lighting other than for wayfinding on paths or open space, because it can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided and this office could not support its use when column lighting could be supplied. The Institute of Lighting Professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources - if security lighting is to be supplied to each property we no longer support presence sensing lighting as it produces nuisance switching and become a problem to residents.*

*'Dusk to Dawn' lighting would be recommended. I look forward to seeing a lighting plan when available.*

*I am happy to support the proposed design and layout for this development. Should the developer be considering a Secured by Design application I welcome the opportunity to work with them to ensure they receive a Gold accreditation standard.*

Following re-consultation confirm that they have no further comments at this stage but reiterate that they would wish to be consulted with regard external lighting proposals



*With regard to the latest site layout note that 'I can confirm that this office has reviewed the revised scheme details - we are fully supportive in terms of community safety and reducing vulnerability to crime. The proposals in regard to cycleways and improving footpath links will encourage their use which also increases natural surveillance across the area. No further comments at this time'*

- 5.15 **Cambridgeshire Fire & Rescue Service:** '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. [...]'
- 5.16 **Natural England:** 'Natural England has previously commented on this proposal and made comments to the authority in our letter ref - 328646, dated 05 October 2020. I have included a copy for ease of access.'

The advice provided in our previous response applies equally to this amendment.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

- 5.17 **Local Residents/Interested Parties:** 3 letters of objection have been received, all from residents in Drybread Road, which may be summarised as follows:

Traffic or Highways

- Already a busy road. Would increase the amount of traffic joining Drybread Road.
- The only sensible alternative is for a mini roundabout at the lay by by the Crusaders football field.,
- Concerned about the school and traffic increase going into Peterborough, nobody sticks to 20 miles per hour speed limit in my opinion. Sometimes it's a race track to the corner.
- The roadway will come out directly opposite my property. I have misgivings on the road coming out there, as it would cause a rat run through certain times of the day. Not only saying that it does come out on a road that is only meant to be 20mph. Anyone living on the road knows that this is far from truth they come along a lot faster than that.
- The access road for the football ground is going through the estate.
- If you took the road out near the football ground on the existing layby. Then making a mini roundabout there. This would not only give direct access to the football ground but would also be a way of slowing the traffic on the bend.
- I can foresee an accident happening on this stretch of road.
- Drybread is the main road for Alderman Jacobs School.

**Seven letters of representation have been received** - one on behalf of the Whittlesey Athletic Football Club; one from a Town Councillor, the further 4 letters all originate from Whittlesey residents (2 x Larkspur Way, 1 x Snowley Park, 1 x Drybread Road and 1 x West End)

- Urge the Planning Authority to insist on some level of Affordable Housing and S106 as there are no exceptional costs to build out the phase of this site.
- Please ensure that all roads and shared drives on site are adopted by the Highway Authority and that all houses, even 1 beds, have off road parking plus a few visitor spaces on site.
- *'It would be good to have dual access out of the estate but if the plans do go ahead to have access from Eastrea Road and Drybread Road could the developer and council consider putting in traffic calming measures down Sorrell Avenue and Dandelion Drive to prevent traffic speeding down the already narrow roads?'*
- *'Ideally we would not want the estate to become a cut through for traffic from the A605 as the roads are already narrow and we have cars parked on the road either side as well. Don't really want the estate to be any more of a rat run'.*
- *'I can see from the site plans that there are some green spaces on Phase 3 and Phase 4 can the developer please ensure that these remain wildlife habitats and not clear through established undergrowth where possible. Ensuring that they replace any trees that must be removed for safety'.*
- *'My concern with all the building work going on in Whittlesey is the infrastructure, schools, doctors you struggle to see a doctor as it is, so heaven knows what is going to happen'.*
- *'There needs to be a way of stopping through traffic on to the A605. Living on Phase 2 of this development, the access roads are always partially blocked by cars parking on the road. Increase traffic from Drybread Road using the estate as a cut-through would cause mayhem'.*
- Concern regarding the access facilities and reduction of green space in the area.
- *'it will be possible to access the full width section of Drybread Road (as opposed to the single track section East of this location) from the A605 roundabout' which will 'inevitably increase motorised traffic on Drybread Road at a time when pupils will be travelling to and from the AJS Primary school and SHSCC senior schools. Air-borne pollution from stationary and slow-moving vehicles (this section of Drybread Road is a 20mph zone) which is a potential danger to a cycle route that does not appear on the plans, but is specified in the S106 contribution'.*
- Suggest layout is amended to 'allow access/egress close to plot 72, a roundabout could be constructed to serve the estate and the football playing facility'.
- A roundabout would reduce vehicles speeds and provide better access to the football club
- No green spaces identified as part of Phase 4
- Queries whether electric vehicle charging points could be provided
- On behalf of **Whittlesey Athletic Football Club** (based at Feldale Playing Fields, Drybread Road). *'Despite not being included as part of the neighbour notifications it has come to our attention that this application has an impact on the community hub/playing fields which is mentioned within the highways response.'*

*We are fundamentally not able to fund the moving of our gates accessing our site and would kindly request that this be covered by either the developer or community funding. We note that it appears one potential access is straight on to our main pitch - which we simply cannot alter. We believe this is a great*

*opportunity to enhance our community asset by making the entrance in keeping with the new development, which we would be happy to discuss.*

*From what we can see on the application, it also looks like the entrance would require the removal of some of our existing trees and also be in direct conflict with the current location of our clubhouse - a vital aspect of the clubs survival.*

*We would welcome the opportunity to discuss these matters and any other potential solutions with yourselves and/or the developer to take the opportunity to improve a community asset directly next to the development and one that we hope will provide somewhere the new residents of the development will use and be proud of'.*

## **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**

### **7.1 National Planning Policy Framework (NPPF) (July 2021)**

Para 2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para 10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Para 12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.

Para 34. Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).

Para 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise).

Para 55. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition

Para 56. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects

Chapter 5. Delivering a sufficient supply of homes

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Para 111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Chapter 12. Achieving well-designed places

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

Para 169. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Chapter 15. Conserving and enhancing the natural environment

Chapter 16. Conserving and enhancing the historic environment

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

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

Context: C1 Understand and relate well to the site, its local and wider context; C2 Value heritage, local history and culture

Identity: I1 Respond to existing local character and identity; I2 Well-designed, high quality and attractive; I3 Create character and identity

Built Form: B1 Compact form of development; B2 Appropriate building types and forms

Movement: M2 A clear structure and hierarchy of connected streets; M3 Well-considered parking, servicing and utilities infrastructure for all users

Nature: N1 Provide high quality, green open spaces with a variety of landscapes and activities, including play; N3 Support rich and varied biodiversity

Public Spaces: P2 Provide well-designed spaces that are safe

Uses: U2 A mix of home tenures, types and sizes; U3 Socially inclusive

Homes and Buildings: H1 Healthy, comfortable and safe internal and external environment; H3 Attention to detail: storage, waste, servicing and utilities

Lifespan: L3 A sense of ownership

### **7.4 Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP13 – Supporting and Managing the Impact of a Growing District

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP18 – The Historic Environment

### **Whittlesey Neighbourhood Plan (Draft Plan out to consultation)**

Policy 1 Spatial Strategy

Policy 2 Local Housing Need

Policy 7 Design Quality

Policy 12 Delivering Sustainable Transport

## **8 KEY ISSUES**

- **Principle of Development**
- **Character and visual amenity**
- **Design and residential amenity**
- **Transport and highways**

- **Flood risk**
- **Archaeology**
- **Biodiversity**
- **S106 Obligations**
- **Contamination and construction management**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1 The principle of development was established through the initial grant of outline planning permission, and the subsequent planning permissions issued in respect of Phases 1-3. Whilst it is noted that the original outline was for approximately 460 dwellings and that the current proposal, along with the earlier agreed phases totals 500 dwellings, the layout is such that this arbitrary limit on numbers is not a constraint to development subject to any such increase having no implications in terms of highway safety or indeed other pertinent policy considerations.
- 9.2 It is further noted that the general form of development aligns with the principles first set out in the original Masterplan which accompanied the original outline proposals.
- 9.3 Since this site was last considered the Whittlesey Neighbourhood Plan has been drafted, with the draft plan currently out to consultation. Whilst the emerging plan can be afforded limited weight at this time the development proposed as Phase 4 and the earlier Phases appear to accord with the policies expressed in the emerging plan.

### **Character, visual amenity and design**

- 9.4 Linear development will be maintained along the Drybread Road frontage, and although this will stand forward of No 112 (immediately to the west) there is appropriate separation between properties.
- 9.5 The wider development continues the general themes of the earlier phases and whilst three-storey development is a feature of the proposals these properties are to contain accommodation in their roof spaces and as such they will assimilate within the development without detriment.
- 9.6 No issues are identified in terms of character or visual amenity and the scheme therefore achieves compliance with Policy LP16 of the FLP and the design characteristic themes outlined in the National Design Guide in terms of context and identity.

### **Residential amenity**

- 9.7 As indicated above the scheme largely follows the originally established design principles for the wider site with each dwelling making provision for parking and private amenity space.
- 9.8 Provision is also made for the servicing of the properties with bin storage and collection points having been shown. It is noted that the earlier recommendations of the FDC Refuse team have not been fully accommodated in the latest site layout in terms of the relationship of several of the collection points with the

highway. Swept path details in terms of Refuse Vehicles have been supplied however and found satisfactory.

- 9.9 Revisions to the bin collection points have again been sought from the applicant and it is anticipated that this matter will be resolved in advance of the Committee Meeting; if this is not the case the detail may be secured by way of condition to ensure that this is addressed prior to the occupation of any dwelling within Phase 4.

### **Transport and highways**

- 9.10 The main focus of the objection from the Town Council relates to the access and egress onto both Drybread Road and Eastrea Road, given that they had an expectation that the estate road would be segregated by bollards or similar so as not to allow this. Officers have referred to the original illustrative masterplan for the development and clarified that this did not include such a barrier, nor was it conditioned on the original outline planning permission or required by virtue of the original Section 106 Agreement. Indeed, the Framework Travel Plan clearly stated that 'a vehicle link will be provided between Eastrea Road and Drybread Road'.
- 9.11 Notwithstanding the above the transport 'detail' of the scheme has been through several iterations and the applicants have actively engaged with the Transport Assessment team who are now satisfied that the proposal is acceptable in transport and highway safety terms. Against such a backdrop and noting that there is no strategic requirement or justification for the main access road to be modified to preclude travel from north to south across the estate there would be no grounds to withhold consent in this regard.
- 9.12 With regard to detailed matters of design it is noted that amended details have been shared with the Local Highway Officer who has in turn forwarded these on to the LPA. It has been indicated that the revised detail addresses matters raised in the latest consultation response and detailed conditions are awaited.
- 9.13 As per Para. 111 of the NPPF (2021) development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. It is clear that there are no highway constraints which would warrant the scheme not receiving a favourable consideration and compliance with Policy LP15 has been demonstrated through the various iterations of the Transport Assessment and technical details.
- 9.14 It is noted that the access to the Football Club falls outside the application site boundary and will be the subject of a separate planning submission; accordingly an appropriate condition would need to be imposed on any grant of planning permission to ensure that this is secured at an appropriate stage within the delivery programme for Phase 4; to ensure access to this facility is uninterrupted.

### **Flood risk**

- 9.15 The site is within a flood zone 1 area, however as a major scheme proposal it is necessary to secure the approval of the Lead Local Flood Authority with regard to drainage proposals. The LLFA have confirmed that the proposed surface water drainage strategy is acceptable and subject to safeguarding conditions relating to the scheme being delivered in accordance with the principles outlined in the

submitted Flood Risk Assessment and that details of the long-term maintenance strategy for the surface water drainage systems are secured. Subject to these conditions the scheme will comply with Policy LP14 of the Fenland Local Plan 2014.

## **Archaeology**

- 9.16 The wider site has been the subject of archaeological investigation however there is a requirement to refresh the Written Scheme of Investigation to cover the northern area of the site. It was also identified in the consultation response from the CCC Archaeology Team that the results of the Phase 1 & 2 investigations remain to be presented. A bespoke condition has been recommended to deal with both matters and the wording is reproduced in the relevant section of this report below.
- 9.17 The imposition of the condition as recommended with ensure compliance with FLP Policy LP18 and the requirements of the NPPF with regard to heritage assets.

## **Biodiversity**

- 9.18 The PCC Wildlife Officer raises no objection to the scheme albeit certain shortfalls are identified in the submission with regard to the formal of the report when applying *CIEEM* guidance. Notwithstanding this it was noted in their consultation response that the matters of concern could be dealt with post decision by condition; with a range of targeted conditions recommended relating to the submission of a Construction Environmental Management Plan (CEMP) , specifications for the 'wildlife enhancement' measures , the inclusion of hedgehog holes within the boundary treatments and that no vegetation is removed during the bird nesting season.

## **S106 Obligations**

- 9.19 As a phased scheme matters of open space have been addressed elsewhere within the site, however it is noted that the scheme is compliant in terms of affordable housing provision and has been amended through negotiation to accommodate recommendations made by the Housing Strategy team.
- 9.20 In addition, there is a commitment to meet the policy obligations in terms of education and lifelong learning and details of the contributions attracted by the development are quoted at Section 5.14 of this report. Subject to these obligations being secured by S106 the scheme may be deemed fully compliant with Policy LP13 of the FLP (2014).

## **Contamination and construction management**

- 9.21 It is noted that the wider site has been the subject of an Exploratory Investigation with regard to potential ground contamination which has previously been accepted by the FDC Environmental Protection team as showing the current application site has been deemed suitable for its intended end use; however given the scale of the site it is recommended that the unsuspected contamination condition be imposed as a safeguarding measure.
- 9.22 It is also recommended that the applicant should ensure measures to address noise and dust are implemented and maintained throughout construction given

that sensitive receptors exist West and South of the application site and a condition is recommended in this regard, it is noted that such matters were not conditioned on earlier phases and as such it is not considered appropriate to impose such a condition. This aligns with both the condition 'tests' outlined in Para. 56 of the NPPF and Paragraph: 005 Reference ID: 21a-005-20190723 of Planning Policy Guidance which outlines the that conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning

## **Other Matters**

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

The applicant has been consulted on the proposed conditions and confirmation is awaited to their agreement to the same; subject to this agreement being forthcoming (this to be reported to the Planning Committee) the consent would be granted in accordance with the of section 100ZA (5) have been met.

The proposed conditions are as follows:

- (2) Vehicular access to Sports facilities
- (6) Archaeology
- (15) Construction Environmental Management Plan
- (16) Levels
- (19) Construction Ecological Management Plan

## **10 CONCLUSIONS**

- 10.1 This submission relates to the final phase of a residential development first granted outline planning permission in 2010 for approximately 460 dwellings along with an extra care facility. Whilst this final phase will see an increase regarding the number of dwellings to be delivered cumulatively there are no technical issues which would render this increase unacceptable.
- 10.2 Robust assessment of the transport impacts has been undertaken by the CCC Transport Assessment Team and revisions have been secured to the scheme to deliver a dedicated access to the Whittlesey Athletic Football Club sports facility along with a cycleway which aligns with the recommendations of the Local Highways Officer.
- 10.3 The scheme as outlined will make appropriate provision for affordable housing and will make contributions towards Education and Libraries in line with policy.
- 10.4 There are no policy or material considerations which would indicate that the scheme as detailed should not receive a favourable recommendation.

## **11 RECOMMENDATION: Grant subject to:**

1. That the Committee delegates authority to finalise the planning conditions to the Head of Planning, and



2. Following completion of the S106 obligation to secure the necessary contributions and affordable housing as detailed in this report, application F/YR20/0861/F be granted subject to conditions.

OR

3. Refuse the application in the event that the S.106 agreement referred to above has not been completed within 4 months and that the applicant is unwilling to agree to an extended period of determination to accommodate this, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

## Conditions

|   |   |
|---|---|
| 1 | <p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>   |
| 2 | <p>No development shall commence until a timetable for the delivery of the vehicular access to the sports facilities to north-east of the application site, as illustrated on drawing number MA1140/SK02 Rev D, has been submitted to and agreed in writing by the Local Planning Authority. With this access being delivered in full accordance with the timings agreed.</p> <p>Reason – To define the scope of the consent and to maintain access to the adjacent sports facility.</p>  |
| 3 | <p>Prior to first occupation of the development, a 3m wide shared footway/ cycleway on the southern side of Drybread Road between Coronation Avenue and the new Whittlesey Athletic Football Ground access shall be provided. Details to have previously been submitted to and approved in writing by the Local Planning Authority and works to be carried out in accordance with the approved details</p> <p>Reason - In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>   |
| 4 | <p>No above ground works shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing 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 Flood Risk Assessment Addendum Report for Phase 4 Area prepared by Millward Partnership Limited (ref: MA11140/JMcK/FRA/L01A) dated September 2020 and shall also include:</p> <ul style="list-style-type: none"> <li>a) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;</li> <li>b) Full details of the proposed attenuation and flow control measures;</li> <li>c) Temporary storage facilities if the development is to be phased;</li> <li>d) A timetable for implementation if the development is to be phased;</li> <li>e) Details of overland flood flow routes in the event of system exceedance, with demonstration</li> </ul> |

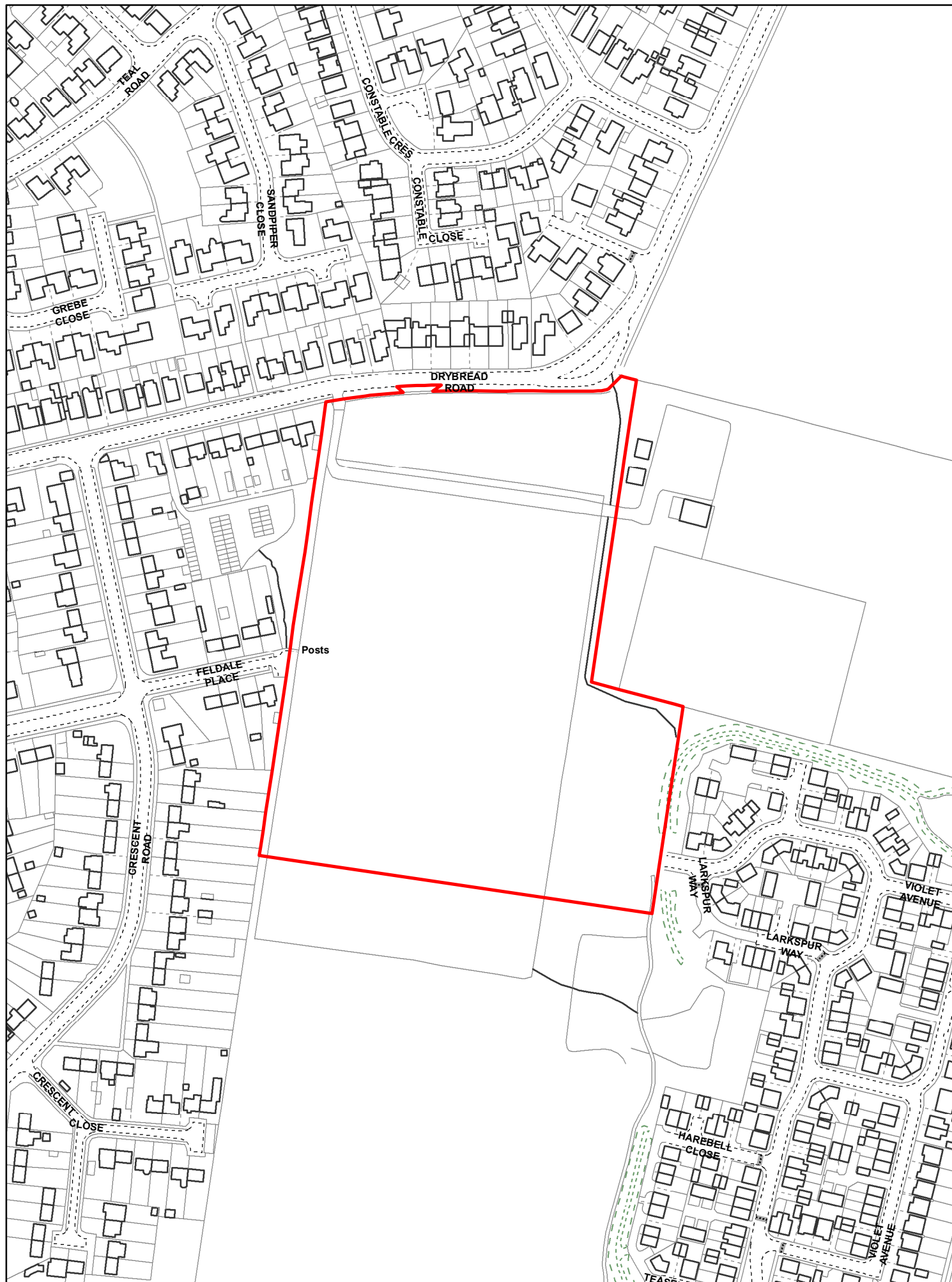
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|   | <p>that such flows can be appropriately managed on site without increasing flood risk to occupants;</p> <p>f) Measures taken to prevent pollution of the receiving surface water</p> <p>The drainage scheme must adhere to the hierarchy of drainage 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 increased flood risk on or off site resulting from the proposed development</p>  |
| 5 | <p>Details for the long-term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.</p> <p>Reason -To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.</p>   |
| 6 | <p>No development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI which shall include:</p> <ul style="list-style-type: none"> <li>a) the statement of significance and research objectives;</li> <li>b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</li> <li>c) The programme for post-excavation assessment of all of the landscape archaeology programme for Bassenhally Farm and subsequent analysis, reporting, publication &amp; dissemination, and deposition of the resulting archive. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.</li> </ul> <p>Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme. A brief for the archaeological work can be obtained from the Historic Environment Team at Cambridgeshire County Council.</p> <p>Reason - To ensure that the significance of historic environment assets is conserved in line with NPPF section 16.</p> |
| 7 | <p>Prior to the first occupation of any part 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</p>   |

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|    | 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.  |
| 8  | <p>Within 6-months of the commencement of development hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of occupation of any dwellings and retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.</p>   |
| 9  | <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.</p> <p>Reason - To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.</p>                               |
| 10 | <p>Prior to the first occupation of any dwelling which forms part of this development details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 198 or a Private Management and Maintenance Company has been established).</p> <p>Reason - To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy LP15 of the Fenland Local Plan (2014)</p> |
| 11 | <p>Prior to the commencement of highway works detailed plans of the roads, footways and cycle ways shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.</p> <p>Reason - To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy LP15 of the Fenland Local Plan (2014)</p>  |
| 12 | <p>Prior to the first occupation of any dwelling the roads and footways shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road.</p> <p>Reason - To ensure satisfactory development of the site and a satisfactory standard of highway design and construction in accordance with Policy LP15 of the Fenland Local Plan (2014)</p>   |

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| 13 | <p>Prior to the first occupation of individual dwellings their associated on-site parking /turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use.</p> <p>Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>  |
| 14 | <p>Prior to first occupation of any part of the development hereby approved, the developer shall be responsible for the provision and implementation of a Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include the provision of bus taster tickets and/or cycle discount vouchers. The Travel Plan is to be monitored annually, with all measures reviewed to ensure targets are met</p> <p>Reason – To enhance accessibility and increase the use of non-car modes of travel through the influencing of travel choices in line with Policy LP15 of the Fenland Local Plan (2014) thereby securing modal shift.</p>   |
| 15 | <p>No development shall take place until a construction environment management plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:</p> <ul style="list-style-type: none"> <li>- Parking of vehicle of site operatives and visitors</li> <li>- Routes for construction traffic</li> <li>- Hours of operation</li> <li>- Method of prevention of mud being carried onto highway</li> <li>- Pedestrian and cyclist protection</li> <li>- Any proposed temporary traffic restrictions and proposals for associated safety signage</li> </ul> <p>Reason - In the interests of safe operation of the highway in accordance with policy LP15 of the Fenland Local Plan (adopted May 2014).</p> |
| 16 | <p>Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details.</p> <p>Reason - To ensure that the precise height of the development can be considered in relation to adjoining dwellings in accordance with policy LP16(d and e) of the Fenland Local Plan (adopted May 2014).</p>  |
| 17 | <p>Prior to the first planting season following commencement of works on site full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:</p> <ul style="list-style-type: none"> <li>a) Means of enclosure, which shall include provision of adequate gaps at ground level to support hedgehog movement.</li> <li>b) Car parking layout</li> <li>c) Vehicle and pedestrian access and circulation areas</li> <li>d) Hard surfacing, other hard landscape features and materials</li> </ul>   |

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|    | <p>e) Existing trees, hedges or other soft features to be retained</p> <p>f) Planting plans, including specifications of species, sizes, planting centres number and percentage mix and incorporating a range of native tree and shrub species</p> <p>g) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife</p> <p>h) Details of siting and timing of all construction activities to avoid harm to all nature conservation features</p> <p>i) Location of service runs</p> <p>j) Management and maintenance details</p> <p>Reason - The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted and to ensure compliance with Policy LP18 of the FLP (2014)</p> |
| 18 | <p>All vegetation clearance at the site shall only take place outside the bird breeding season of 1st March to 31st August inclusive.</p> <p>Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of Local Plan Policy LP18 of the FLP</p>   |
| 19 | <p>A Construction Ecological Management Plan (CEMP) should be submitted prior to commencement of any development on the site this should include a suite of precautionary working measures for biodiversity (called 'biodiversity safeguards') informed by the Extended Phase 1 Survey of Land at Bassenhally Farm, Whittlesey produced by Hillier Ecology dated March 2020.</p> <p>Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act and Local Plan Policy LP18 of the FLP</p>  |
| 20 | <p>The biodiversity protection and enhancement measures to be submitted in respect of Condition 15 (g) shall include:</p> <p>(i) <i>Precise specifications for the 'ecological enhancement' measures on drawing L ---/ECOENHANCE/01</i></p> <p>(ii) <i>Full boundary treatment details indicating the positions of all hedgehog holes</i></p> <p>These details, together with a timetable for implementation, shall be submitted to and agreed by the LPA prior to the occupation of development and shall be fully implemented in accordance with the agreed details in accordance with the agreed timetable.</p> <p>Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act and to provide biodiversity mitigation in line with the aims of Local Plan Policy LP18 of the FLP.</p>   |
| 21 | <p>Should no development take place within two years from the date of permission being granted, an updated ecological survey be required to take place.</p> <p>Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act and to ensure that due consideration is given to the biodiversity on the site in line with the aims of Local Plan Policy LP18 of the</p>  |

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|    | FLP   |
| 22 | <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p> <p>Reason - For the avoidance of doubt and in the interest of proper planning.</p> |



Created on: 22/09/2020

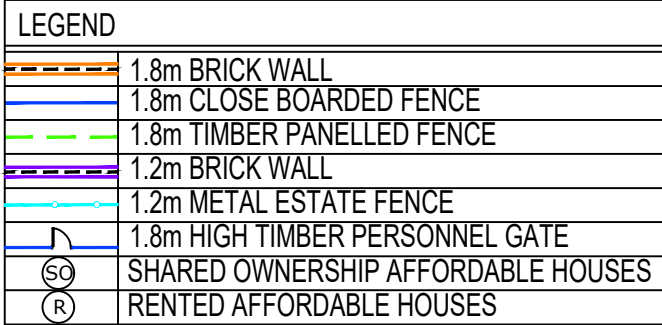
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Scale = 1:2,500







| Market    |      |         |      |          |          |
|-----------|------|---------|------|----------|----------|
| Housetype | #†   | Storeys | Beds | Quantity | Total #† |
| 2228      | 732  | 2       | 2    | 3        | 2196     |
| 2310      | 894  | 2       | 3    | 9        | 8046     |
| 2318      | 971  | 2       | 3    | 10       | 9710     |
| 2324      | 981  | 2       | 3    | 18       | 17658    |
| 2329      | 934  | 2       | 3    | 15       | 14010    |
| 2440      | 1436 | 2       | 4    | 9        | 12924    |
| 2432      | 1229 | 2       | 4    | 7        | 8603     |
| 2433      | 1260 | 2       | 4    | 6        | 7560     |
| 2434      | 1299 | 2       | 4    | 4        | 5196     |
| 3311      | 994  | 2.5     | 3    | 18       | 17892    |
| 3402      | 1275 | 2.5     | 4    | 8        | 10200    |

| Shared Ownership |     |         |      |          |           |
|------------------|-----|---------|------|----------|-----------|
| Housetype        | ft² | Storeys | Beds | Quantity | Total ft² |
| 2228             | 732 | 2       | 2    | 4        | 2928      |
| 2324             | 981 | 2       | 3    | 2        | 1962      |
| 2329             | 934 | 2       | 3    | 5        | 4670      |

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|          |          |   |       |
|----------|----------|---|-------|
| K        | 17.01.22 | Affordable bikes & spilt updated.   |       |
| J        | 11.08.21 | Cycle paths & Bin collection point altered.   | DAW   |
| H        | 20.05.21 | turning area extended outside playground 115-117.   |       |
| G        | 17.05.21 | Access to Pump Station (Phase 3) added. 1.5m utility margin added to road side of cycle path, gravelly drives widened for delivery vehicle tracking, plot 46 now rented and plot 53 now shared ownership. | DAW   |
| F        | 29.04.21 | Access off Dyedred Rd extended, pedestrian gate access added back for school access. 1.5m utility margin removed.   | DAW   |
| E        | 20.04.21 | Access off Dyedred Rd extended with 8m radii.   | DAW   |
| D        | 07.04.21 | Cycleway extended to East, 3x crossings removed along spine road. Planning and highways consent 19/04/2021 amended to remove access to field and provide alternative access off Dyedred Rd.               | DAW   |
| C        | 02.03.21 | Bin storage area moved to 115-117.  | DAW   |
| B        | 26.02.21 | Revised layout to reduce house type numbers and address highways constraints.   | DAW   |
| A        | 08.09.20 | Plot line finalised.  | DAW   |
| REVISION | DATE     | DESCRIPTION   | DRAWN |

|   |                               |  |                                 |
|---|-------------------------------|--|---------------------------------|
|  <p><b>ALLISON</b><br/>HOMES</p> |                               | <p>ALLISON HOMES<br/>LARKFLEET HOUSE<br/>SOUTHFIELDS BUSINESS PARK<br/>BOURNE<br/>LINCOLNSHIRE<br/>PE10 0FF</p> <p>TEL: 01778 391550</p> |                                 |
| <p>PROJECT</p> <p><b>WHITTLESEY<br/>PHASE 4</b></p>   |                               |  |                                 |
| <p>DRAWING TITLE</p> <p><b>PROPOSED SITE LAYOUT</b></p>   |                               |  |                                 |
| <p>SCALE</p> <p>1:500 @ A1</p>  | <p>DATE</p> <p>07.07.2020</p> | <p>DRAWN</p> <p>AB</p>   | <p>APPROVED</p> <p>-</p>        |
| <p>DRAWING NO.</p> <p><b>L---/SITE/01</b></p>   |                               |  | <p>REVISION</p> <p><b>K</b></p> |