
F/YR23/1033/F

**Applicant: Urban Developments
Peterborough Ltd**

**Agent: Ms Kate Wood
Eddisons Barker Storey Matthews**

Land South Of 88 West Street, Chatteris, Cambridgeshire

Erect 21 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 2 x 2-storey 4-bed) with associated access works, parking and landscaping, and the formation of attenuation ponds, involving the demolition of existing buildings.

Officer Recommendation: Grant

Reason for Committee: Amendments to S106 agreement following resolution of Members on 23rd July 2025

1. EXECUTIVE SUMMARY

- 1.1 The application was reported to Planning Committee on 23rd July 2025 (original committee report is provided at appendix 1) whereby Members resolved to grant planning permission subject to completion of a Section 106 Agreement. The original report is appended to this update.
- 1.2 At that time the scheme comprised 21 dwellings on a 1.34 hectare site. The resolution secured:
- 5 affordable housing units on site comprising 4 x 2 bed dwellings and 1 x 3 bed dwelling on Plots 11 to 14 and Plot 21
 - On site open space provision in excess of the 22 percent requirement, albeit with reduced usability due to drainage attenuation features
 - Financial contributions totalling £207, 299.14 requested by statutory consultees. These consisted of:
 - NHS contribution of £18,054.14
 - Cambridgeshire County Council contributions comprising:
 - £32,226 early years
 - £76,749 primary education
 - £77,022 secondary education
 - £3,098 library services

- £150 monitoring fee

1.3 The agent confirmed agreement to these contributions on 20 June 2025.

1.4 Following the Committee resolution, but prior to the signing of the S106 and subsequently a decision notice being issued, the applicant submitted a viability review contending that the scheme is no longer capable of supporting the agreed level of affordable housing and financial contributions.

1.5 The Council commissioned an independent review of the submitted appraisal and following negotiation and further review by a quantity surveyor, given the abnormal costings, it was concluded that the scheme could viably deliver either:

- No affordable housing and £186,500 in financial contributions, or
- 2 affordable units and no financial contributions

1.6 These options materially alter the obligations previously resolved by Members and therefore require reconsideration.

1.7 Since the Committee resolution in July 2025 the Emerging Local Plan has been withdrawn. This does not materially alter the assessment of the proposal which continues to be determined against the adopted 2014 Local Plan. Similarly, the Developer Contributions SPD 2015 has been withdrawn and replaced by the Planning Obligations Interim Guidance Note adopted on 5 March 2026.

1.8 The principle of residential development in this location remains acceptable. The site forms a small extension to an established market town. There were no substantive concerns previously identified in relation to character, design, residential amenity, highways, ecology or drainage

1.9 Part of the site lies within Flood Zones 2 and 3. The majority of built form, excluding parts of turning heads and parking areas, lies within Flood Zone 1. While the application does not fully satisfy the sequential or exceptions tests, it was previously concluded that future residents would not be exposed to unacceptable flood risk and this position remains unchanged.

1.10 County Highways have confirmed that the internal layout and parking provision are acceptable. The realigned legal width of the public right of way was confirmed by a Definitive Map Modification Order dated 24 January 2025.

1.11 The only matter requiring reassessment is the overall planning balance in light of the revised viability evidence.

1.12 The proposal results in a clear shortfall in affordable housing provision and a limited shortfall in infrastructure contributions. These harms attract substantial and moderate negative weight respectively.

1.13 However, the viability evidence has been independently reviewed and demonstrates

that full policy compliance would render the scheme undeliverable. In such circumstances, whereby the principle of development has been accepted, some contribution towards infrastructure is preferable to none. In this instance, securing £186,500 would provide wider and more immediate community benefit than the delivery of 2 affordable units in isolation and without supporting infrastructure.

- 1.14 Taking all matters into account and having regard to the previously accepted merits of the scheme in all other respects, it is considered that the benefits of the development, including the delivery of housing and infrastructure contributions, outweigh the identified harm arising from the reduced planning obligations.
- 1.15 On balance, the proposal is considered acceptable and planning permission can be granted subject to completion of a Section 106 Agreement.

2. UPDATE

- 2.1 Following the Committee resolution of the 23rd July 2025, but prior to the signing of the S106 and subsequently a decision notice being issued, the applicant submitted a viability review contending that the scheme is no longer capable of supporting the agreed level of affordable housing and financial contributions.
- 2.2 The Council commissioned an independent review of the submitted appraisal. The initial independent position concluded that the scheme could viably deliver either:
- 5 affordable units and £125,000 in financial contributions, or
 - 3 affordable units and £207,149 in financial contributions
- 2.3 This conclusion was disputed by the applicant. Abnormal costs and site-specific constraints were further examined by a Quantity Surveyor. Following this additional review, it was concluded that the scheme could viably support either:
- No affordable housing and £186,500 in financial contributions, or
 - 2 affordable units and no financial contributions
- 2.4 These options materially alter the obligations previously resolved by Members and therefore require reconsideration.

Policy Context Since Resolution

- 2.5 Since the Committee resolution in July 2025:
- The Emerging Local Plan has been withdrawn. This does not materially alter the assessment of the proposal which continues to be determined against the adopted 2014 Local Plan.
 - The Developer Contributions SPD 2015 has been withdrawn and replaced by the Planning Obligations Interim Guidance Note adopted on 5 March 2026.

- 2.6 The Interim Guidance Note is based on Policy LP13 and requires 25% affordable housing on schemes over 10 dwellings but does not materially alter the contributions in terms of education or healthcare. This guidance also provides greater clarity in respect of open space contributions.
- 2.7 The principle of residential development in this location remains acceptable. The site forms a small extension to an established market town. There were no substantive concerns previously identified in relation to character, design, residential amenity, highways, ecology or drainage.
- 2.8 Part of the site lies within Flood Zones 2 and 3. The majority of built form, excluding parts of turning heads and parking areas, lies within Flood Zone 1. While the application does not fully satisfy the sequential or exceptions tests, it was previously concluded that future residents would not be exposed to unacceptable flood risk and this position remains unchanged.
- 2.9 County Highways have confirmed that the internal layout and parking provision are acceptable. The realigned legal width of the public right of way was confirmed by a Definitive Map Modification Order dated 24 January 2025.
- 2.10 The only matter requiring reassessment is the overall planning balance in light of the revised viability evidence.

3. CONSULTATIONS

- 3.1 The application is currently undergoing a re-consultation, any consultations received prior to the meeting will be provided via a members update where possible.

4. ASSESSMENT AND CONCLUSIONS

Infrastructure Contributions

- 4.1 Policy LP5 and LP13 of the Local Plan alongside guidance within the National Planning Policy Framework require development to contribute positively to local communities, including through affordable housing and supporting infrastructure.

Affordable Housing

- 4.2 For a scheme of 21 dwellings, policy requires 25 percent on site affordable housing, equating to 5 units.
- 4.3 The revised viability position indicates that the scheme can deliver either:
- 2 affordable units and no financial contributions, or
 - No affordable housing and £186,500 in financial contributions

- 4.4 The absence of policy compliant affordable housing gives rise to identifiable harm. The Council can demonstrate a five-year housing land supply. As such, the delivery of additional market housing attracts limited weight, and the tilted balance is not engaged.
- 4.5 The 2014 Local Plan is informed by the Strategic Housing Market Assessment 2012 which identified a need for 3,527 affordable dwellings over the plan period. Between 1 April 2011 and 31 March 2025, 947 gross affordable dwellings were completed. This equates to approximately 176 per annum and results in a significant historic shortfall.
- 4.6 The Fenland Monitoring Report 2024 to 2025 confirms that 137 affordable homes were completed in the most recent monitoring year. In addition, planning permission was granted on 27 June 2025 for 70 affordable dwellings at land north of 70 West Street, Chatteris under reference F/YR23/0940/F. While this carries limited weight, it demonstrates continued delivery within the District.
- 4.7 If affordable housing were to be secured via a commuted sum, the calculation would be based on:
- 70 percent rented tenure at 55 percent of open market value
 - 30 percent shared ownership at 65 percent of open market value
- 4.8 Based on an agreed open market value, as set out in the viability review, of £357,033 per dwelling, the policy compliant commuted sum for 5 units would equate to £1,053,247.35.
- 4.9 The viability evidence demonstrates that such a sum is not deliverable. The provision of 2 units would also fall short of policy requirements and would conflict with the Local Plan approach that schemes of this scale should secure affordable housing through financial contribution/off-site provision, where fewer than 10 units are provided.
- 4.10 The failure to deliver policy compliant affordable housing attracts substantial negative weight.

Education and Health Contributions

- 4.11 The total requested infrastructure contributions amount to £207,299.14.
- 4.12 The revised viability position indicates that, in the absence of affordable housing, £186,500 could be delivered. This results in a shortfall of £20,799.14 against the requested sum.
- 4.13 On the basis of independently reviewed evidence, it is accepted that the full contributions cannot be viably supported. However, the lack of full mitigation for

additional pressure on local GP practices and education facilities weighs negatively in the planning balance.

- 4.14 It is noted that the recently approved 70 dwelling affordable scheme did not secure education or NHS contributions. While this is of limited direct relevance, it highlights cumulative pressures on local infrastructure.

Open Space

- 4.15 Under the withdrawn Developer Contributions SPD, 22% of the site area was required as open space. The scheme provides on-site open space in excess of this percentage, although its usability is affected by drainage attenuation features. This was previously accepted by Members.
- 4.16 The Planning Obligations Interim Guidance Note now requires financial contributions for sites between 0.5 and 10 hectares delivering more than 15 dwellings.
- 4.17 For this scheme of 21 dwellings comprising 4 x 2 bed, 15 x 3 bed and 2 x 4 bed units, the required contributions would be £35,937, calculated as follows:

	Open Space	Children's Play
2 Bed X 4	£2,432	£2,844
3 Bed X 15	£12,195	£14,250
4+ Bed X 2	£1944	£2,272
Totals	£16,571	£19,366
Total	£35,937	

- 4.18 Appendix B of the Local Plan confirms that open space requirements must be assessed on a site-specific basis. Although the Interim Guidance Note indicates that financial contributions will be sought, the scheme provides onsite open space to a level previously considered acceptable.
- 4.19 Given the viability constraints and the existing on site provision, it is considered reasonable in this instance to secure the on-site open space through the Section 106 Agreement together with arrangements for its long-term maintenance, in lieu of a financial contribution.

Planning Balance

- 4.20 The principle of residential development on this site has previously been accepted by Members and remains unchanged. The proposal represents an extension to an established market town in a sustainable location. There are no outstanding

concerns in respect of design, character, residential amenity, highways, ecology or drainage. Subject to conditions, the development is acceptable in all other material planning respects.

- 4.21 The matter requiring reconsideration is the reduction in planning obligations arising from the updated viability evidence.
- 4.22 As outlined above, when the application was previously reported to Planning Committee it proposed a policy compliant level of contributions, including affordable housing and NHS. A subsequent viability assessment has since been submitted which demonstrates that the scheme is unable to support this level of financial contribution. While the Council accepts the viability constraints identified, this does not remove or automatically outweigh the resulting conflict with the Council's adopted policy.
- 4.23 The scheme would fail to deliver policy compliant affordable housing. Policy requires 5 on site affordable units. The viability evidence indicates that this cannot be achieved and that the realistic options are either 2 units with no infrastructure contributions or no affordable housing with £186,500 in financial contributions.
- 4.24 There is a clear and evidenced need for affordable housing across the district. The failure to secure policy compliant provision attracts substantial negative weight. The Council can demonstrate a five year housing land supply and therefore the delivery of additional market housing attracts moderate weight only.
- 4.25 In addition, the proposal cannot fully meet the requested infrastructure contributions. A shortfall of £20,799.14 would arise if £186,500 were secured in lieu of the full £207,299.14 requested. This would result in partial mitigation only of impacts on local education and health services. That shortfall weighs negatively in the overall balance.
- 4.26 Notwithstanding the above, the scheme would deliver 21 dwellings on previously developed land, in a sustainable location, contributing to housing availability and local economic contributions during both construction and occupation.
- 4.27 Importantly, the independently reviewed viability evidence confirms that the development cannot viably support both affordable housing and full infrastructure contributions.
- 4.28 Therefore, consideration is required as to whether the provision of housing in this location is acceptable without the necessary contributions to mitigate the harm from the development and if so, which option delivers the greater overall public benefit.

Viability Position and Acceptability

- 4.29 It is accepted that viability is a material planning consideration and that the Local Planning Authority must give due regard to robustly assessed evidence demonstrating that full policy compliance would render a scheme undeliverable. However, the reduced level of planning obligations gives rise to clear and identifiable harm and conflict with both adopted policy and Government guidance. In particular, the under provision of contributions towards education and healthcare infrastructure weighs negatively in the planning balance, as does the absence of affordable housing provision in the district, where there is an evidenced and persistent need.
- 4.30 The Council can demonstrate a healthy five year housing land supply. As such, the delivery of additional market housing in this instance attracts only moderate weight and does not engage the tilted balance in national policy. In this context, the failure to secure policy compliant affordable housing and full infrastructure contributions must be afforded substantial weight.
- 4.31 Notwithstanding this, it is recognised that viability constraints are a longstanding and well evidenced issue within Fenland. The Council has historically accepted reduced planning obligations where this has been justified through robust and independently reviewed viability evidence. A consistent approach in this regard is an important material consideration and carries moderate weight in the decision making process.
- 4.32 In addition, the proposal represents the redevelopment of a brownfield site in a sustainable location adjoining an established settlement. Such development is supported by both national and local planning policy objectives. Whilst the under provision of mitigation is regrettable, the reuse of previously developed land and the delivery of housing in a sustainable location weigh in favour of the scheme.
- 4.33 On balance, and having regard to the viability evidence, it is considered that in this instance the reduced level of planning obligations, when compared to the benefits of the scheme, is considered to not result in such harm as to warrant a reason for refusal.

Allocation of Funds

- 4.34 The financial contributions now proposed fall short of meeting the full range of obligations required to make the development acceptable in planning terms. In light of this shortfall, it becomes necessary to consider how the limited funds available can be directed to secure the greatest overall planning benefit. This requires a balanced assessment of which obligations are most critical to mitigating the impacts of the development and ensuring compliance with the Council's adopted policy framework.
- 4.35 In this context, securing £186,500 towards education and healthcare infrastructure would provide direct, tangible and immediate mitigation for a significant percentage of the impacts arising from the development. These contributions would support existing services that will experience additional pressure as a result of population

growth, ensuring that the development integrates more effectively with the existing community and does not place undue strain on local facilities.

- 4.36 By contrast, the provision of two affordable units would fall significantly below the policy requirement for five units and would represent a fragmented and limited contribution towards meeting identified housing need. Furthermore, the financial contribution deemed viable, as discussed in the preceding section, whilst going a fair way in terms of affordable housing, does not even cover the financial contribution towards one dwelling.
- 4.37 Given the scale of affordable housing need across the district, as evidenced in the adopted Local Plan and monitoring data, the delivery of two units in isolation would not materially influence overall supply or address the identified shortfall in any meaningful way. The benefit arising from such limited provision is therefore afforded only modest weight. Furthermore, while the need for affordable housing is recognised as a district wide priority, any financial contribution in lieu of on-site provision could not be guaranteed to deliver affordable homes in close proximity to the application site. As a result, the absence of affordable housing financial contribution within this scheme has a less direct and immediate impact on neighbouring residents than other obligations that relate more specifically to the local area.
- 4.38 In contrast, infrastructure contributions benefit both existing and future residents and align with the requirement for development to mitigate its own impacts in a fair and proportionate manner. The delivery of financial contributions towards education and healthcare is therefore considered to represent a more effective and equitable form of mitigation in this case.
- 4.39 For these reasons, and having regard to the viability constraints, the option of securing £186,500 towards education and healthcare infrastructure (to be split so each receives 90% of the original amounts) is considered to deliver greater overall public benefit than the provision of two affordable units without supporting contributions.

5. CONCLUSION

- 5.1 The proposal results in a clear shortfall in affordable housing provision and a limited shortfall in infrastructure contributions. These harms attract substantial and moderate negative weight respectively.
- 5.2 However, the viability evidence has been independently reviewed and demonstrates that full policy compliance would render the scheme undeliverable. In such circumstances, whereby the principle of development has been accepted, some contribution towards infrastructure is preferable to none. In this instance, securing £186,500 would provide wider and more immediate community benefit than the delivery of 2 affordable units in isolation and without supporting infrastructure.
- 5.3 Taking all matters into account and having regard to the previously accepted merits of the scheme in all other respects, it is considered that the benefits of the

development, including the delivery of housing and infrastructure contributions, outweigh the identified harm arising from the reduced planning obligations.

- 5.4 On balance, the proposal is considered acceptable and planning permission can be granted subject to completion of a Section 106 Agreement.

6. RECOMMENDATION

Members are recommended to APPROVE the application in accordance with the following terms;

1. The Committee delegates authority to finalise the terms and completion of the Section 106 legal agreement and planning conditions (proposed draft conditions are included below) to the Head of Planning; and,
2. Following the completion of the Section 106, application F/YR23/1033/F be approved subject to the draft planning conditions set out below,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the Section 106 legal agreement, 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 other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roofs are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
3	<p>The first floor side elevation windows in Plots 3, 10, 11 and 15 shall be glazed with obscure glass and so maintained in perpetuity thereafter.</p> <p>Reason - To safeguard the amenities of future residents and the amenity currently</p>

	enjoyed by the occupants of adjoining dwellings.
4	<p>Prior to first occupation of the development hereby permitted the areas of Public Open Space, including footpaths, as shown on the approved plans will be delivered in full and retained in perpetuity and shall be managed and maintained in accordance with details to have previously been submitted to and agreed in writing with the Local Planning Authority.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
5	<p>Prior to the first occupation of the relevant dwelling hereby approved, the associated on-site parking shall be provided in accordance with the approved plans. Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of occupiers for each dwelling of the approved scheme and shall not be used for any other purpose.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
6	<p>Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan 2014.</p>
7	<p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ul style="list-style-type: none"> a. The statement of significance and research objectives; b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c. The timetable for the field investigation as part of the development programme; d. The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives. <p>Reason: To safeguard archaeological assets within the approved development</p>

	<p>boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (DLUHC 2023).</p> <p>Informative</p> <p>Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI. A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges.</p>
8	<p>No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been 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"> a) hard surfacing, other hard landscape features and materials b) existing trees, hedges or other soft features to be retained c) planting plans, including specifications of species, sizes, planting centres number and percentage mix d) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife e) details of siting and timing of all construction activities to avoid harm to all nature conservation features f) location of service runs g) management and maintenance details <p>The approved hard landscaping scheme shall be carried out with regard to the dwelling to which it relates, prior to the occupation of that dwelling and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.</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 in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>

9	<p>Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. A proposed topography plan shall be provided which shows the site topography for the approved site and adjacent neighbouring land. The development shall be constructed and retained in accordance with the details so approved.</p> <p>Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.</p> <p>Reason: To reduce the risk of flooding of the development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 14 of the Fenland Local Plan, 2014 and Section 14 of the National Planning Policy Framework, December 2023.</p>
10	<p>Prior to the first occupation of the relevant dwelling hereby approved, boundary treatment shall be installed in accordance with the approved plan 6343/PL20D and retained in perpetuity.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
11	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:</p> <p>i) the erection of any walls, fences or other means of enclosure to the frontage boundary to all plots (as detailed in Schedule 2, Part 2, Class A).</p> <p>Reasons:</p> <ol style="list-style-type: none"> 1. To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity and character of this part of the area in which it is set in accordance with Policies LP16 and LP18 of the Fenland Local Plan 2014. 2. To prevent the restriction of movement along the West Street public byway at the open frontage of Plots 1 and 2 of the approved development.
12	<p>Notwithstanding the submitted details, no development shall commence until a</p>

Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the consideration of the following aspects of construction:

- a) Construction programme;
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures;
- c) Details of a temporary facilities area clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction;
- d) Details of restricted Construction hours;
- e) Details of restricted Delivery times and collections;
- f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites;
- g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate;
- h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways;
- i) Use of concrete crushers;
- j) Prohibition of the burning of waste on site during demolition/construction;
- k) Site artificial lighting including hours of operation, position and impact on neighbouring properties;
- l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- m) Screening and hoarding details;
- n) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures;
- p) External safety and information signing and notices;
- q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures;
- r) Storage of materials, including soil, in areas of the site liable to flood, and:

The approved CMP shall be adhered to throughout the construction period and must demonstrate the adoption of best practice.

Reason: In the interests of protecting highway safety and residential amenity in accordance with policies LP2, LP15 and LP16 of the Fenland Local Plan, 2014.

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| 13 | Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a detailed Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and |
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	<p>approved in writing by the local planning authority.</p> <p>The CEMP (Biodiversity) shall incorporate recommendations of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech 2023) and Bat Survey Report (Allied Ecology 2023) and must include the following</p> <p>A) Risk assessment of potentially damaging construction activities.</p> <p>B) Identification of "biodiversity protection zones".</p> <p>C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction this may be provided as a set of method statements</p> <p>D) The location and timings of sensitive works to avoid harm to biodiversity features</p> <p>E) The times during which construction when specialist ecologists need to be present on site to oversee works</p> <p>F) Responsible persons and lines of communication</p> <p>G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person</p> <p>H) Use of protective fences, exclusion barriers and warning signs if applicable</p> <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority</p> <p>Reason: To protect biodiversity in accordance with policies LP16 & LP19 of the Fenland Local Plan 2014.</p>
14	<p>No development above slab level shall take place until details for the provision of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any dwelling within the development is occupied.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>
15	<p>Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that foul water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
16	<p>No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those</p>

elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by Parsons Consulting Engineers (ref: 21159-001) dated 10th January 2025 and shall also include:

- 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, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) 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;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Full details of the maintenance/adoption of the surface water drainage system;
- i) Permissions to connect to a receiving watercourse or sewer;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

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 and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts. This condition is imposed in accordance with Policy LP14 of the Fenland Local Plan, 2014.

17	<p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts. This condition is imposed in accordance with Policy LP14 of the Fenland Local Plan, 2014.</p>
18	<p>Prior to the first occupation of any dwelling details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 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. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
19	<p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 6343/PL11D.</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>
20	<p>No development above slab level shall take place at Plots 1 & 2 until a scheme to secure the highway boundary markers (as referenced on 6343/PL11D Rev D – Site Plan) has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall detail the type and location of boundary markers. The development shall be carried out in accordance with the agreed details prior to occupation of Plots 1 & 2.</p> <p>Reason: For the safe and effective operation of the highway. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
21	<p>Before development commences a timetable for the delivery of the road improvement scheme for West Street, including the byway, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shown on the</p>

	<p>approved plans shall be delivered in accordance with the agreed timetable and shall be retained in perpetuity thereafter.</p> <p>Reason: In the interests of highway safety and to ensure satisfactory access into the site. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
22	<p>Accesses to the public highway as shown on approved plan 6343/PL11B are to be provided before first occupation of the relevant dwelling and should be constructed so as to prevent discharge of water to highway.</p> <p>Reason: For the safe and effective operation of the highway. This condition is imposed in accordance with Policies LP14 and LP16 of the Fenland Local Plan, 2014.</p>
23	<p>Vehicular accesses and driveways shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway.</p> <p>Reason: in the interests of highway safety. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
24	<p>Two 2.0 x 2.0 metres pedestrian visibility splays shall be provided as shown on drawing 6343/PL11D Rev D – Site Plan. This area shall be kept clear of any obstruction to visibility exceeding 600mm high and retained as such throughout the lifetime of the development.</p> <p>Reason: In the interests of highway safety. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
25	<p>The mitigation measures concerning reptiles described in section 5.2 of the Preliminary Ecological Appraisal – Final Report are required to be implemented in full prior to first occupation of the site and retained in perpetuity so that the development will not cause harm to reptiles.</p> <p>Reason: Conservation of protected species. This condition is imposed in accordance with Policy LP19 of the Fenland Local Plan, 2014.</p>
26	<p>No development shall commence until:</p> <p>(a) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority (LPA). The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any</p>

remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs (b), (c) and (d).

In the event that a remediation scheme is required, this should also be conditioned at this stage as follows:

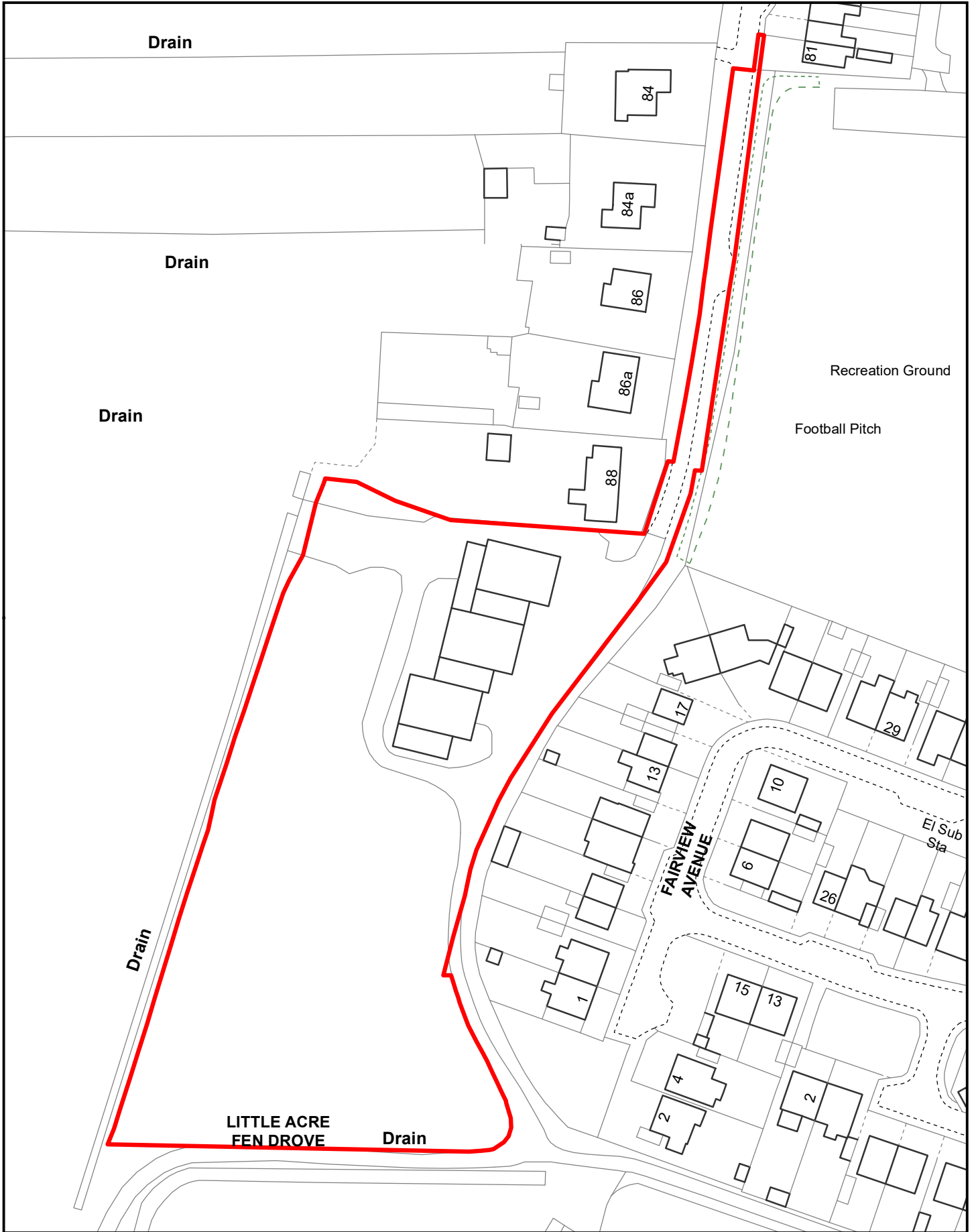
(b) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(c) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(d) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.

Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in the NPPF and Policies LP2, LP16 and LP19 of the Fenland Local Plan 2014.

27 Approved Plans



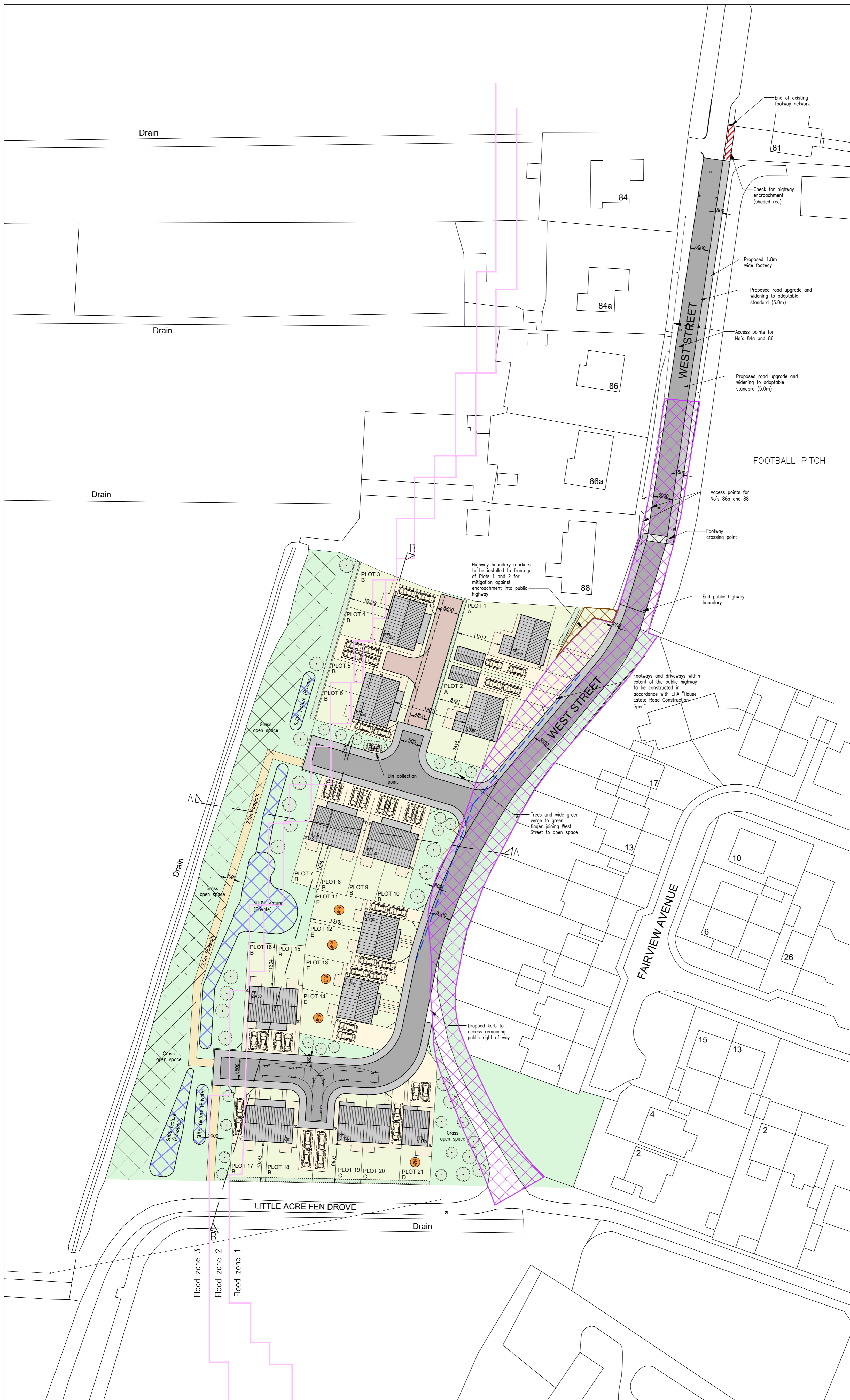
Created on: 10/12/2024

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F/YR23/1033/F

Scale = 1:1,250





KEY	
	5.0m/5.5m Adoptable Access Road
	1.8m Footways (Where Shown)
	2.4m x 43m Visibility Splay
	4.8m Private Drive with 1.0m overrunnable footpath
	Parking Areas
	Paving Slabs (Indicative)
	Private Gardens
	Open Space
	2.0m Public Footpath
	9m IDB Maintenance Zone
	Affordable Unit
	Soft Landscaping (Indicative)
	SUDS Features
	Bin Collection Point
	1.8m Access Gate
	Byway 22 Width
	Unregistered Land

D - 29.01.25 - Amendments following planning consultant comments.
 C - 28.01.25 - Amendments following LHA comments dated 17.01.25.
 B - 13.11.24 - Amendments to access road.
 REVISIONS



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CLIENT
 URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
 PROPOSED DEVELOPMENT

SITE
 LAND SOUTH OF No.88
 WEST STREET
 CHATTERIS
 CAMBS
 PE16 6HR

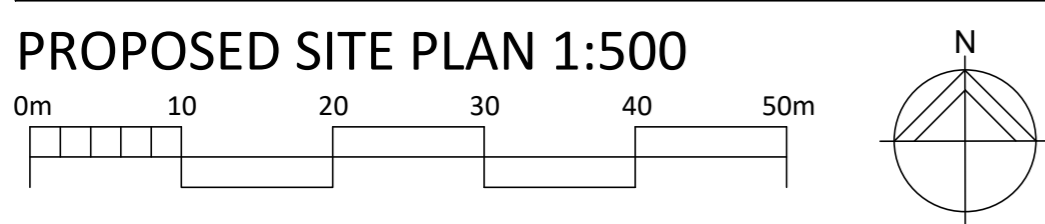
DRAWING
 PLANNING DRAWING 1 (SITE PLAN)

JOB NO.	PAPER SIZE	DATE
6343/PL11D	A1	OCT 2023

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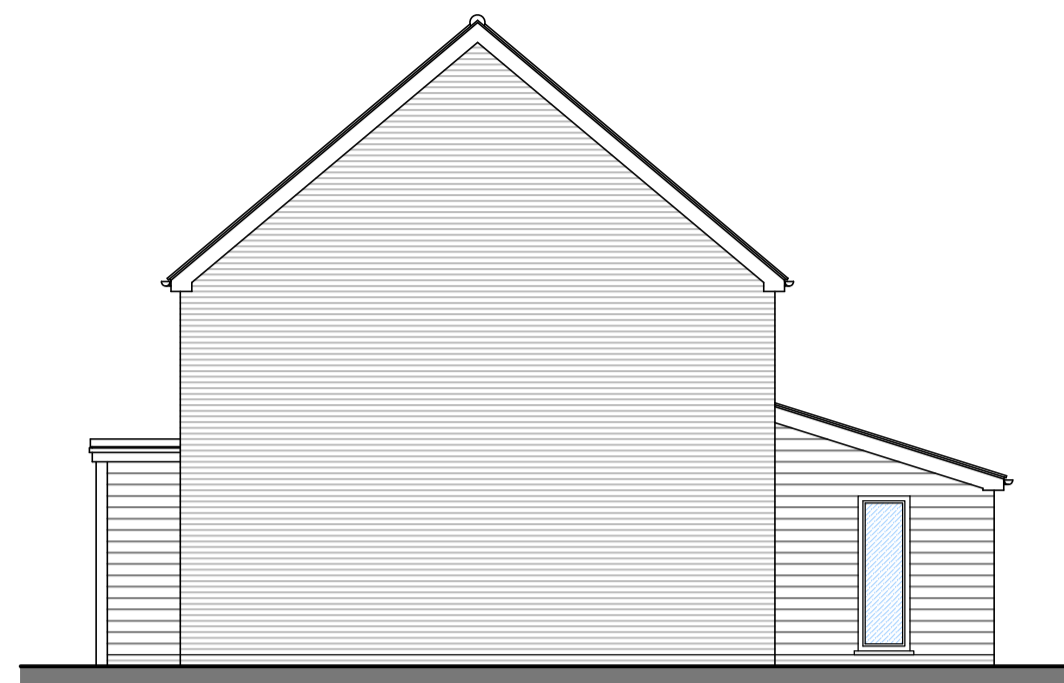
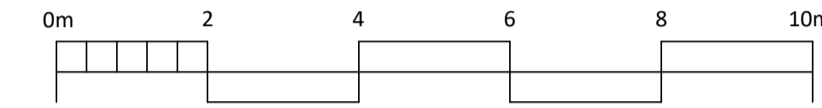
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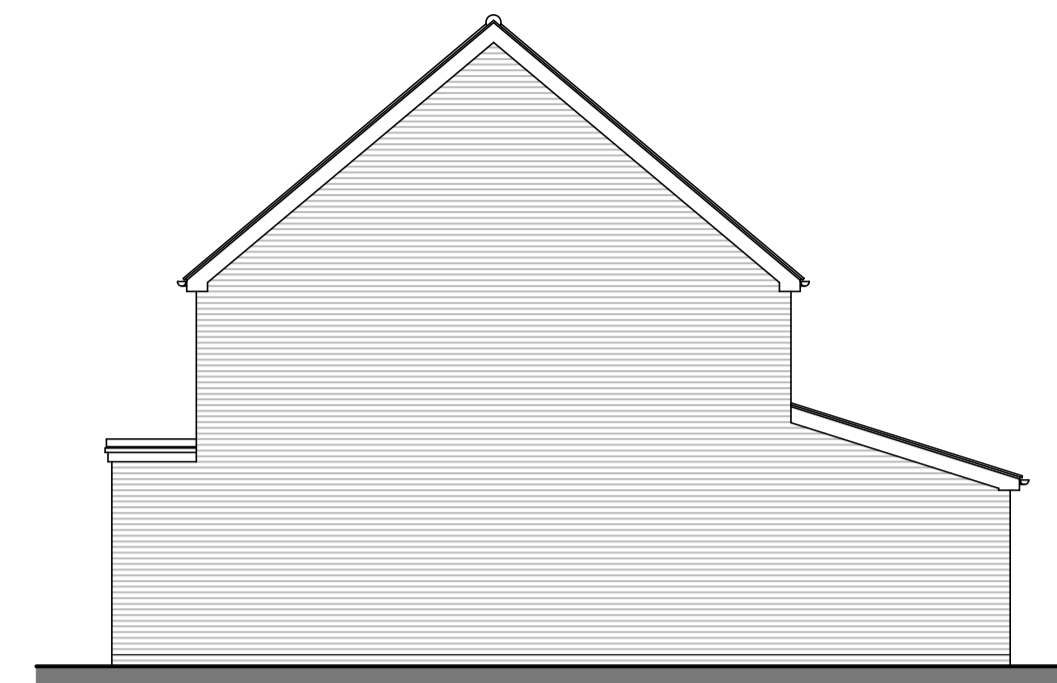
FRONT ELEVATION 1:100



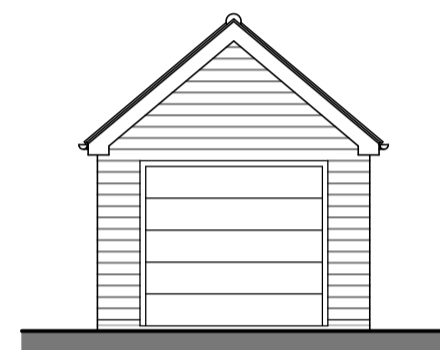
SIDE ELEVATION



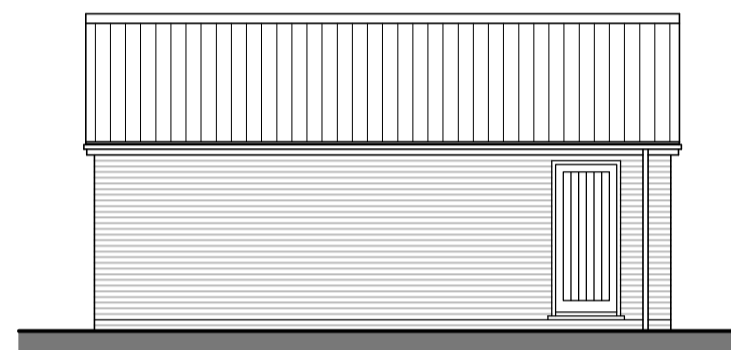
REAR ELEVATION



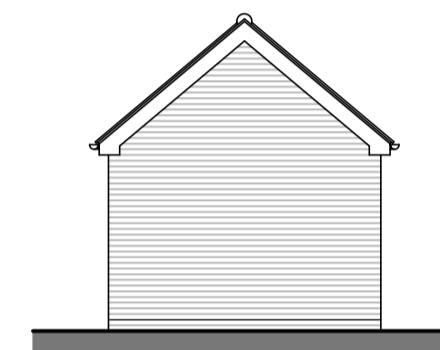
SIDE ELEVATION



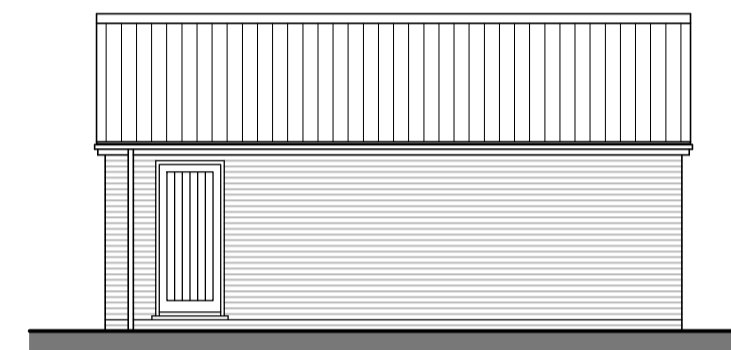
FRONT 1:100



SIDE



REAR



SIDE

Plot Schedule:

As Drawn	Handed
Plots 1 & 2	N/A

Room Schedule:

Ground Floor	
Lounge	5.22m x 4.29m
Kitchen	3.05m x 4.22m
Family / Dining	5.95m x 4.29m
Utility	3.05m x 1.80m
Study	2.95m x 3.87m
WC	1.05m x 1.97m
Cup'd / Plant	1.05m x 1.80m
GIA =	92.87m ² / 999ft ²
First Floor	
Bedroom 1	4.00m x 3.87m
Ensuite	2.70m (1.29m) x 2.05m
Bedroom 2	3.30m x 4.29m
Bedroom 3	3.15m x 3.87m
Bedroom 4	3.15m x 3.14m
Bathroom	2.00m x 3.20m
GIA =	75.63m ² / 813ft ²
GIA TOTAL =	168.50m ² / 1812ft ²

A - 15.05.24 - Type A re-designed.
REVISIONS



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CLIENT: URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT: PROPOSED DEVELOPMENT

SITE: LAND SOUTH OF No.88 WEST STREET CHATTERIS CAMBS PE16 6HR

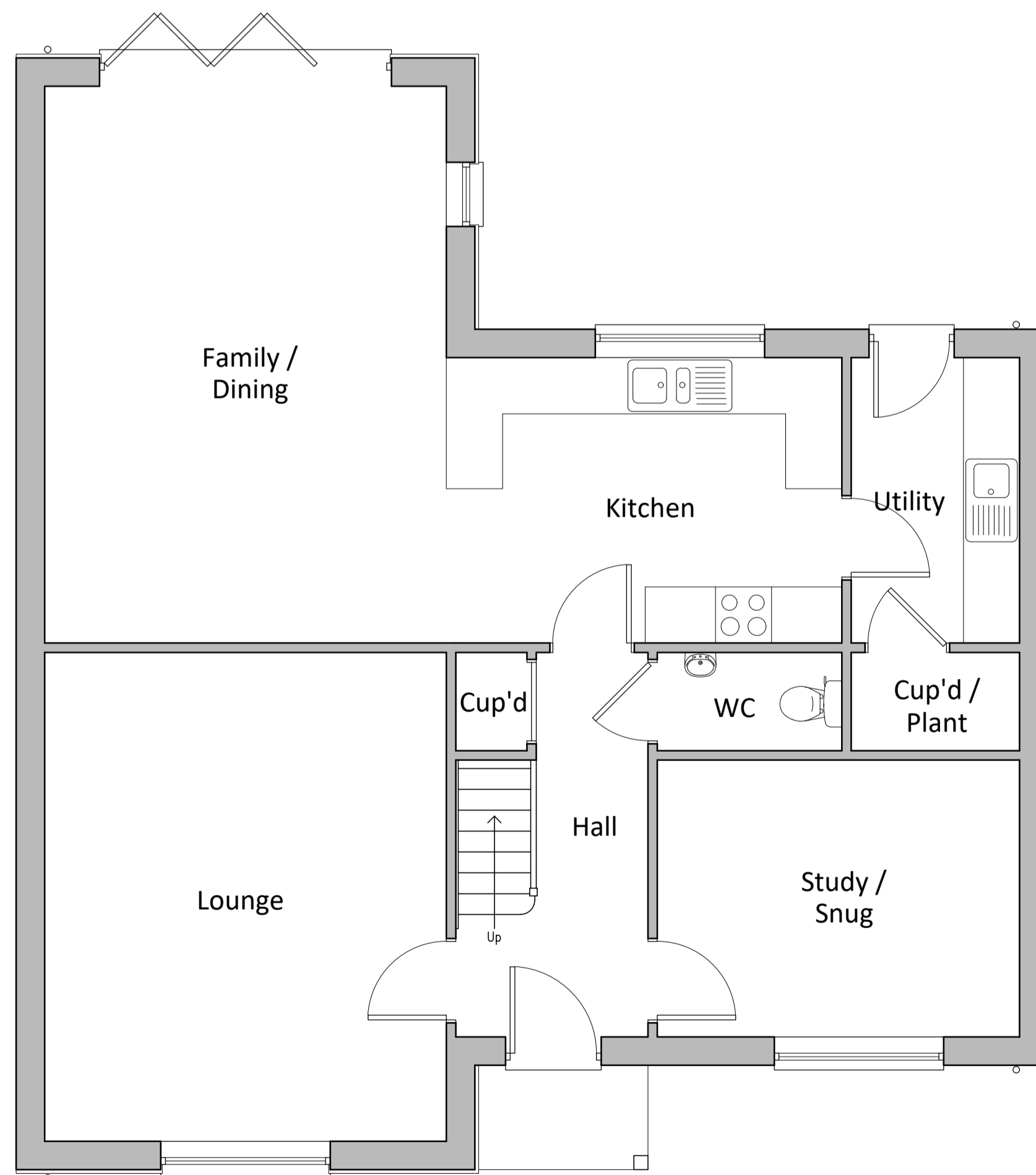
DRAWING: PLANNING DRAWING 2 (TYPE A)

JOB NO.	PAPER SIZE	DATE
6343/PL12A	A1	OCT 2023

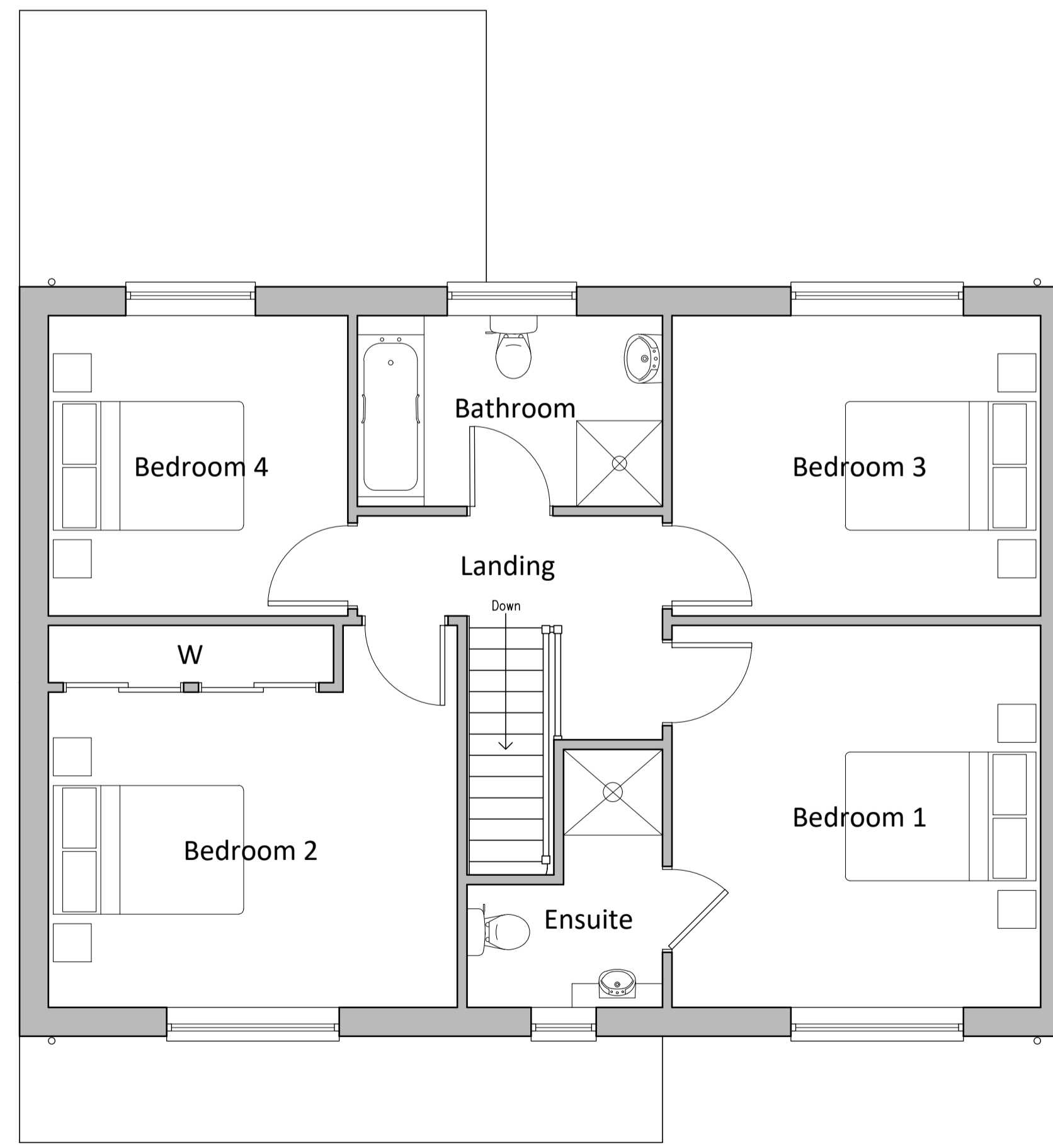
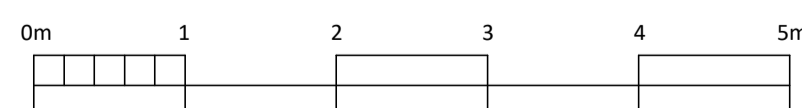
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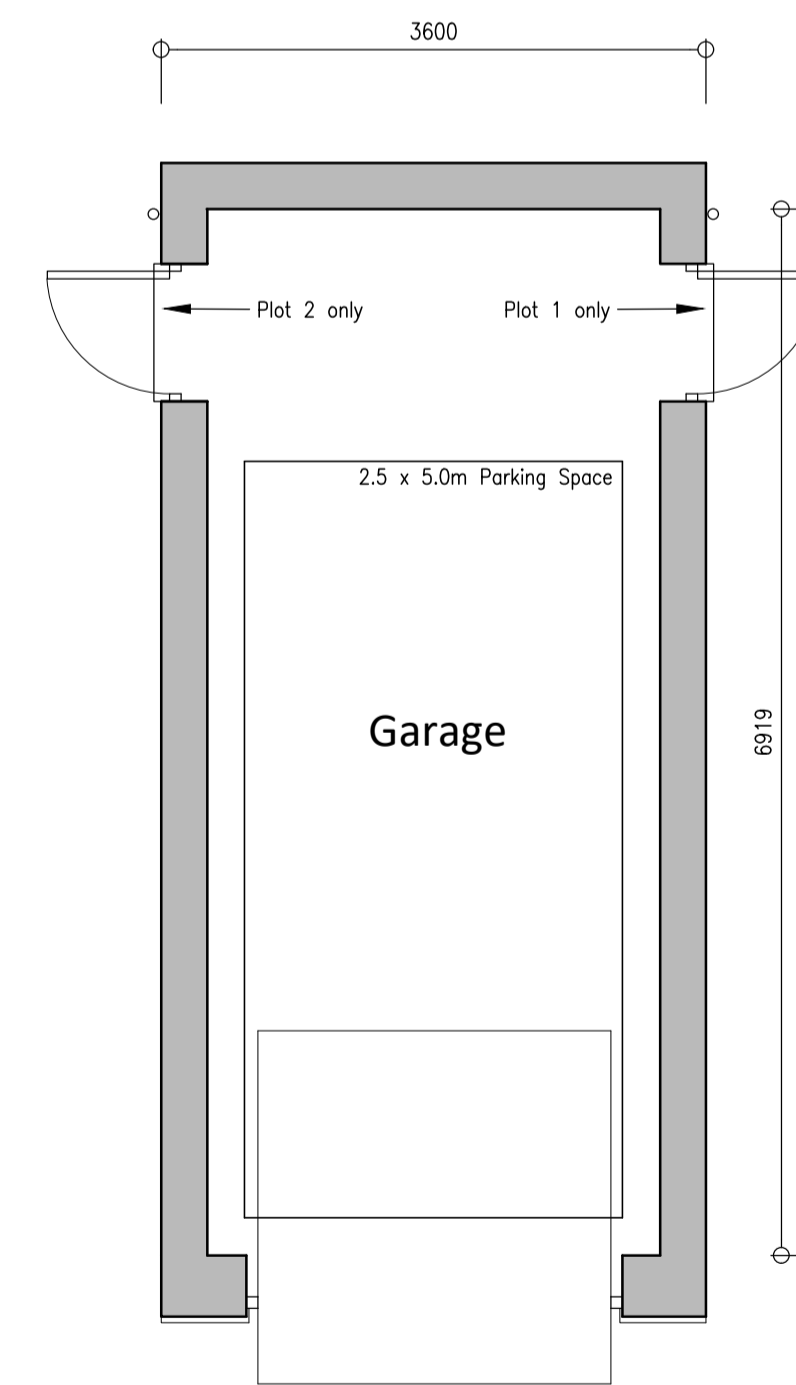
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GROUND FLOOR PLAN 1:50



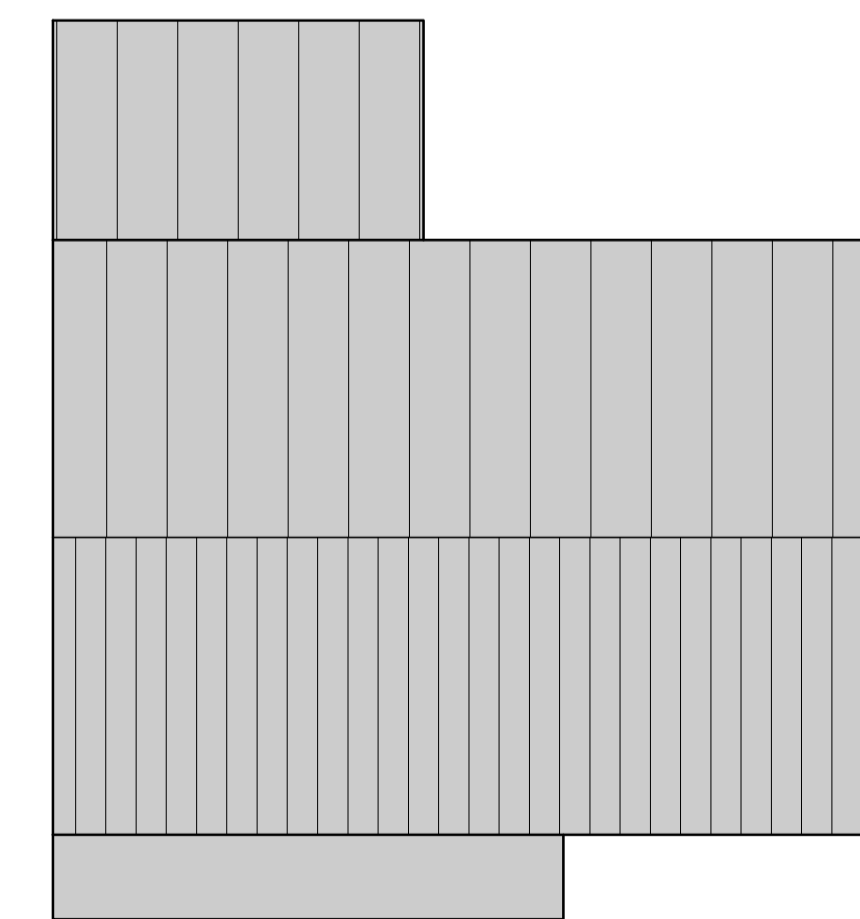
FIRST FLOOR PLAN 1:50



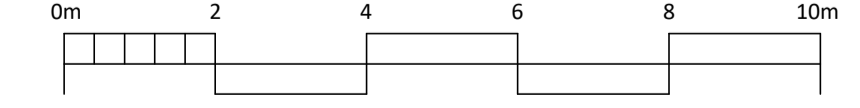
GARAGE PLAN 1:50

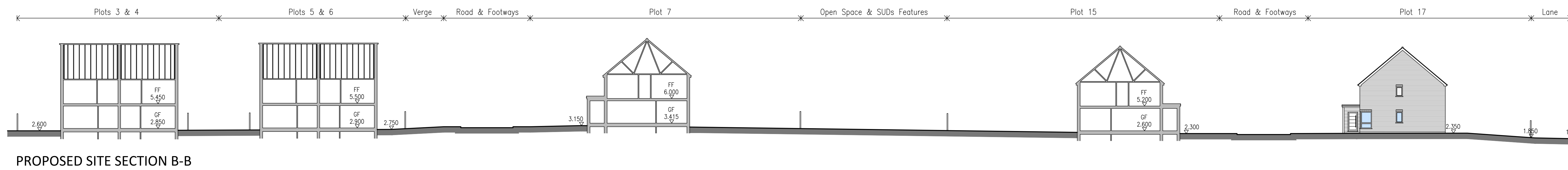
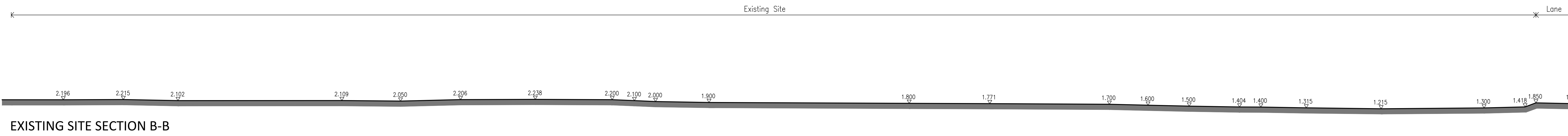
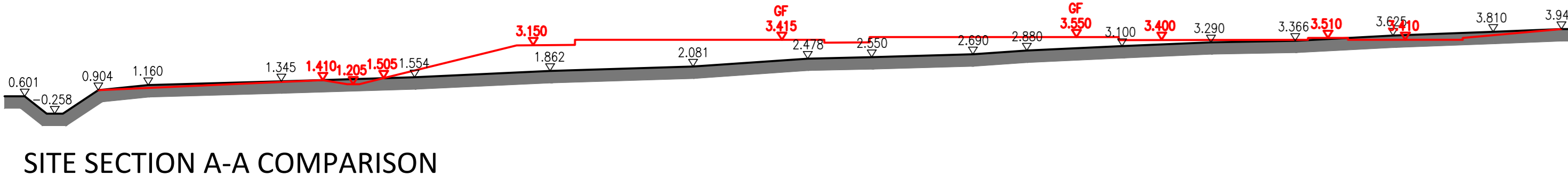
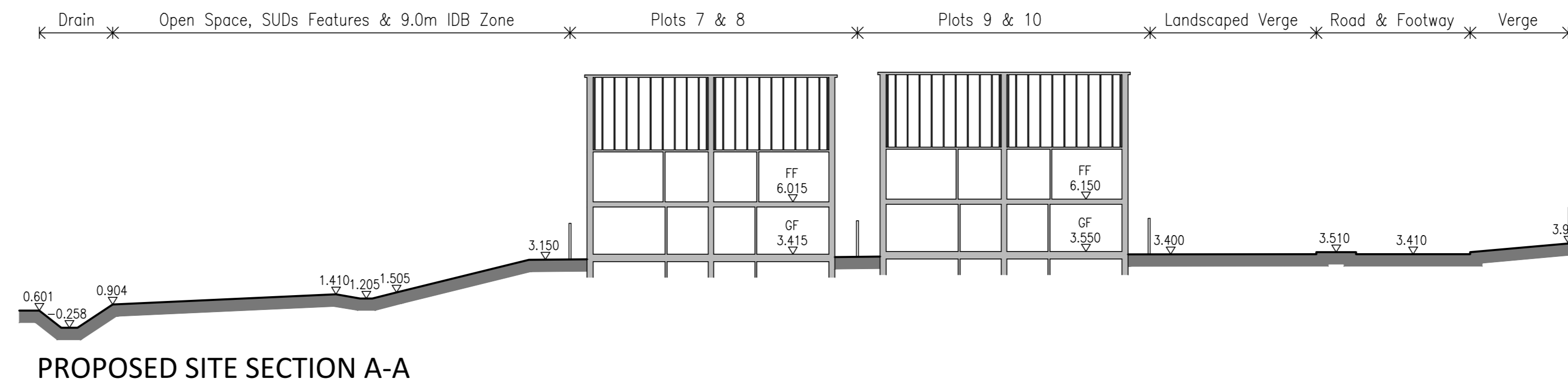
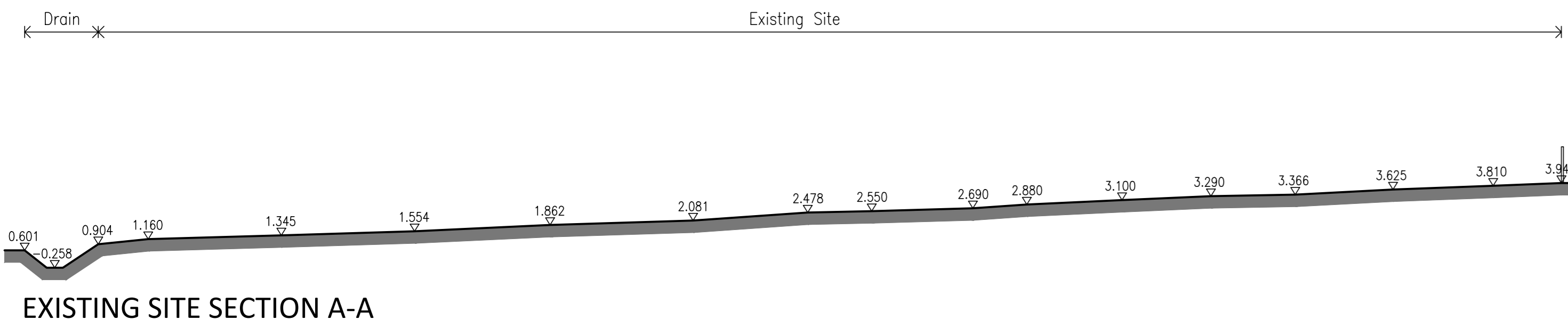


ROOF PLAN 1:100

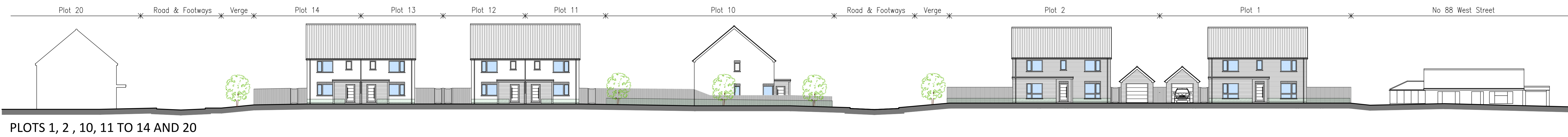


ROOF PLAN 1:100

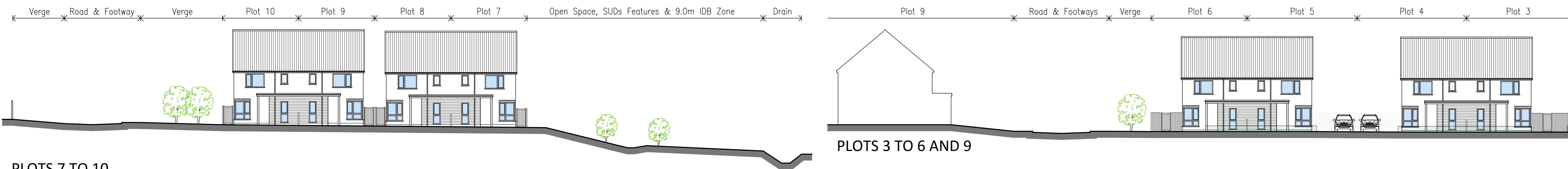




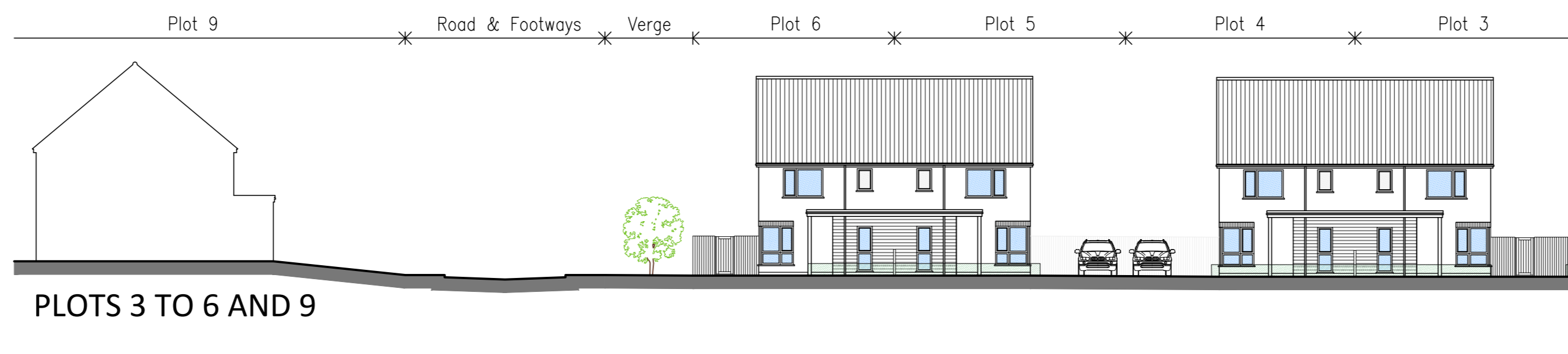
SITE SECTIONS 1:200



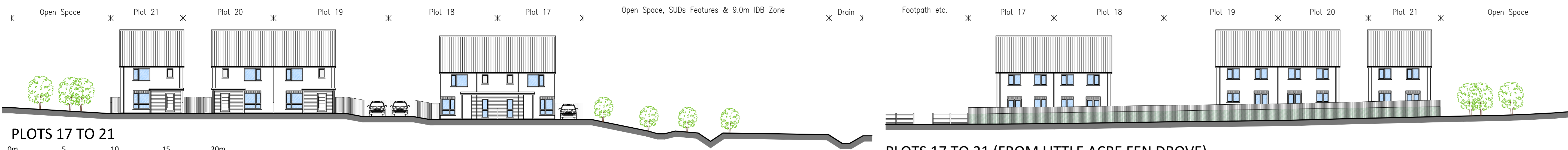
PLOTS 1, 2, 10, 11 TO 14 AND 20



PLOTS 7 TO 10



PLOTS 3 TO 6 AND 9



PLOTS 17 TO 21

PLOTS 17 TO 21 (FROM LITTLE ACRE FEN DROVE)

STREET SCENES 1:200

A - 10.03.24 - Amendments following site layout revisions.



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CLIENT
 URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
 PROPOSED DEVELOPMENT

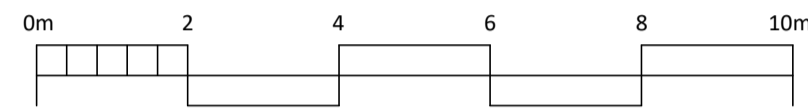
SITE
 LAND SOUTH OF No.88 WEST STREET
 CHATTERIS CAMBS
 PET16 6HR

DRAWING
 PLANNING DRAWING 9 (STREET SCENES AND SITE SECTIONS)
 JOB NO. 6343/PL19A PAPER SIZE A0 DATE OCT 2023

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FRONT ELEVATION 1:100



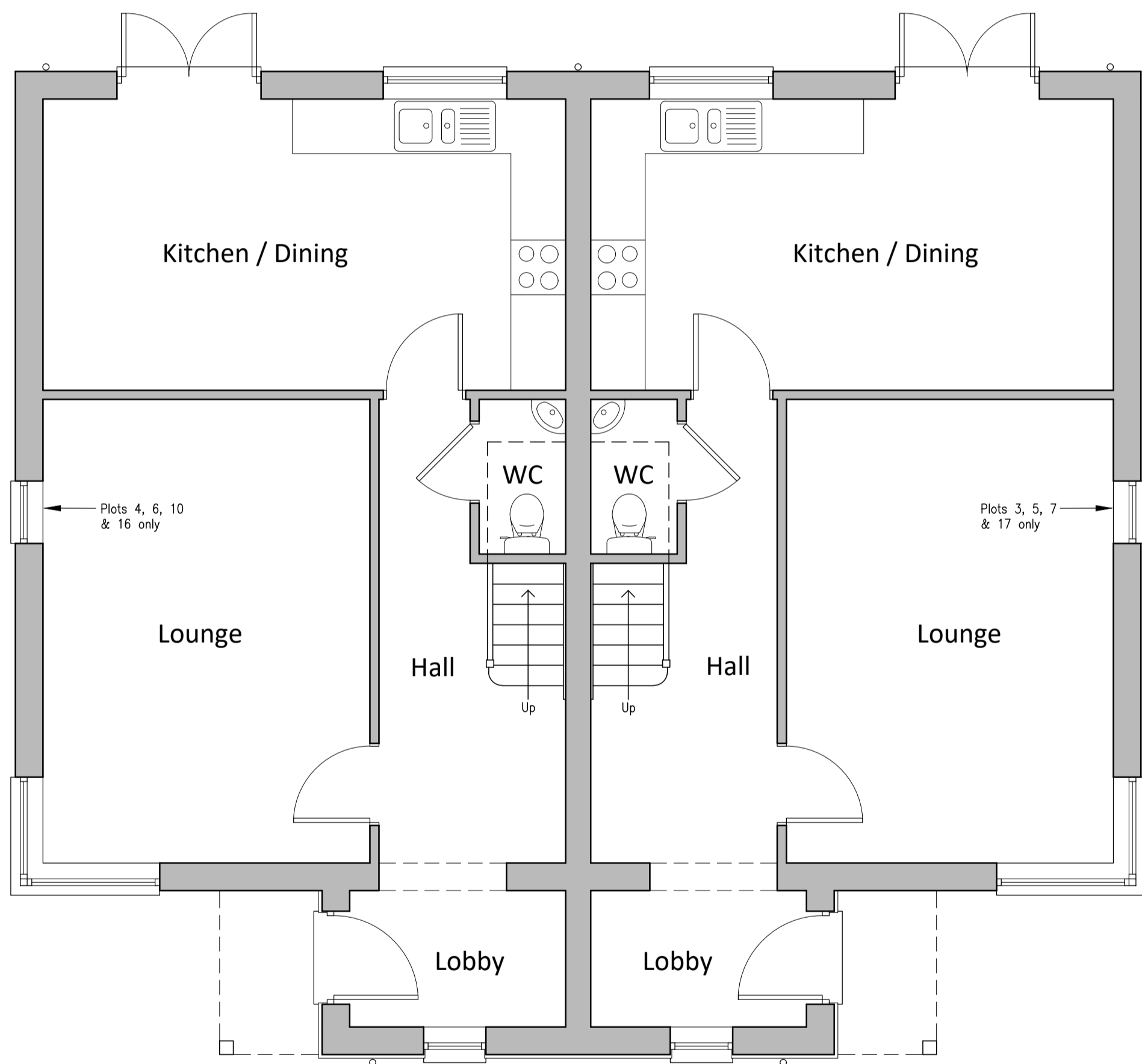
SIDE ELEVATION



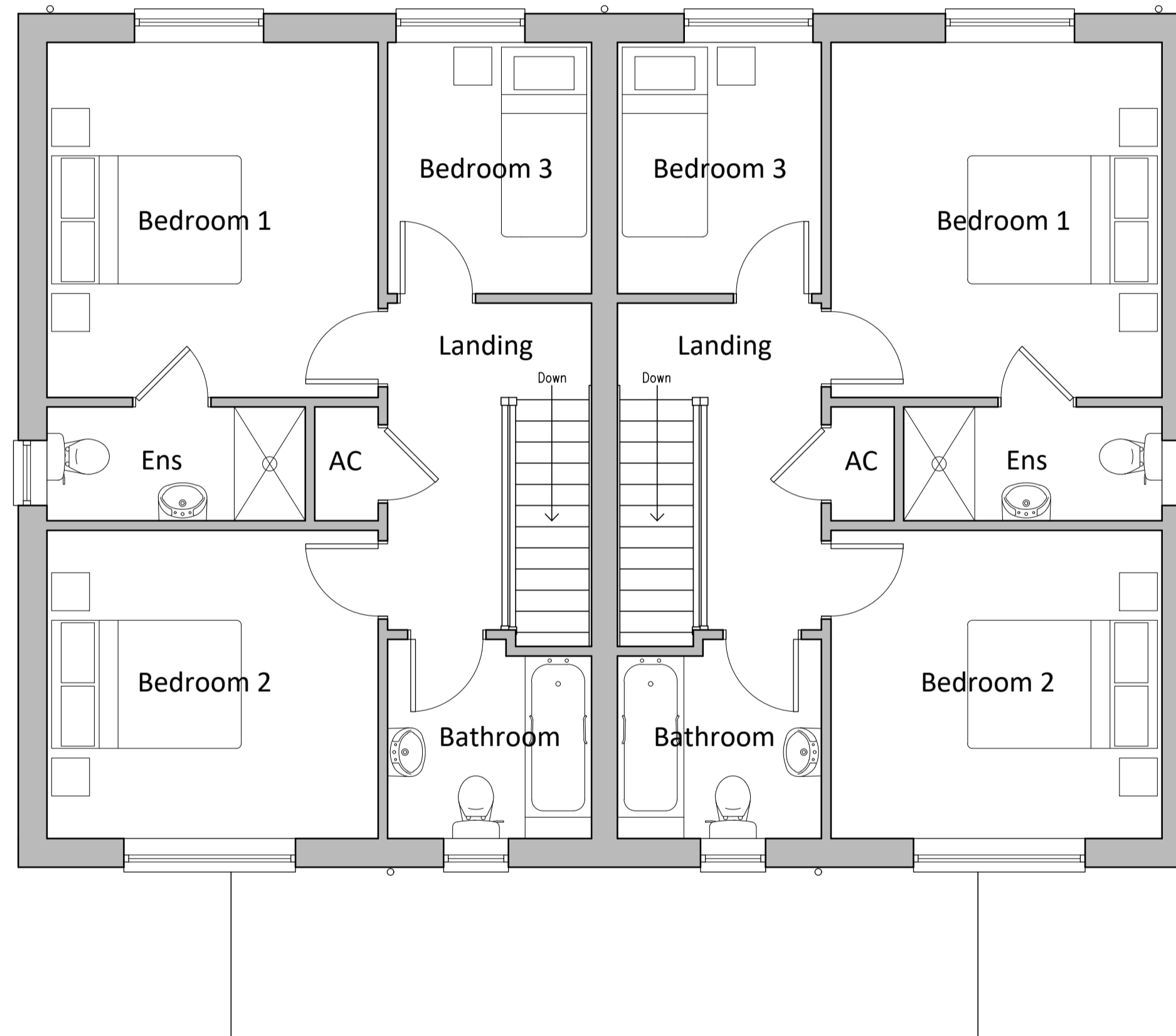
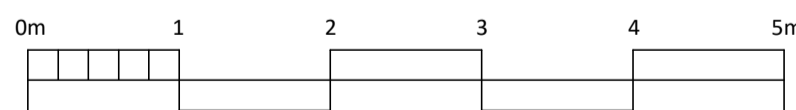
REAR ELEVATION



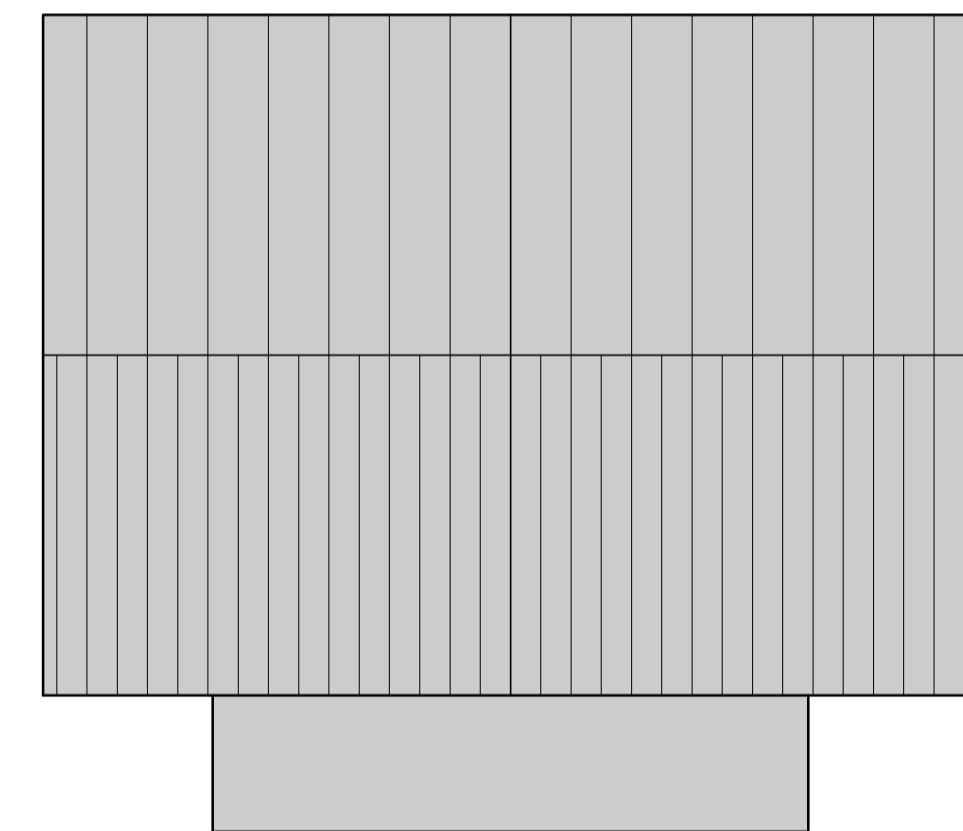
SIDE ELEVATION



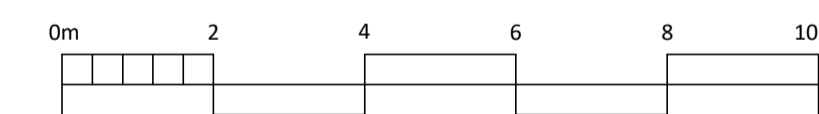
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



ROOF PLAN 1:100



Plot Schedule:

As Drawn	Handed
Plots 3 to 10 & 15 to 18	N/A

Room Schedule:

Ground Floor	
Lounge	5.09m x 3.59m
Kitchen / Dining	3.20m x 5.74m
WC	1.70m x 0.95m
GIA =	52.46m ² / 564ft ²
First Floor	
Bedroom 1	3.74m x 3.49m
Ensuite	1.20m x 2.72m
Bedroom 2	3.25m x 3.49m
Bedroom 3	2.65m x 2.15m
Bathroom	2.10m x 2.15m
GIA =	48.19m ² / 518ft ²
GIA TOTAL =	96.87m ² / 1082ft ²

A - 15.05.24 - Amendments following site layout revisions.
REVISIONS



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CLIENT

URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT

PROPOSED DEVELOPMENT

SITE

LAND SOUTH OF No.88

WEST STREET

CHATTERIS

CAMBS

PE16 6HR

DRAWING

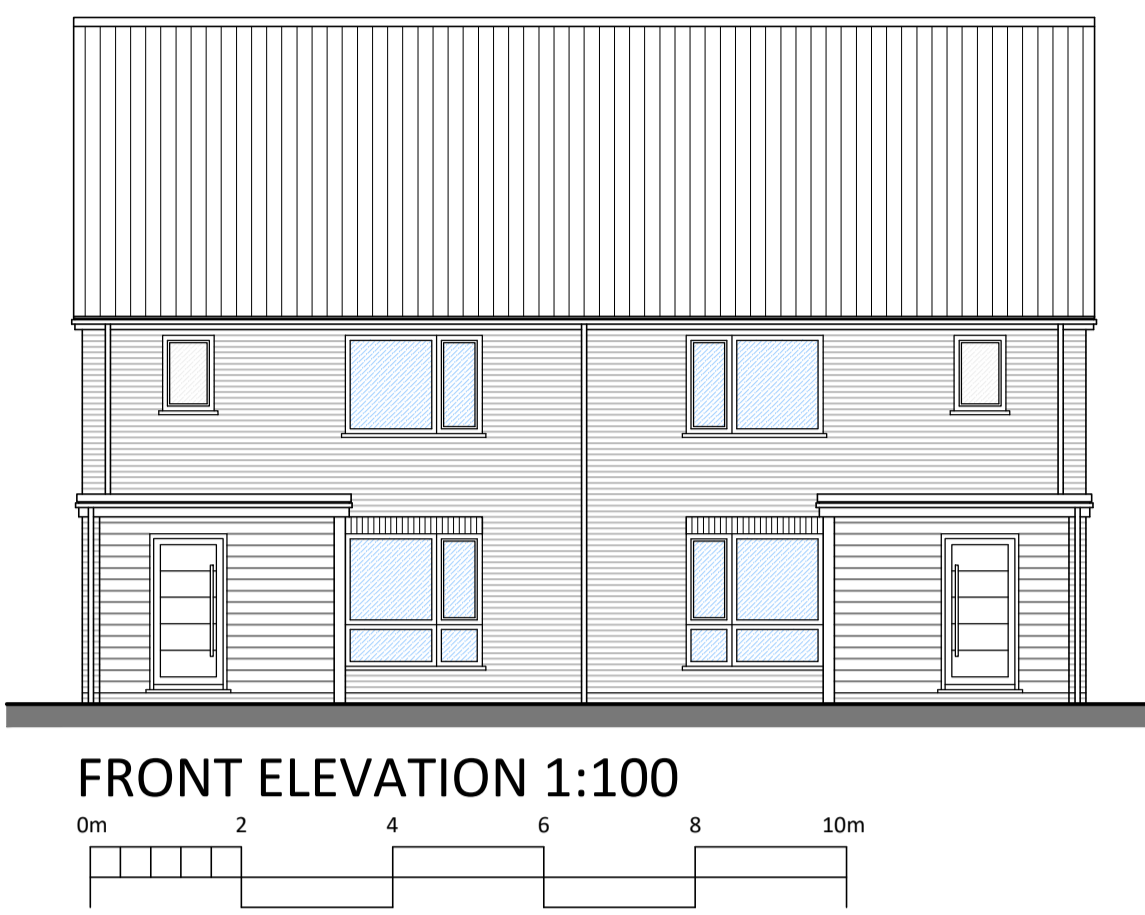
PLANNING DRAWING 3 (TYPE B)

JOB NO.	PAPER SIZE	DATE
6343/PL13A	A1	OCT 2023

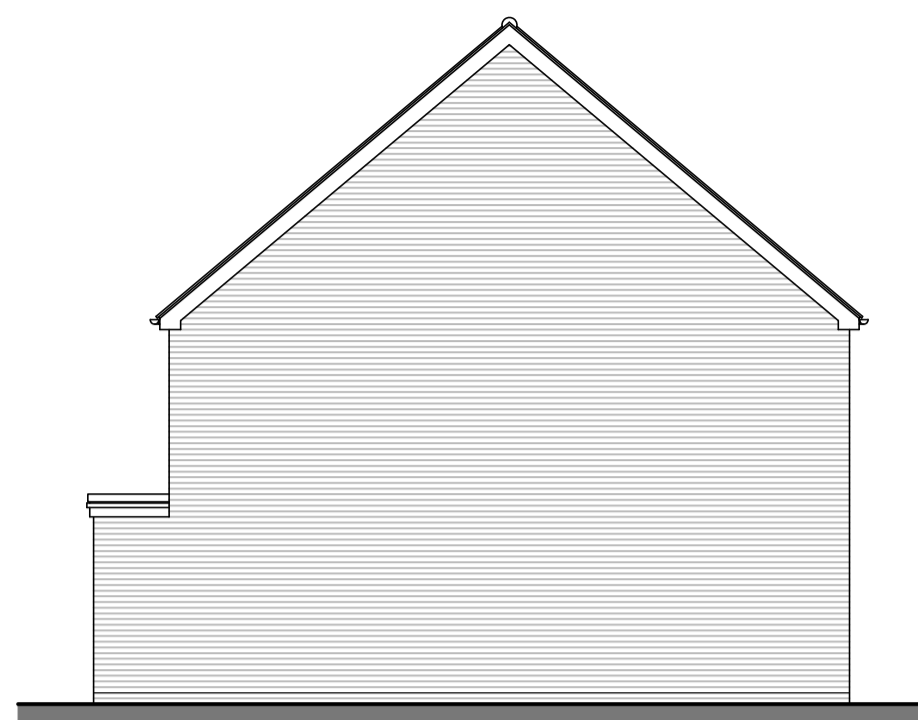
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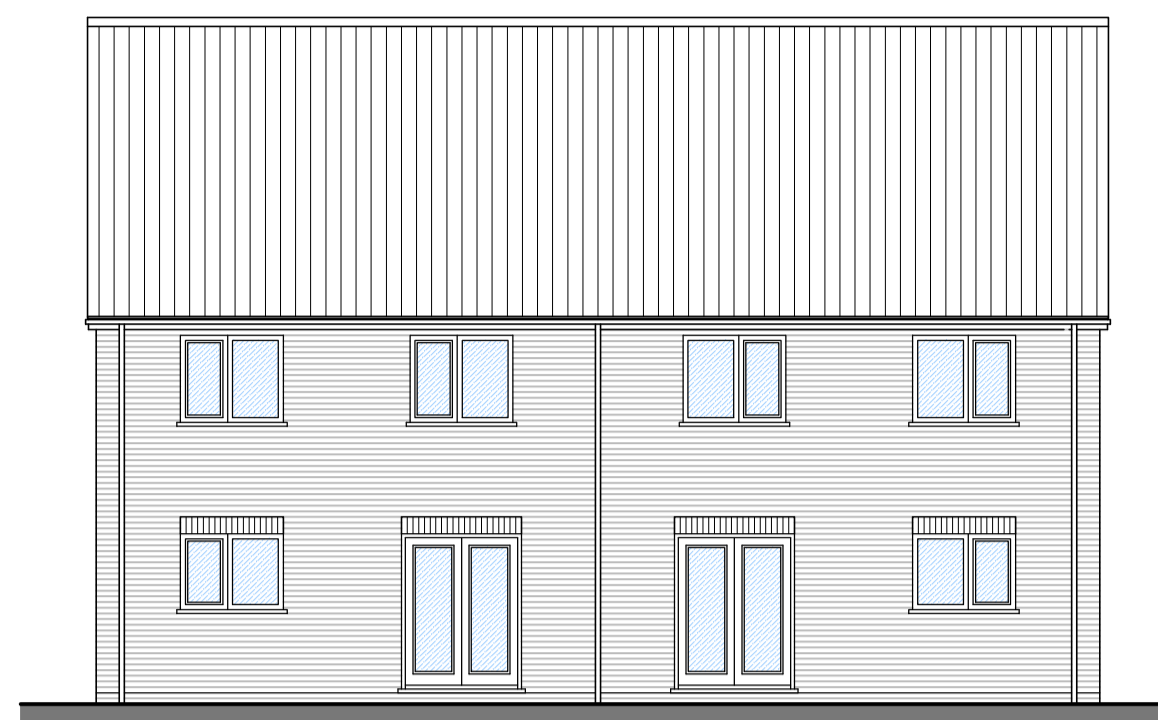
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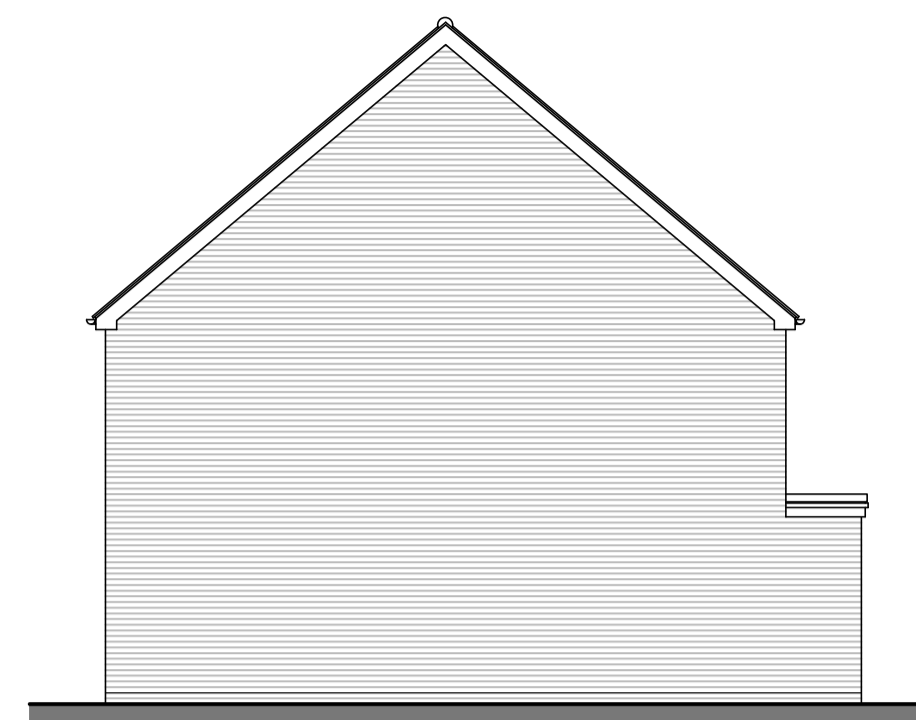
FRONT ELEVATION 1:100



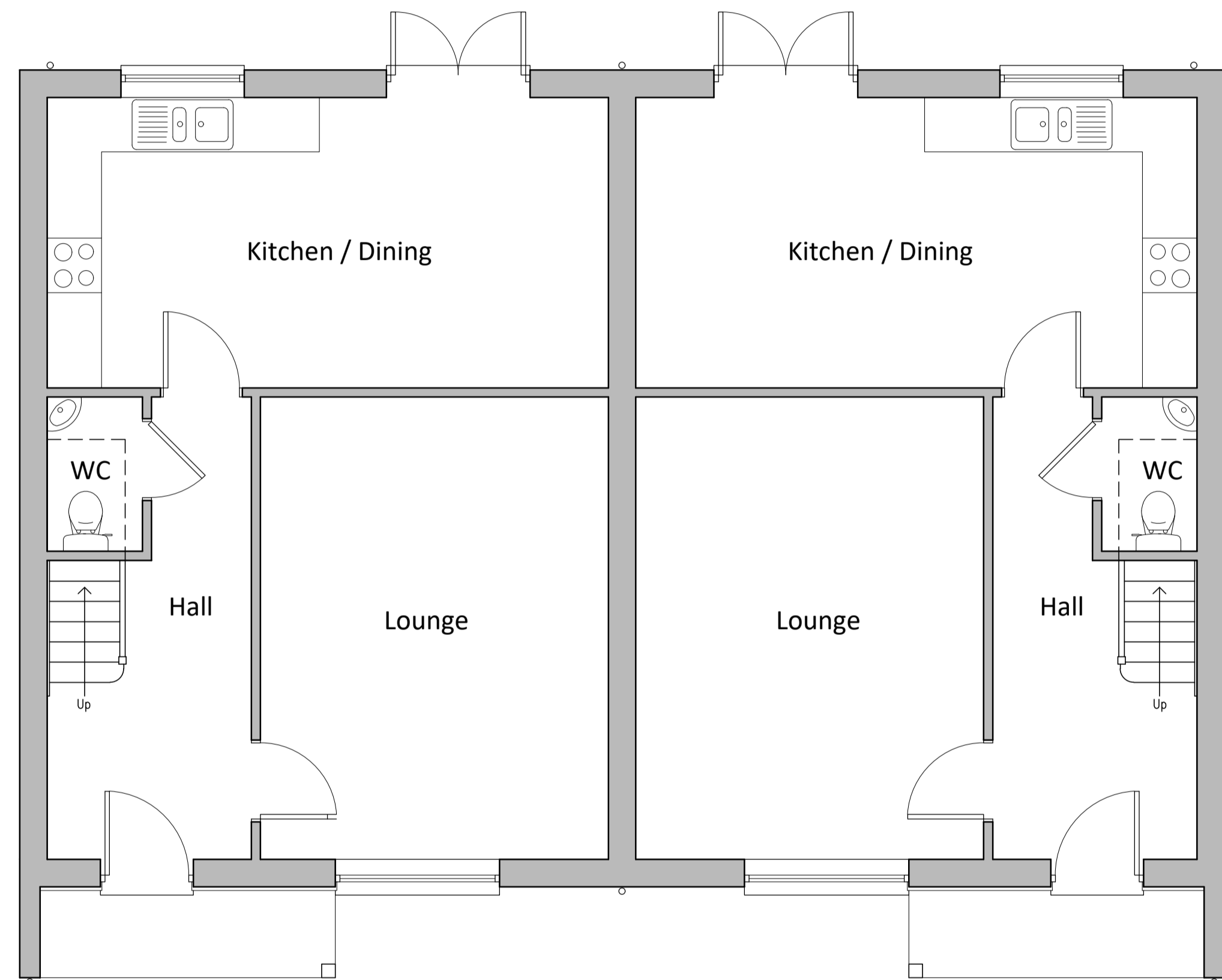
SIDE ELEVATION



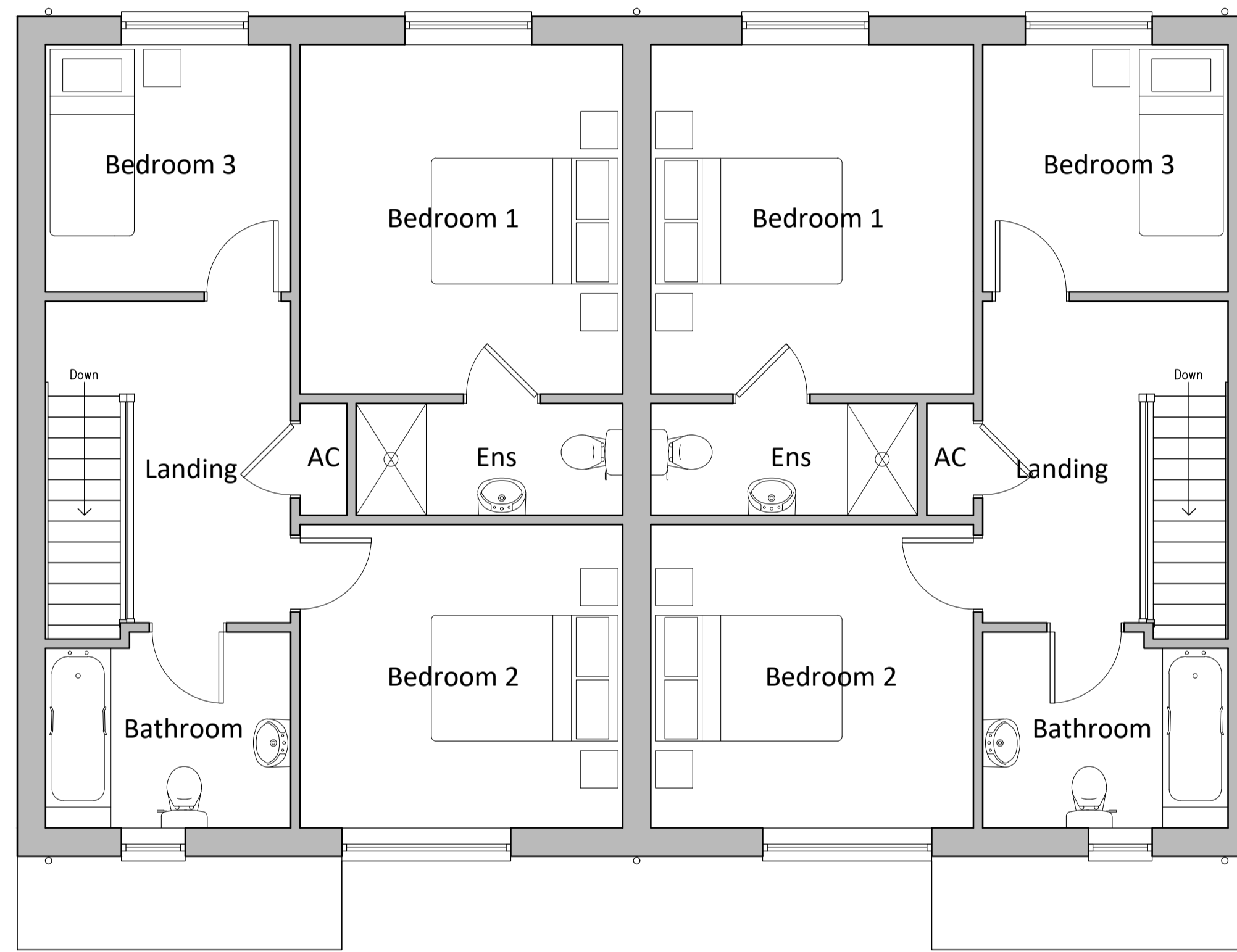
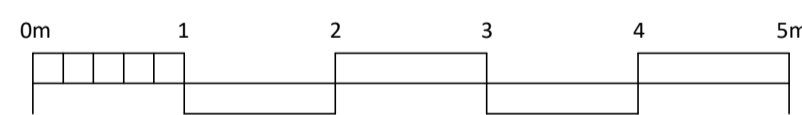
REAR ELEVATION



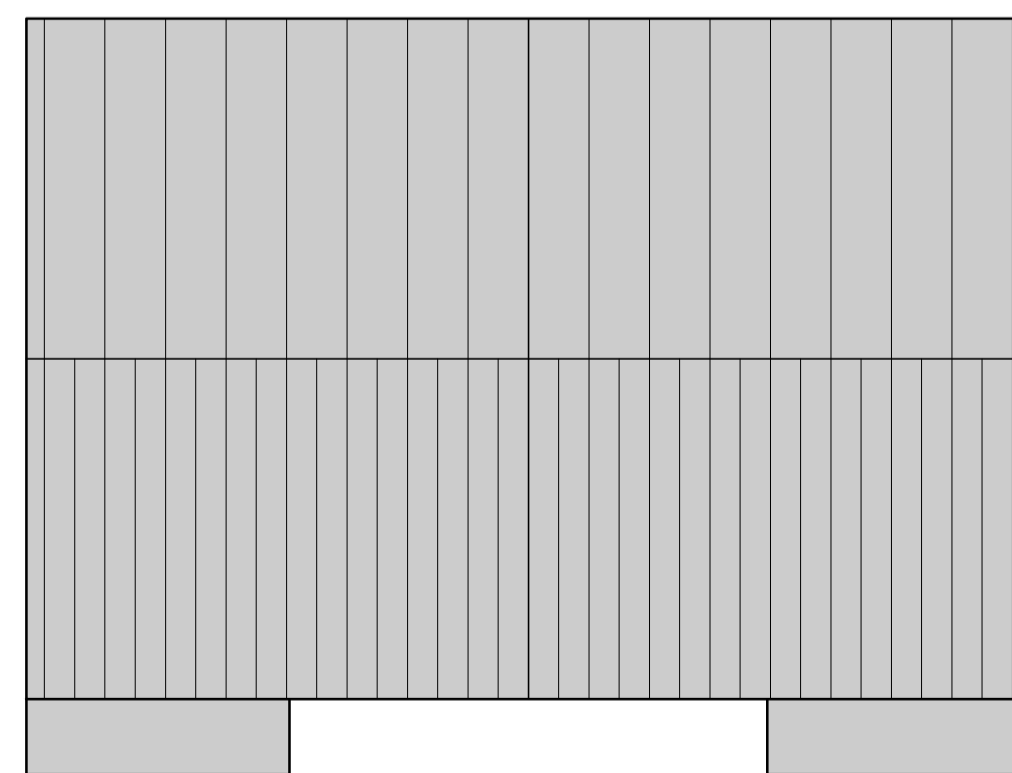
SIDE ELEVATION



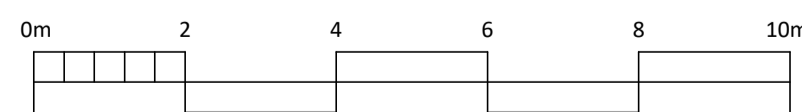
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



ROOF PLAN 1:100



Plot Schedule:

As Drawn	Handed
Plots 19 & 20	N/A

Room Schedule:

Ground Floor	
Lounge	5.09m x 3.83m
Kitchen / Dining	3.20m x 6.18m
WC	1.70m x 1.05m
GIA =	51.91m ² / 558R ²
First Floor	
Bedroom 1	3.74m x 3.45m
Ensuite	1.20m x 2.84m
Bedroom 2	3.25m x 3.45m
Bedroom 3	2.65m x 2.62m
Bathroom	2.10m x 2.62m
GIA =	51.91m ² / 558R ²
GIA TOTAL =	103.82m ² / 1116R ²

A - 15.05.24 - Amendments following site layout revisions.
REVISIONS:



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CLIENT
URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.88
WEST STREET
CHATTERIS
CAMBS
PE16 6HR

DRAWING
PLANNING DRAWING 4 (TYPE C)

JOB NO. 6343/PL14A	PAPER SIZE A1	DATE OCT 2023
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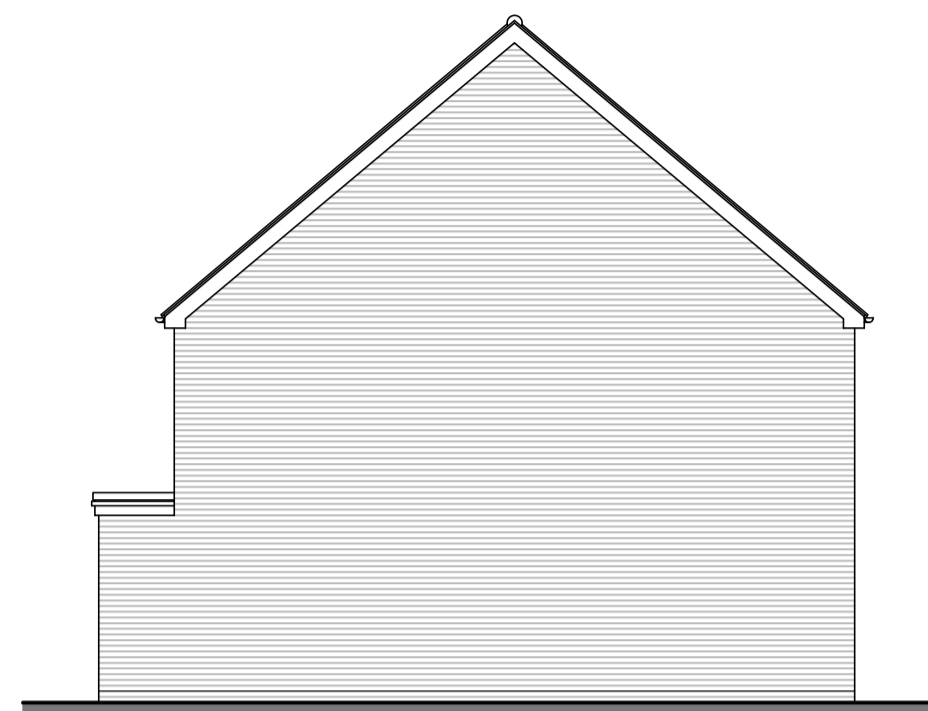
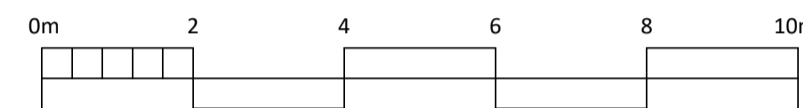
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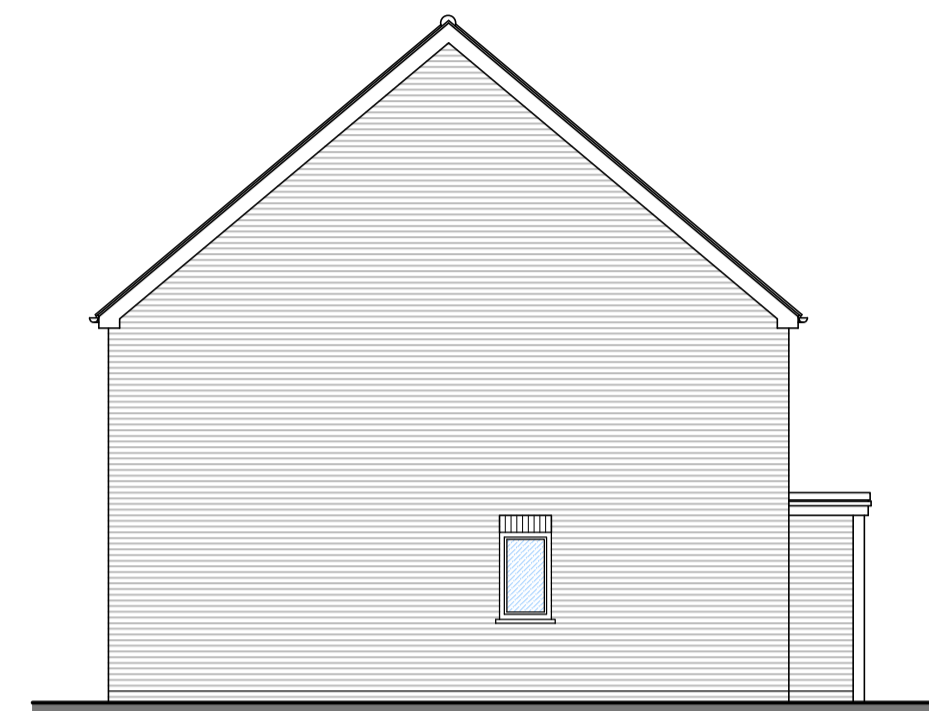
FRONT ELEVATION 1:100



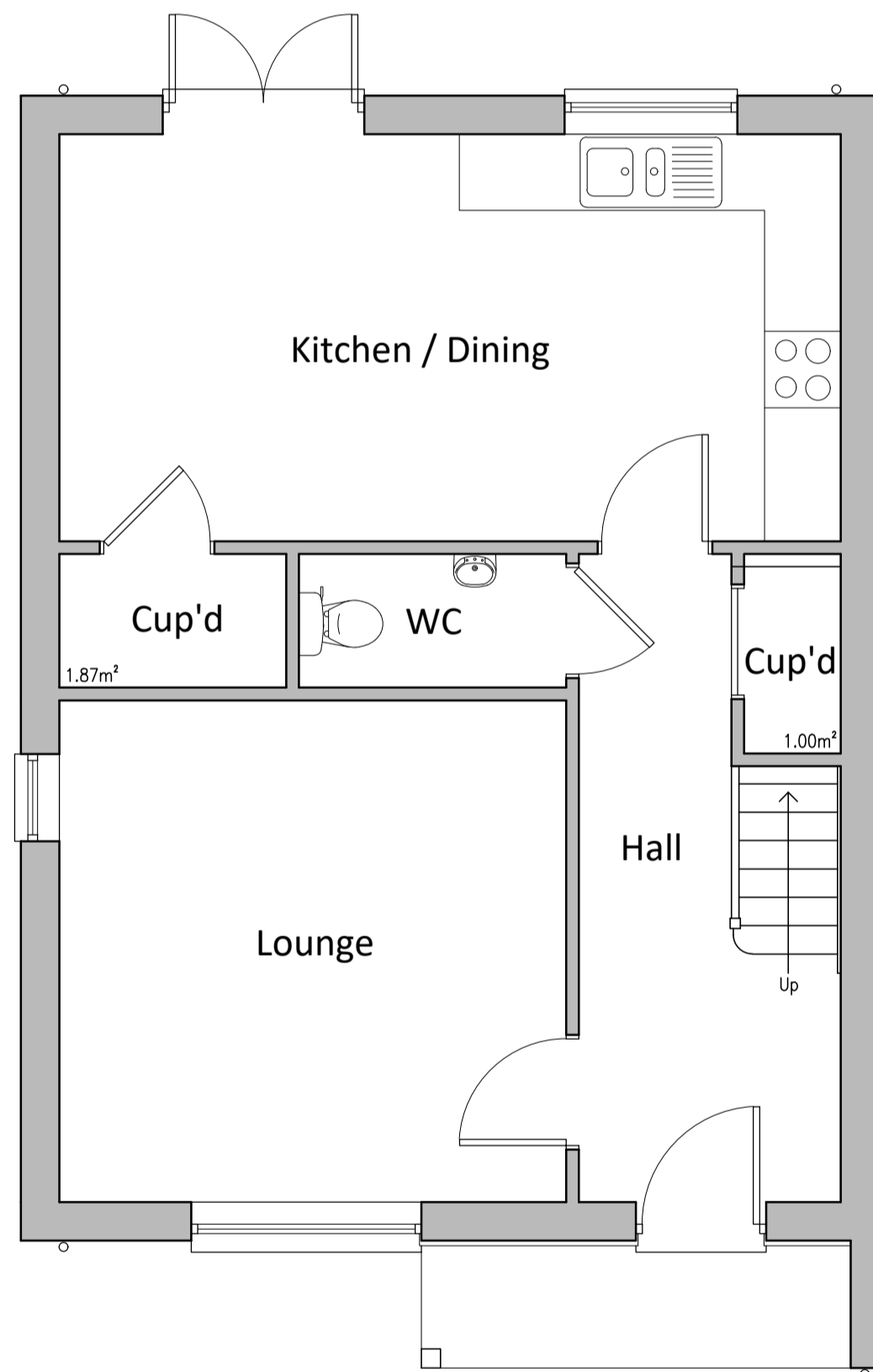
SIDE ELEVATION



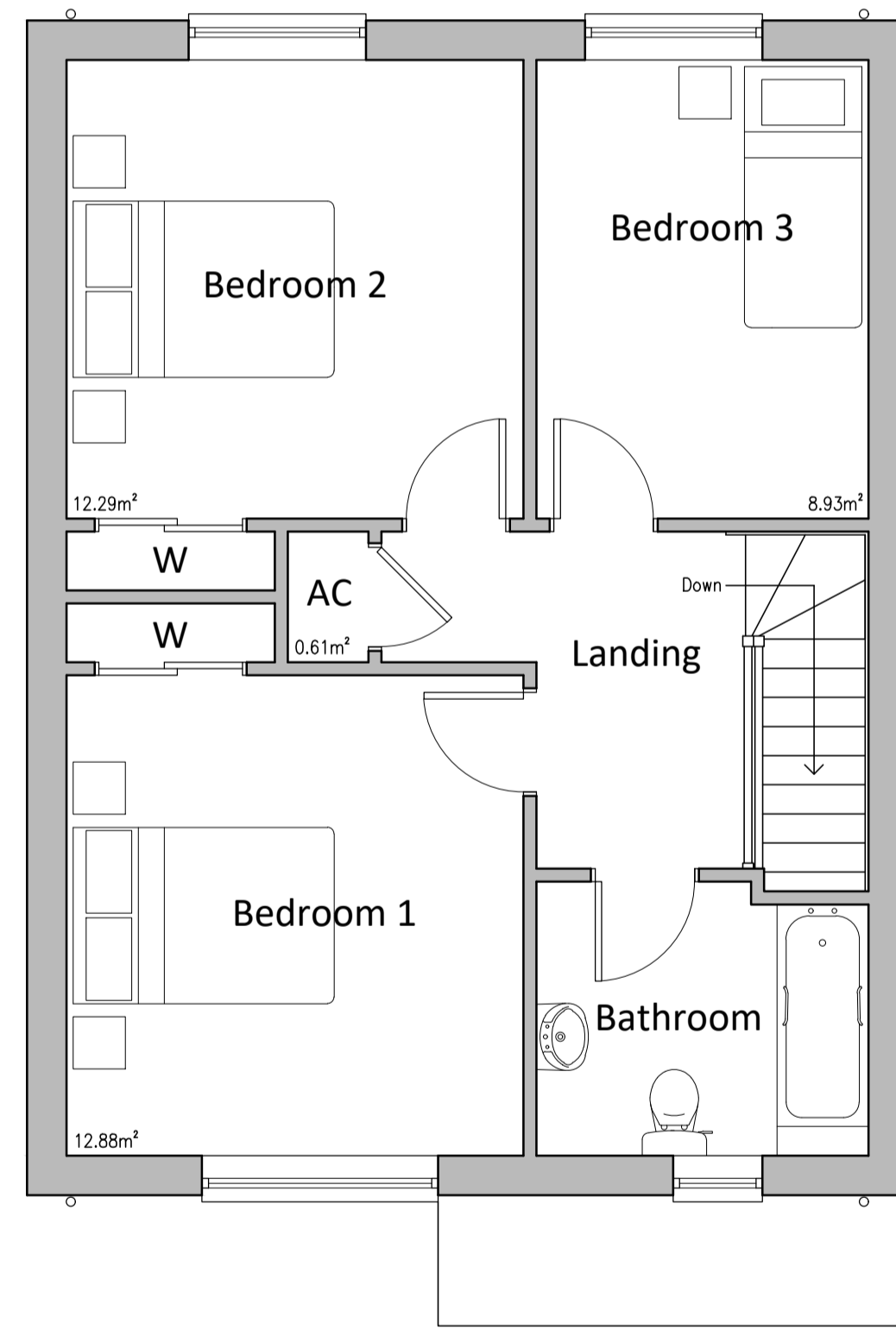
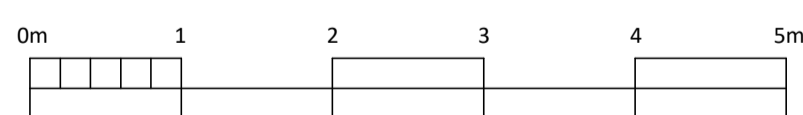
REAR ELEVATION



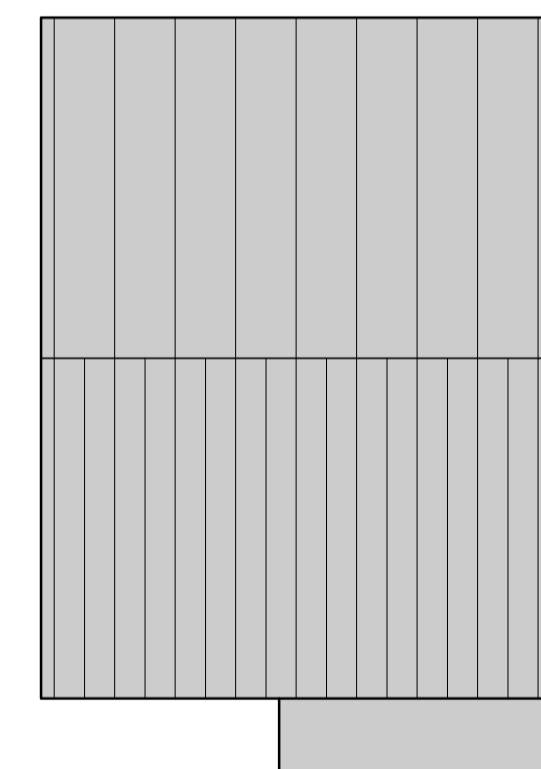
SIDE ELEVATION



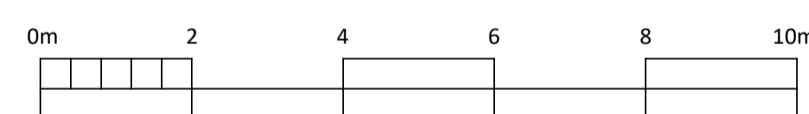
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



ROOF PLAN 1:100



Plot Schedule:

As Drawn	Handed
Plot 21	N/A

Room Schedule:

Ground Floor	
Lounge	3.94m x 3.94m
Kitchen / Dining	3.20m x 6.14m
WC	1.05m x 2.10m
Storage =	2.87m ² / 30ft ²
GIA =	51.57m ² / 554ft ²
First Floor	
Bedroom 1	3.68m x 3.50m
Bedroom 2	3.51m x 3.50m
Bedroom 3	2.51m x 2.54m
Bathroom	2.10m x 2.54m
Storage =	0.61m ² / 6ft ²
GIA =	51.57m ² / 554ft ²
Storage TOTAL =	3.48m ² / 36ft ²
GIA TOTAL =	103.14m ² / 1108ft ²

A - 15.05.24 - Type D re-designed.
REVISIONS



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CLIENT

URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT

PROPOSED DEVELOPMENT

SITE

LAND SOUTH OF No.88

WEST STREET

CHATTERIS

CAMBS

PE16 6HR

DRAWING

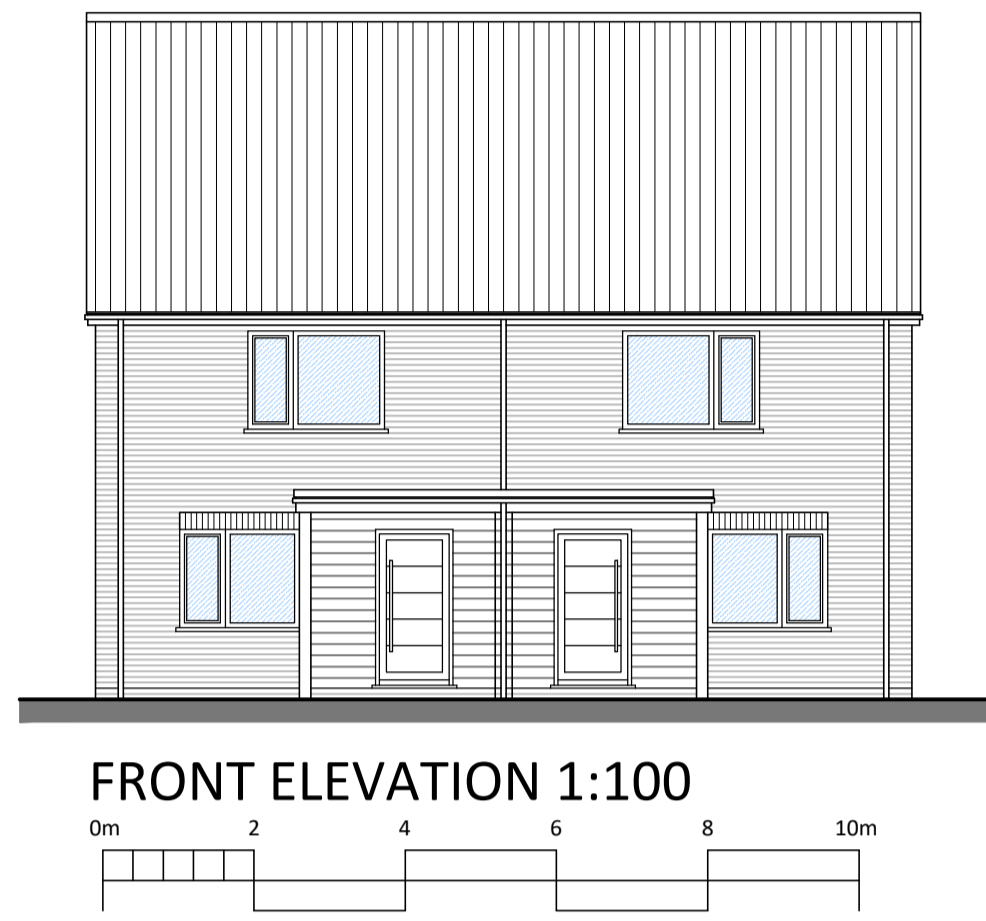
PLANNING DRAWING 6 (TYPE D)

JOB NO.	PAPER SIZE	DATE
6343/PL16A	A1	OCT 2023

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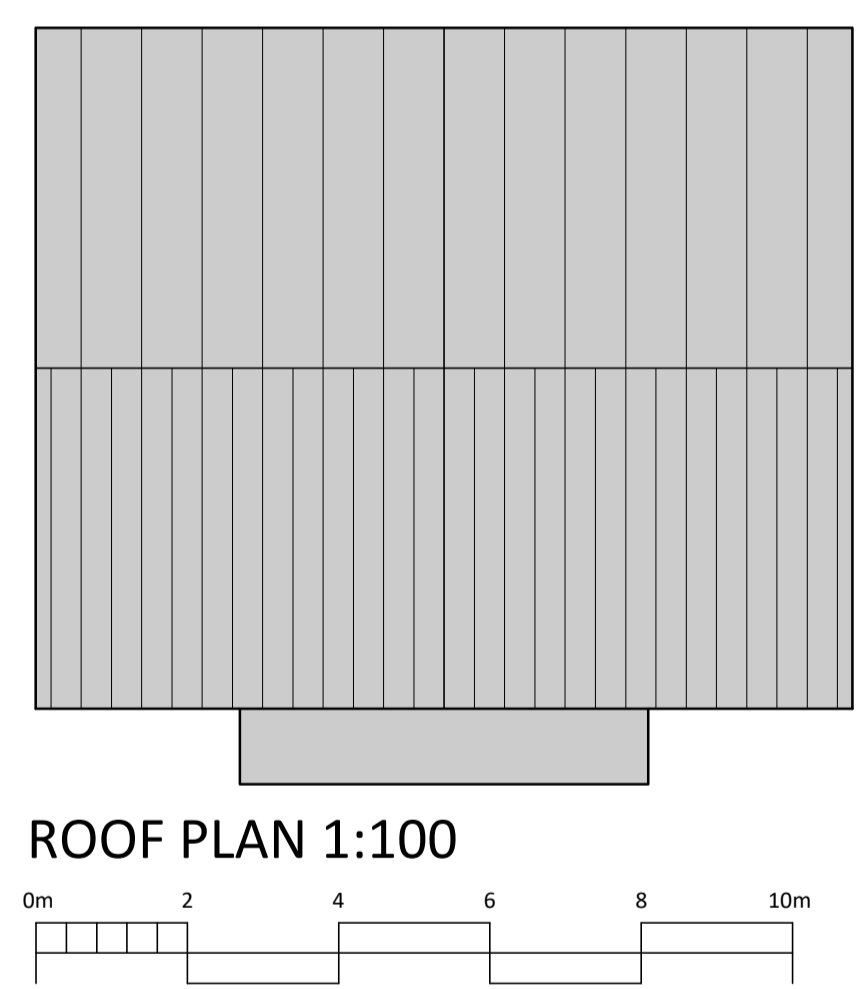
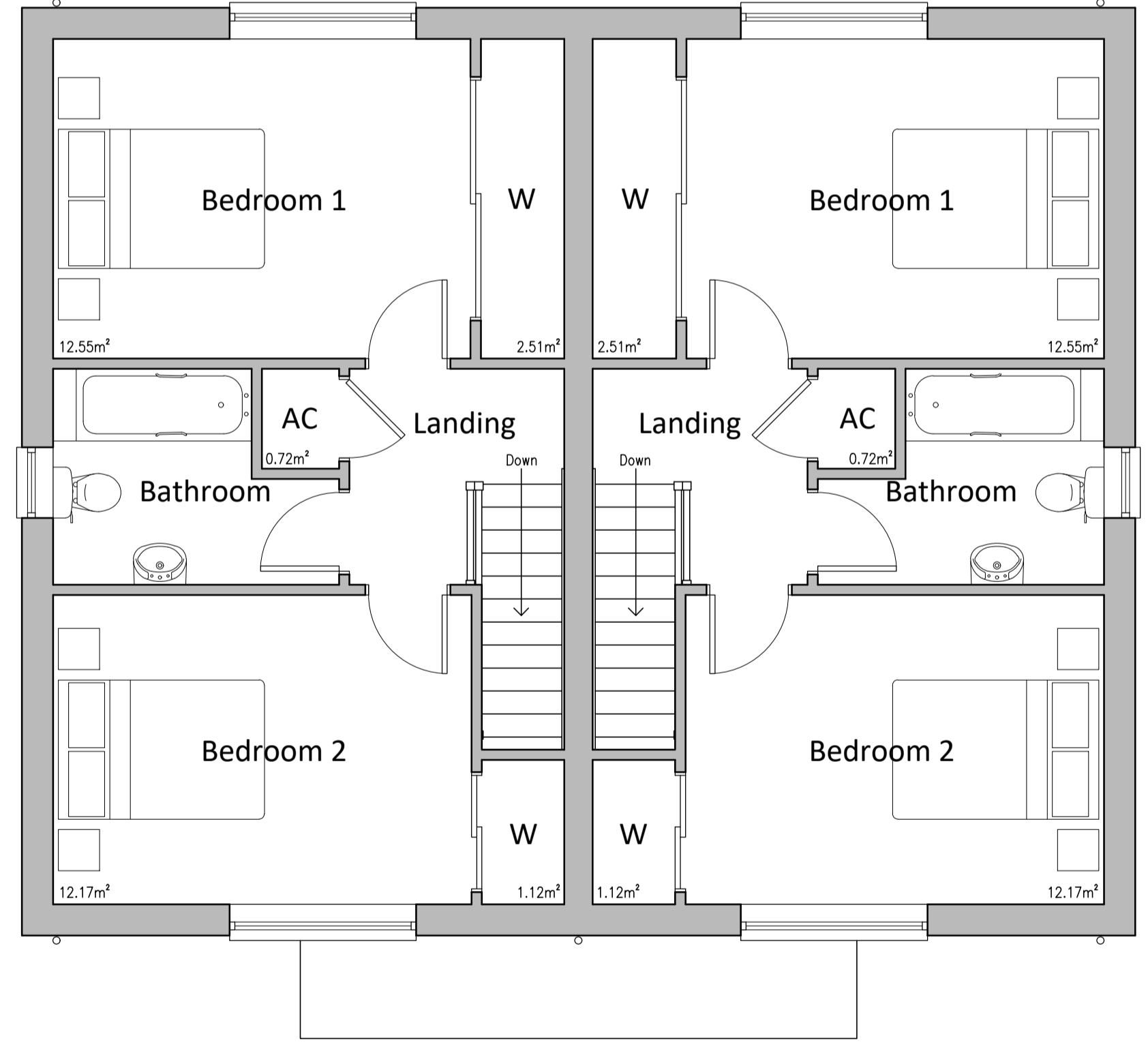
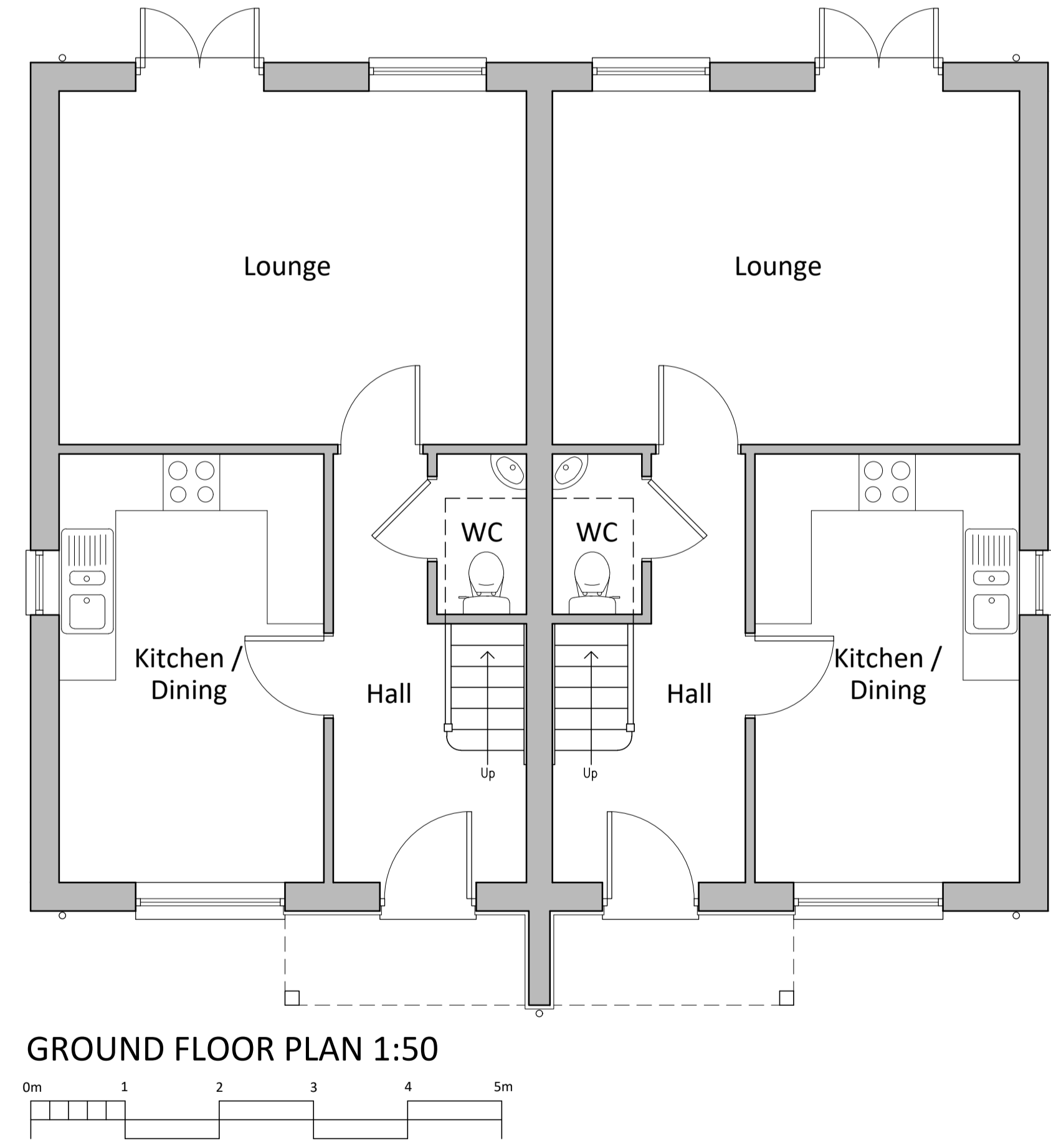
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Plot Schedule:

As Drawn	Handed
Plots 11 to 14	N/A



Room Schedule:

Ground Floor	
Lounge	3.75m x 4.95m
Kitchen / Dining	4.54m x 2.80m
WC	1.70m x 0.95m
GIA =	41.63m ² / 447ft ²
First Floor	
Bedroom 1	3.10m x 4.04m
Bedroom 2	3.00m x 4.04m
Bathroom	2.09m x 1.92m
Storage =	4.35m ² / 46ft ²
GIA =	41.63m ² / 447ft ²
Storage TOTAL =	4.35m ² / 46ft ²
GIA TOTAL =	83.26m ² / 894ft ²

A - 15.05.24 - Amendments following site layout revisions.
REVISIONS



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CLIENT
URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.88
WEST STREET
CHATTERIS
CAMBS
PE16 6HR

DRAWING
PLANNING DRAWING 7 (TYPE E)

JOB NO. 6343/PL17A	PAPER SIZE A1	DATE OCT 2023
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F/YR23/1033/F

**Applicant: Urban Developments
Peterborough Ltd**

**Agent: Ms Kate Wood
Eddisons Barker Storey Matthews**

Land South Of 88 West Street, Chatteris, Cambridgeshire

Erect 21 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 2 x 2-storey 4-bed) with associated access works, parking and landscaping, and the formation of attenuation ponds, involving the demolition of existing buildings.

Officer Recommendation: Grant

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

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission for 21 x 2-storey dwellings, works are proposed to upgrade West Street with a footpath being provided and a pedestrian link is also provided through the site. The development also involves the formation of attenuation ponds and the demolition of existing buildings. The principle of development is considered to be acceptable in this location as the proposal constitutes a small extension to an established market town. A previous application for this site and a similar form of development under reference F/YR22/0381/F was refused with the sole reason for refusal being the uncertainty regarding the width of the Right of Way and therefore the uncertainty of the delivery of the necessary highway improvement works. The previous refusal reason has now been satisfied and there is not considered to be a material character or amenity impact from the proposed layout and design of the site in the context of this previous decision.
- 1.2 There are no significant issues in relation to flood risk, drainage for the development site, or ecology, subject to suitable conditions. Part of the site is in Flood Zones 2 and 3, yet the majority of the built form, excluding parts of the turning areas and car parking are in Flood Zone 1. It is not considered that this would expose the future residents to unacceptable flood risk and on balance would be acceptable despite the failure of the application to adequately address the sequential or exceptions tests.
- 1.3 There are no significant issues in relation to the residential amenity of future residents or the existing dwellings in the vicinity. The submitted plans show acceptable separation distances to existing properties and fenestration is appropriately sited to prevent material overlooking. As such the proposal would not result in a significant detrimental impact to the residential amenity of future residents or the existing dwellings in the vicinity.
- 1.4 County Highways are content that the internal layout is acceptable, and the

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required parking provision is provided for each property. The realigned legal width of the public right of way was confirmed with a Definitive Map Modification Order (DMMO) on the 24th January 2025.

- 1.5 There are not considered to be any further technical or other issues which cannot be addressed either via a condition or within the Section 106 document and consequently the recommendation is to grant planning permission.

2 SITE DESCRIPTION

- 2.1 The application site is located on the western side of West Street adjacent to the built-up settlement of Chatteris. The rear of the properties on Fairview Avenue are located on the opposite side of the road, and the site is accessed via a byway that links West Street and Blackmill Road. The route of the byway of West Street has been modified via a Definitive Map Modification Order which was confirmed on the 24th of January 2025. This byway then becomes a public footpath leading to Little Acre Fen Pocket Park and out of the town. The current access road is narrow and partially unmade.
- 2.2 The site consists of 3 large commercial type buildings constructed in block and what appears to be asbestos with lean-tos linking the buildings, in front of which is a gravel and concrete hardstanding area and to the rear and side an area of informal storage. The remainder of the site is paddock type land which does not appear to be actively farmed and contains a desire line to Little Acre Fen Drove, cutting off the corner (though it is acknowledged that this is private land). The site slopes down from east to west and there is a drain forming the western boundary of the site.
- 2.3 The eastern side of the site is located in Environment Agency Flood Zone 1, sloping west into Flood Zones 2 and 3. Areas of high, medium and low surface water flood risk are located along the drain to the western boundary, with a further area to the front of the existing buildings of site, adjacent to the public byway.

3 PROPOSAL

- 3.1 This application seeks to erect 21 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 2 x 2-storey 4-bed) with associated works. These works include access, parking and landscaping and the formation of attenuation ponds, involving the demolition of existing buildings. The development will comprise a mix of detached and semi-detached two-storey dwellings, with 5 of the 21 dwellings to provide affordable housing.
- 3.2 Works are proposed to upgrade West Street to facilitate access to the development, with works proposed both within the adopted highway to the north of the development and to the public right of way running adjacent to the site.
- 3.3 The development involves alterations to site levels (the main site will be raised by up to 1.5m, whilst the access will be raised by a slightly lower level), the formation of attenuation ponds and the demolition of existing buildings. A strip of land

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adjacent to the western edge of the site would be utilised as open space and the footpath link and attenuation ponds are located within this.

- 3.4 Full plans and associated documents for this application can be found at:
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR22/0381/F	Erect 22 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 3 x 2-storey 4-bed) with associated parking and landscaping, and the formation of attenuation ponds, involving the demolition of existing buildings.	Refused – 17 th November 2022

5 CONSULTATIONS

5.1 Chatteris Town Council – 25th September 2024

Recommend Refusal. This application is premature as the width of the byway has still not been agreed. As it stands the application fails to overcome access problems as there is still no guarantee that the road shown can be delivered. Have other options to access the site been considered? There are also concerns about the impact of more cars on West Street which has existing traffic problems.

5.2 Fenland District Council – Housing Strategy – 19th September 2024

I note that there has been a reduction on the number of affordable units from the original 6.....to 5,Whilst I am disappointed to see this reduction, 5 affordable units would still be inline with policy. The tenure split I would expect to see on 5 dwellings would be 4 affordable rent and 1 shared ownership.

Further discussion with Housing Strategy on the 1st of July 2025 confirmed that there may be difficulties for the developer in securing a Registered Provider (RP) for this number of units and that an alternate form of affordable provision in the form of rent to buy or First Homes may be appropriate.

5.3 Cambridgeshire County Council – Planning and Sustainable Growth Service – 23rd June 2025 (Summary table of S106 contribution request)

	Contribution	Project	Indexation date	Trigger
Early Years	£32,226	New 1FE primary school, with 2FE core and purpose-build early years accommodation.	1Q2022	100% prior to occupation of 50% of the development
Primary	£76,749	New 1FE expansion of Cromwell Community College primary school phase.	1Q2022	
Secondary	£77,022	1FE expansion to Cromwell Community	1Q2022	

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		College		
Libraries	£3,098	Remodel Chatteris Library to increasing the floor space available to the community.	1Q2019	100% prior to occupation of 50% of the development
Monitoring	£150			

5.4 Cambridgeshire County Council – Archaeology – 11th December 2024

No objections but request a pre-commencement condition securing a programme of archaeological work.

5.5 Fenland District Council – Environmental Health – 12th December 2024

The Environmental Health Team note and accept the information submitted in respect of the above re-consultation and have 'No Objections' to the latest content.

Comments received on the 17th of December 2023 set out no objections but requested conditions regarding contaminated land, asbestos removal, construction and delivery hours, complaints procedure, vibration impact assessment, and a lighting scheme.

5.6 Cambridgeshire Constabulary – Designing Out Crime Officer – 12th December 2024

Thank you for the opportunity to comment on this revised planning proposal. Having viewed the documents my previous comments still stand dated 3rd October 2024. I currently have no additional comments.

The comments from the 3rd of October 2024 stated that the scheme is an acceptable layout in relation to crime prevention and the fear of crime. The Officer requests a cycle storage condition and a lighting condition.

5.7 Cambridgeshire Fire & Rescue – 17th December 2024

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. They also provide guidance on fire service access and building 11 metres or greater in height.

5.8 National Health Service – 17th December 2024

Further to the revision of a reduction in number of dwellings to 21, our revised mitigation is as follows:

The development of 21 dwellings would see an increase patient pressure circa 50 new residents.

CAPICS calculates the level of contribution required, in this instance to be £18,054.14 (3.456 sqm at £5224/m²)

5.9 Middle Level Commissioners Internal Drainage Board – 18th December 2024

Please be advised that neither the Middle Level Commissioners nor our associated Boards are, in planning terms, statutory consultees and, therefore, do not actually have to provide a response to the planning authority and receive no external funding to do so. However, it is considered that a response is provided due to the location of the development.

Following the Board's meeting in July 2024, the Board issued the following statement regarding the disposal of surface water from developments in this location:

** The above development is within the rateable area of the Board's system, close to the Washways Pumping Station.*

** In a high rainfall event, water from the highland area near the villages of Warboys and Pidley can take 12 hours to reach the Washways Pumping Station, which then runs at capacity to discharge the water to the Middle Level system. Please see the map below showing the Board's system and the position of the development site.*

** As the above development is close to the Washways Pumping Station, the Board feel that it would cause less of a flood risk to the system, if the water from the development could reach the pumping station before the 12-hour peak, when the station could better cope with the discharge. This would require a discharge higher than the proposed attenuated rate.*

** As a rule, the Board request discharges from new developments to be at greenfield rates, but for the above reasons, an exception could be made in this case. * This would not set a precedent for discharges over greenfield rate, but the Board may consider a similar solution if further development were proposed in this area south of Chatteris.*

** The receiving ditch may need improvement to accept the discharge to enable it to meet the Board's system. These works would be consented as part of the discharge and byelaw consent applications and separate agreements would also need to be made between the developer and landowner.*

** The proposed attenuation pond would not be reduced in size, but the Hydro-brake flow control diameter could be enlarged to increase the discharge rate to be agreed.*

** Any discharge of surface water over the greenfield rate will require Discharge Consent from the Warboys, Somersham & Pidley IDB * Any discharge of treated foul water via the Chatteris WRC will require Discharge Consent from Nightlayers IDB*

*Extract from Board's District Plan, development shown
Parsons' dwg 21159-001 Rev P11 has been considered, and the following points are noted:*

** The receiving ditch to the west of the development is not a Board's drain, although it is considered that a maintenance strip should be included next to any*

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watercourse. The receiving ditch meets the Board's system at the SW corner of the site, at point 23 on the plan above.

** There is very little room allowed around the attenuation pond for maintenance, particularly close to the fencing around the back gardens.*

** A freeboard of 150mm for the attenuation pond is not considered to be sufficient. Although the agent's Technical Response to the LLFA dated 9th December advises that 150mm will be added to the freeboard, only 150mm is shown on dwg 21159-001 Rev P11.*

5.10 Anglian Water – 21st December 2024

A condition is requested with regard to development close to Anglian Water assets. Comment is made that Nightlayer Fen water recycling centre can accommodate the flows from this development.

Conditions and informatives are recommended in relation to further details of surface water disposal, a sewer diversion application and impact on Anglian Water assets.

5.11 Environment Agency – 23rd December 2024

We have reviewed the submitted site plan dated October 2023 and wish to make the following additional comments:

Although the site plan indicates that the proposed dwellings are located within Flood Zone 1, parts of the development, including some garden areas, access roads and SUDS features, are shown to be located within Flood Zones 2 and 3. As such, we consider that the Sequential Test should be applied to this development, in line with paragraph 175 of the NPPF.

Previous comments from the 4th of January 2024 stated:

We do note that the proposals have been designed to avoid the areas of flood risk onsite and that the flood risk in the area is reduced due to the presence of defences along the River Nene and The Great Ouse. There is some uncertainty over the risk of flooding from the adjacent IDB drain, although none of the available mapping indicates that there is a risk associated with this. The IDB may hold more information on the standard of protection their drains are designed for.

5.12 Fenland District Council – Trees Consultant – 31st December 2024

No objection.

5.13 Cambridgeshire County Council – Lead Local Flood Authority – 22nd January 2025

As Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

Further comments from the LLFA consider that surface water can be adequately managed through the suggested details. They request a detailed surface water

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scheme condition to be submitted, agreed and implemented, including the future maintenance and management of the scheme. They also request technical informatives.

5.14 Cambridgeshire County Council – Highways Officer – 24th February 2025

No Objection, but recommends conditions related to street management, highway boundary markers, construction of West Street where it traverses the byway, construction of vehicular accesses and driveways, the first 5 metres of driveways, visibility splays, planting adjacent the highway and the provision of temporary facilities. They also request an informative concerning works in the public highway.

5.15 Fenland District Council – Ecology – 4th March 2025

In relation to my previous comments on the above planning application I have now been provided with a reptile survey of the site by the applicant (attached). While the survey is a little dated (2021), I am prepared to accept the survey results as sufficiently up-to-date to inform the current application. The survey did not record any common lizards, although a single grass snake was recorded on one occasion at the periphery of the site. I would advise that, providing the mitigation measures described in section 5.2 of the Reptile Survey Report are required to be implemented in full by Condition, the development will not cause harm to reptiles.

Reason for Condition – conservation of protected species

Biodiversity Net Gain

I would accept that the proposals could achieve a meaningful Gain in Biodiversity, given the current character of the site and the planned new landscaping. The long-term management of the new landscaping (the biodiversity gain) should be secured by a Condition placed on any permission granted to the proposals. The Condition should require the preparation of a long-term Landscape Management Plan for the development

5.16 Cambridgeshire County Council – Definitive Map Team – 19th June 2025

I am writing to confirm that as Public Byway 22, Chatteris now has an established legal width, we withdraw our objection.

They have requested various informative notes be included with any permission.

5.17 Local Residents/Interested Parties

Objectors

11 individual objections and a 167-person petition of objection have been received. The individual objections are from various addresses close to the site. One objection from Blackthorn Close, eight objections from Fairview Avenue, one from Fairview Gardens and one from West Street raising the following issues:

- Impact on road network from additional traffic, large vehicles, on-street parking and damage to the road surface on narrow road
- Lack of amenities and services in Chatteris

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- Flood risk
- Lack of sewage capacity
- Loss of open space and consequent impact on ecology and environment
- Loss of open space used as public recreation facility
- Outside built form of settlement and out of character with the area
- Amenity issues including overlooking
- Over development with adverse visual impact
- Light pollution
- Loss of agricultural land
- No material change from previous decision
- Ecology surveys outside breeding season
- Cumulative impact
- Loss of employment land
- Housing targets already achieved
- Impact during construction, including health impacts
- Property devaluation
- Loss of views

Supporters

One communication of support has been received from London Road in Chatteris on the following grounds:

- Existing buildings are unsightly.
- The development will contribute positively to the local area.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 5 – Delivering a sufficient supply of homes

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement
Nature
Homes and Buildings

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
- LP6 – Employment, Tourism, Community Facilities and Retail
- LP10 – Chatteris
- 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

Delivering and Protecting High Quality Environments in Fenland SPD 2014

- DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
- DM6 – Mitigating Against Harmful Effects

Developer Contributions SPD 2015

Cambridgeshire Flood and Water SPD 2016

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP21: Public Rights of Way
- LP22: Parking Provision
- LP24: Natural Environment
- LP27: Trees and Planting
- LP28: Landscape

- LP31: Open Space and Recreational Facilities
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination

8 KEY ISSUES

- Principle of Development
- Layout and Design
- Impact on Residential Amenity / Land Users
- Highway Safety and Parking
- Flood Risk and Drainage
- Developer Contributions
- Other Matters for Consideration
- Biodiversity Net Gain (BNG)

9 BACKGROUND

- 9.1 A previous application for 22 dwellings on this site was submitted under F/YR22/0381/F. This application was reported to Planning Committee on the 16th of November 2022 with three recommended reasons for refusal. The sole reason for refusal accepted by the Committee is shown below with other proposed reasons for refusal concerning rural character and amenity concerns arising from alterations to land levels not being accepted:

Policy LP2 and LP15 of the Fenland Local Plan 2014 and para 110 of the NPPF 2021 seek to achieve a safe, suitable and sustainable access for all users. The legal width of the Byway is unknown and as such there is no guarantee that it could be improved as indicated. As such, it has not been demonstrated that a well-designed, safe and sustainable access can be achieved, contrary to the aforementioned policies.

- 9.2 Planning permission was granted in June 2025 for 70 dwellings to the north of the site (F/YR23/0940/F) accessed between 74 and 84 West Street.

10 ASSESSMENT

Principle of Development

- 10.1 Chatteris is identified within the Settlement Hierarchy as a Market Town; Market Towns are identified within Policy LP3 of the Fenland Local Plan 2014 as the focus for housing growth as the most sustainable locations within the District. The proposal is for 21 dwellings, which for the purposes of Policy LP4 is a small scale (less than 250 dwellings) housing proposal. Therefore, in the broad terms set out in these policies, the proposal would be acceptable in principle. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of residential or visual amenity, design, parking, highways, flood risk or ecology.
- 10.2 The National Planning Policy Framework (2024) outlines, within paragraph 61, that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come

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forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community".

- 10.3 Paragraph 73 of the NPPF also emphasises the importance that the contribution of small to medium sized sites can make in meeting the housing requirements. ("Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built out relatively quickly"). This policy seeks to ensure that there is a sufficient supply of homes and advises that sites of all sizes make a contribution to the housing requirement of an area.
- 10.4 Part of the application site encompasses three linked commercial buildings which the applicant's agent advise have been in use by an engineering company for the past 10 years and as such would be in B2 (general industrial) use.
- 10.5 Policy LP6 states that the Council will seek to retain for continued use high quality land and premises currently in use for B2 employment purposes. Information submitted with the application sets out that the company are currently in the process of relocating, hence the business will not be lost, and it has also been stated that the buildings are in poor condition and nearing the end of their useful life. This information was also submitted with the previous application F/YR22/0381/F. This was not refused on LP6 issues and therefore the position regarding the loss of a business in this location is accepted.
- 10.6 To this end paragraph 125 of the NPPF 2024 states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. The site of the current buildings would be considered brownfield or previously developed land as defined in the NPPF. Furthermore, the site is located on the edge of the settlement. As such, on balance, the redevelopment of this area of the site for housing is appropriate and potentially more compatible with the adjoining residential use, subject to other policy considerations including the appropriateness of the design, sustainability of the site and suitability of access.

Layout and Design

- 10.7 The application proposes to create an extension to the existing highway of West Street. This will provide the main access road for the development along the alignment of the byway running south from West Street with Plots 1 and 2 directly fronting this. An access road is proposed to run east-west into the wider site from this to serve plots 3-10. South of this access road the main access road continues before diverging from the public right of way to turn into the site on an east-west alignment with the public right of way remaining, linking to Blackmill Drove. This southern part of the access road would serve the remaining plots with Plots 11-14 fronting onto the main access road on its north-south element. To the west of the housing development is the open space, incorporating the SUDs features as well as a footpath which would link the two east-west roads and then link to Little Acre Fen Drove. The affordable housing is shown in two pairs of semi-detached dwellings and a detached unit in the southeastern part of the site.

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- 10.8 This area of West Street to the north features a linear development of 5 detached, single-storey dwellings on good sized plots with views of the open countryside beyond afforded between dwellings. The properties on Fairview Avenue to the east are a mix of 2-storey and single-storey dwellings, with single-storey dwellings at Fairview Avenue to the south, and dwellings with ancillary buildings to the west separating the main built form from the open countryside. There are then 2 large, detached properties on substantial plots to the south of the Fairview estate off the Blackmill Road Byway, hence there is a looser knit, more spacious form of development as the settlement is exited marking the transition between the town and the countryside.
- 10.9 The West Street properties are served by an adopted highway up until the southern boundary of No.88 and this then becomes a byway of tarmac construction which is in poor repair, and which is proposed to be incorporated into the access road for the development, and then becomes a narrower gravelled track with grass verge linking to a public footpath which leads to Little Acre Fen Pocket Park. There is also a Bridleway to the west of the site, hence the area is prominently visible by users of the rights of way around the site.
- 10.10 As part of the consideration of application F/YR22/0381/F concerns were raised regarding the impact of the development upon the character of the area given this loose knit, 'edge of settlement' character and the visual prominence of the site. As that application was not refused on this basis, it would be unreasonable to introduce this as a reason for refusal now.
- 10.11 When considering the design and appearance of the development itself, the application proposes 2-storey development at between 8.6m and 9m in height, compared with the single-storey dwelling of 88 West Street (as can be seen on the submitted street scene) and the 2-storey dwellings on Fairview Avenue at around 7.2m in height (measurement taken from application F/YR21/1508/F) which it would be seen against. The proposed dwellings are of a design of a similar design to the 2-storey dwellings on Fairview Avenue though of a more modern appearance and the materials proposed are as follows: Plots 1-11 Vandersanden Woodland Mix Bricks Horizontal Fibre Cement Board in Slate Grey Sandtoft 20/20 Flat Interlocking Clay Plain Tile in Antique Slate Plots 12-22 Vandersanden Corum Bricks Horizontal Fibre Cement Board in Light Grey Marley Edgemere Interlocking Concrete Slate in smooth Grey 9.14 The properties on Fairview Avenue are mix of buff, gold and red brick with grey pantile roofs. The properties along West Street closest to the site are constructed in red brick with grey tile roofs. Given the variety of materials in the area those proposed are considered to be acceptable. The surrounding area is characterised by modest, detached dwellings of varying styles, but generally simple and unassuming in architectural appearance. The proposed properties are not considered to be visually incongruous when assessed against the built character of dwellings to the north, east and south-east of the site and the previous decision on the site did not reference this as being an area of concern.

Impact on Residential Amenity / Land Users

- 10.12 Policy 16(h) of the Local Plan requires that one-third of any new residential plot is devoted to private amenity space. All of the properties meet this requirement, save for the affordable dwelling at Plot 21 in the south-east corner of the site which is approximately 1.5 sqm below the necessary area. This is considered to be such a negligible shortfall in provision as to render the policy complied with.

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- 10.13 When assessing the relationships between the proposed dwellings it is considered that there is no unacceptable overlooking between the properties, and it is considered that there is appropriate separation distances to ensure that there is no undue overshadowing or limitation of light. A condition relating to obscure glazing the first floor window in the side elevation of some of the plots could be imposed to address the potential overlooking from this.
- 10.14 The application proposes the raising of land levels; previously this raised concerns in terms of the possible relationship between the dwellings adjacent to the northern boundary of the site and the neighbouring dwelling, 88 West Street. This was not a reason for refusal previously, as the land levels now proposed are the same there is a greater separation between 88 and its nearest neighbour the proposal is considered to be acceptable. As above a condition could be imposed to secure the obscure glazing of the first-floor side window in Plot 3 facing the rear garden of 88.
- 10.15 The slope toward the existing drain at the western boundary will be less pronounced and land will be raised in the areas of the site within Flood Zone 1. The land will then slope away to the proposed attenuation ponds and public open space toward the western extent of the site, upon which no dwellings are to be sited. The areas of the site where land will be raised by approximately 1 metre near to Flood Zone 2 are not in close proximity to existing dwellings and will provide a greater uniformity to the height of the proposed two storey dwellings on site. Notwithstanding the above considerations, a detailed analysis of the impact of raised site levels cannot be made as a proposed topography plan showing site levels and adjacent site levels has not been provided. To address this matter a condition requiring full details of existing and proposed site levels could be imposed on any permission.
- 10.16 With regard to the dwellings at Fairview Avenue, the closest separation distance to a dwelling is 35 metres, which is an acceptable distance to mitigate any harm. The rear boundaries of Fairview Avenue are bordered by a 1.8 metre high timber fence. The properties on Fairview Avenue will experience a change in outlook and some loss of privacy as a result of the development, however the distances are such that this would not be considered significantly detrimental to their residential amenity.
- 10.17 As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of future residents or the occupiers of adjacent properties. As such, the proposal is considered to accord with the provisions of Section 12 of the National Planning Policy Framework (2024), and Policy LP16 of the Fenland Local Plan (2014).

Highway Safety and Parking

- 10.18 The adopted highway of West Street stops just north of the application site and to facilitate the development improvements are proposed to this section of road to the north. For approximately 100m West Street will be widened to 5 metres and a new 1.8 metre wide footpath added to the highway. These works will alternate between the east and west side of West Street and will link to the existing footway network. This road will then continue beyond the extent of the adopted highway

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within the byway and following the alignment of this before diverging into the wider site with the public right of way continuing on its current alignment south-east.

- 10.19 The previous application was refused as the legal width of the byway was unknown and consequently there was no certainty that the highway scheme shown could be delivered:

Policy LP2 and LP15 of the Fenland Local Plan 2014 and para 110 of the NPPF 2021 seek to achieve a safe, suitable and sustainable access for all users.

The legal width of the Byway is unknown and as such there is no guarantee that it could be improved as indicated. As such, it has not been demonstrated that a well-designed, safe and sustainable access can be achieved, contrary to the aforementioned policies.

- 10.20 The applicant subsequently applied to the County Council for a Definitive Map Modification Order which has been made by the County Council, and which has had the effect of confirming the legal width of the byway. This has demonstrated that the works to the byway to facilitate the road to serve the development can be delivered within its legal width. As such the previous reason for refusal is considered to have been addressed.
- 10.21 Information submitted with the application advises that the estate roads would be built to an adoptable standard, although there is an area of road serving Plots 3-6 which does not appear to be of an adoptable nature. The submitted plans demonstrate that a refuse vehicle can enter and turn within the site for collection. A suitable bin collection area is detailed near the turning head to serve Plots 3-6 as these are accessed via a private drive. All units have separate rear access so that bins and bicycles can be moved from rear gardens to the front of the property without having to move through the house.
- 10.22 The Highway Authority have commented on the application and raised no objections subject to the imposition of conditions.
- 10.23 It is considered that the development proposed allows continued connectivity via the byway to Blackmill Drove to the southeast of the site and also provides pedestrian routes through the development and connecting to Little Acre Fen Drove to the south of the site.
- 10.24 Each dwelling meets the minimum of two off road parking provision for the two- and three-bedroom dwellings, with the four-bedroom dwellings at Plots 1 and 2 meeting the minimum requirement of three off road parking spaces. This accords with Appendix A of the Fenland Local Plan. The provision of on-site parking to all units also facilitates convenient access for disabled car users. Adequate parking space dimensions are provided for each dwelling on site.
- 10.25 The Fire Authority have requested adequate provision be made for fire hydrants on site which will be secured by condition.
- 10.26 The application is therefore considered to be acceptable with regards to matters pertaining to highways and would not have an unacceptable impact on highway

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safety in accordance with Local Plan Policies LP2 and LP15, as well as Section 9 of the National Planning Policy Framework (2024).

Flood Risk and Drainage

- 10.27 National planning policy does not prohibit the granting of planning permission for developments in areas at high risk of flooding. While guidance exists to ensure that flood risk is appropriately assessed and mitigated, there are no absolute legal restrictions preventing development in such locations. The central and eastern area of the proposal site is located in Environment Agency Flood Zone 1. The western side of the site is located in Flood Zones 2 and 3 and is therefore considered to be at a high probability of fluvial flooding.
- 10.28 Policy LP14 of the Local Plan as well as Paragraph 175 of the NPPF seek new developments to adopt a sequential approach to flood risk, where new developments are steered to areas with the lowest possibility of flooding. The Sequential Test is based on flood risk vulnerability and land availability within a defined search area. It is a site-based and policy-driven test.
- 10.29 The Planning Practice Guidance (PPG) advises that a Sequential Test is required for planning applications in areas at risk from flooding from any source. In the case of river and sea flooding, this specifically includes land within Flood Zones 2 and 3. The fundamental objective of the Sequential Test is to steer new development to areas with the lowest risk of flooding (i.e. Flood Zone 1), in line with the risk-based approach advocated by paragraph 172 of the National Planning Policy Framework (2024).
- 10.30 The western side of the application site lies within an area of identified flood risk and, as such, the application site is at risk of flooding. While it is acknowledged that the majority of built development is located outside of Flood Zones 2 and 3 this does not, in itself, disapply the requirement to undertake the Sequential Test. A Sequential Test has been submitted by the Applicant in support of the application.
- 10.31 The Courts have confirmed that whilst it is generally accepted that the siting of development, in relation to flooding, should be lead through a sequential risk-based approach there may be times when it is acceptable to not take such an approach. However, this will need to be for very special circumstances and would be the exception rather than the norm.
- 10.32 In accordance with the national flood risk guidance, a sequential test has been submitted by the applicant assessing potential alternative sites within Chatteris. Within the report, the Applicant has provided some reasoning behind the parameters that they have based the Sequential Test upon. It states that *“In the context of this sequential sites assessment the developer and Applicant (Urban Developments Peterborough Limited) is a company which does not build new homes at large scale (i.e. not akin with large scale national house builders). Their business model succeeds on developing smaller scale proposals with this proposal for 21 dwellings reflecting the upper limit of their business model.”*
- 10.33 The report goes on to state:
“It is also worth noting here that the Applicant does not hold any land interests within Chatteris, March, Whittlesey nor Wisbech other than at the Application

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Site. The Application Site has a site area of 1.34 hectares. For robustness this assessment considers land areas with the range of 0.75 to 1.5 hectares which is considered to be a reasonable range of site areas for a scheme of up to 21 dwellings. For example, the density of a 21 dwelling scheme on a land area of 0.75 hectare would be 15.75 dwellings per hectare. “

- 10.34 It is considered that the basis for the parameters assigned by the agent is flawed and does not reflect relevant guidance or case law. The approach suggested would materially limit the number of sites available which could accommodate the comparable quantum of housing through the provision of a larger development located entirely with Flood Zone 1 in or adjacent to built-up settlements.
- 10.35 When applying the Sequential Test under the NPPF, the key principle is that the test should be undertaken objectively, based on flood risk and the suitability of alternative sites for the proposed use. It should not be tailored to reflect the applicant's individual circumstances. In this case, the Sequential Test submitted places weight on matters such as the applicant's business model, specifically, the size of developments typically pursued, and their lack of control over other land holdings. These factors are not relevant to the application of the Sequential Test as set out in national policy and guidance.
- 10.36 The Sequential Test must be applied in accordance with national policy and should be based on an objective assessment of site availability and flood risk. The Applicant's personal, financial, or operational circumstances, including land ownership, business model, or site preferences, are not considered valid reasons to bypass or fail the test.
- 10.37 On this basis, it is concluded that the submitted Sequential Test is not robust and does not comply with national policy or the expectations established through case law. It must also be noted that the submission demonstrates that there are other sites in preferable locations that are and can deliver housing. As such, it is not considered that the proposal has passed the Sequential Test.
- 10.38 The NPPF confirms that where it is not possible to locate development in zones of lower flood risk, the Exception Test may be applied. This test provides a framework for assessing whether development can proceed safely, whilst recognising the wider sustainability needs of a community.
- 10.39 Whilst the proposal is not acceptable in principle, it is considered that the exception test should still be considered in the interests of completeness. The Exception Test comprises two elements, both of which must be satisfied:
- a) Development to demonstrate that it achieves wider community sustainability benefits having regard to the district's sustainability objectives, and
 - b) That it can be made safe for its lifetime and will not increase flood risk elsewhere ('flood risk management')
- 10.40 (a) Wider community sustainability benefits
The first limb of the Exception Test requires that the development provides wider sustainability benefits to the community that clearly outweigh the flood risk. In this case, the proposal would make a direct contribution to meeting housing targets for the district on an area of partially brownfield land, immediately adjacent to the built-up settlement of Chatteris. However, this must be considered in the context of the Council being able to demonstrate a deliverable five-year housing land

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supply, alongside a consistent pattern of windfall development significantly exceeding Local Plan expectations. While it is acknowledged that the five-year supply represents a minimum requirement rather than a cap on development, it is not considered that the provision of additional housing in this location, within an area at risk of flooding, would deliver sufficient community benefit to outweigh the identified harm and policy conflict, or to justify a departure from national policy and the adopted development plan.

10.41 (b) Flood safety

The second limb requires that the development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, reducing overall flood risk. There is a small amount of built development within Flood Zones 2 and 3. This consists of a parking area between Plots 4 and 5, paved areas to Plots 3 to 7, as well as Plots 16 to 17. The parking areas for Plots 7, 16 and 17 are also in Flood Zone 2. Additionally, the end of the two estate road spurs are to be located in Flood Zones 2 and 3.

10.42 These areas of flood development do not lead to further development within Flood Zones 2 and 3 and are at the periphery of the flood risk classification lines. Due to the topography of the site, it is not considered that the areas of built development will retain water in the event of heavy rainfall. The topography of the site gently slopes in a westward direction passing through the parking areas and estate roads to the attenuation ponds and drain beyond via soakaways and natural drainage. The areas to the front of every property are located in Flood Zone 1. Additionally, the parking areas and estate road spurs do not lead to further development with Flood Zones 2 and 3. All of the dwellings on site are located in the Flood Zone 1 and the estate road connecting to West Street to the north does not pass through any other areas within Flood Zones 2 and 3.

10.43 For the reasons given above, it is considered that these areas of built development do not increase the vulnerability of the occupants of the site and do not increase flood risk elsewhere. It is therefore considered that the second limb of the Exceptions Test has been satisfactorily addressed.

Lack of an adequate Sequential Test

10.44 Case law has established that there may be circumstances in which a decision-maker can lawfully grant planning permission notwithstanding a failure to satisfy, or undertake, the Sequential Test. Such circumstances may include situations where the proposed development is supported by a wider strategic context—such as regeneration priorities or site-specific allocations within the Local Plan—where it addresses an identified and justified need, or where other material considerations are judged to outweigh the policy conflict.

10.45 In this instance it must be noted that a similar scheme was submitted to the Council (reference F/YR22/0381/F) at this site. Whilst this application was refused by the Council, flooding and the associated risk did not form a reason for refusal. Given that the site boundary has not been altered and the application is assessed against the same Fenland Local Plan (2014), and a largely unaltered NPPF, in relation to flooding, the previous determination of the Council weighs heavily in favour of this application.

Foul and surface water drainage

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- 10.46 It is proposed to filter runoff from private driveways parking spaces through a filter media within permeable surfacing and discharge to the existing Drain / Watercourse at the western side of the site. Runoff from proposed residential properties shall be collected with rainwater pipes which will also be filtered through the silt traps upstream of attenuation features. Final filtration will be conducted via forebays connected to adoptable swales. Attenuated water shall be stored in a combination of Swales, Ponds and Type 3 Subbase located underneath the private parking spaces.
- 10.47 With regard to drainage, Middle Level Commissioners (MLC) have provided guidance as to discharge rates. MLC have considered that whilst the drain to the western boundary is not maintained by them, a maintenance strip should be included. MLC also observe that there is little room for attenuation pond maintenance, in particular close to the residential boundaries. With regard to the freeboard for the attenuation pond, MLC state that a freeboard of 150mm is not sufficient, although the agent's response to the LLFA states that the freeboard will be 300mm. This is not considered to be a substantive concern and can be addressed within the further drainage details to be confirmed by condition. The Lead Local Flood Authority has no objections to the submitted drainage strategy.
- 10.48 Foul sewerage is to be addressed by a mains sewer. A proposed new manhole along the eastern section of the access road will connect to the existing system and be the start point of a sewer diversion to an area beyond the western boundary. It is considered that the proposed surface water and foul water drainage details are acceptable, and no objections have been received from standard drainage consultees. Further details of foul and surface water drainage will be addressed by condition.

Conclusion to flood risk and drainage

- 10.49 Having regard to the planning history of the site, the limited and contained nature of the existing built form within Flood Zones 2 and 3, and the limited benefits arising from the delivery of dwellings on previously developed land, it is considered that, subject to the imposition of appropriate conditions, the material considerations in favour of the proposal outweigh the identified harm and policy conflict.

Developer Contributions

- 10.50 A 25% affordable housing provision required under Policy LP5 Part A for a development of this scale. Five affordable units are proposed, consisting of 4 x 2-bed dwellings and 1 x 3-bed dwellings as detailed on Plots 11 to 14, and Plot 21. This level of provision is considered to be policy compliant.
- 10.51 The Council's preference would be that these are provided as a 4:1 split between affordable rent and shared ownership and this will be included within a Section106 legal agreement should planning permission be granted. However, it is acknowledged by the Council's Housing Strategy Team that there are difficulties in securing a Registered Provider (RP) to take on the affordable units where there are less than 10 on a development. As such they suggest that the affordable units could be provided as 'rent to buy' as an alternative model of delivery. This option can be built into any legal agreement. As this is not a

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regularly used option by the Council for delivery of affordable housing it is recommended that an alternative fallback option of a financial contribution in lieu of on-site delivery could also be included in the agreement.

- 10.52 In addition to the above the Developer Contributions SPD 2015 sets out that 22% of a development site area should make provision for open space. In this case due to the size of the site this would usually be an off-site contribution, however due to the constraints of the site an area of open space is provided on site, this is in excess of 22% though its usability is reduced due to the presence of drainage attenuation features, however it does provide some benefit/provision and due to the level of contributions put forward Officers are not seeking anything further in this regard.
- 10.53 Further contributions have been requested from the National Health Service and Cambridgeshire County Council for education purposes. The NHS request a contribution of £18,054.14 to cater for circa 50 new residents. Cambridgeshire County Council request a £32,226 contribution for early years provision, a primary contribution of £76,749, a secondary contribution of £77,022, library contribution of £3,098 and a monitoring fee of £150. These contributions are to be secured through a Section 106 Agreement.
- 10.54 The agent has agreed to the proposed financial contribution requests on the 20th of June 2025.

Other Matters for Consideration

- 10.55 While the majority of issues raised within the responses received from members of the public have been addressed elsewhere within this report there are several issues which still need to be considered.
- 10.56 Concerns have been raised about disturbance during construction. A Construction Management Plan has been submitted which is not considered to be fully adequate and a condition requiring a further CMP to be submitted will be secured. Notwithstanding this, disturbance during construction will be controlled through this condition and therefore it is considered that this should assist in safeguarding amenities during the build period.
- 10.57 A number of objectors have expressed concerns with regard to the need for the development. Need is not a matter which carries material planning weight. Concerns have also been expressed about a loss of view. People do not have the right to view of land outside of their ownership; therefore, this concern does not carry material planning weight.
- 10.58 Finally, the loss of a pedestrian access from a gate in a rear boundary fence at Fairview Avenue as a result of the highways works is not a material planning concern. The properties in Fairview Avenue which border the eastern site boundary have access to the east facing frontages of their property, so there is not considered to be a material loss of access to a dwelling if a rear gate is lost as a result of the proposal.

Biodiversity Net Gain (BNG)

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- 10.59 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.60 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

11 CONCLUSIONS

- 11.1 The principle of developing the site for 21 dwellings is considered acceptable given the site's location adjacent to the built form of Chatteris and in accordance with the settlement hierarchy of the Local Plan.
- 11.2 The previous decision of the Council regarding the development of the site for 22 dwellings under reference F/YR22/0381/F, is considered to be a significant material consideration. Given that the decision on this application raised no issues regarding the visual or wider character impact of development in this location or nor did it raise any amenity it is considered that the current application for 21 dwellings it is considered that the current application should also be found acceptable on these grounds. This is as there have been no changes to planning policy or the site context that would outweigh the weight given to this material consideration.
- 11.3 The previous reason for refusal regarding the lack of certainty of delivery of the necessary highway infrastructure within the public byway has been resolved and no objections from the Highway Authority were raised to the application. With this in mind it is considered that the previous reason for refusal has fallen away.
- 11.4 Whilst it is acknowledged that the application fails to satisfy the requirements of the sequential test as set out in national policy, it is considered, having regard to the site's specific points highlighted above, that a reason for refusal on this basis alone would be unlikely to be sustained at appeal.
- 11.5 The design and appearance of the development is considered to be in keeping with the character and appearance of the area. Furthermore, the dwellings would provide an acceptable level of amenity for existing and future residents.
- 11.6 There are no other outstanding technical issues which cannot be addressed via condition or the proposed Section 106 legal agreement.
- 11.7 For the above reasons this application is considered to be in accordance with Policies LP1, LP2, LP3, LP4, LP5, LP6, LP10, LP13, LP14, LP15, LP16, LP17 and LP19 of the Fenland Local Plan (2014), as well as Chapters 2, 5, 12, 14 and 15 of the National Planning Policy Framework (2024).

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12 RECOMMENDATION

Members are recommended to APPROVE the application in accordance with the following terms;

1. The Committee delegates authority to finalise the terms and completion of the Section 106 legal agreement and planning conditions (proposed draft conditions are included below) to the Head of Planning; and,
2. Following the completion of the Section 106, application F/YR23/1033/F be approved subject to the draft planning conditions set out below,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the Section 106 legal agreement, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

Case Officer: David Grant	Team Leader: Alan Davies
Date: 10 th July 2025	Date: 14 th July 2025

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 other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roofs are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
3	<p>The first floor side elevation windows in Plots 3, 10, 11 and 15 shall be glazed with obscure glass and so maintained in perpetuity thereafter.</p> <p>Reason - To safeguard the amenities of future residents and the amenity currently enjoyed by the occupants of adjoining dwellings.</p>
4	<p>Prior to first occupation of the development hereby permitted the areas of Public Open Space, including footpaths, as shown on the approved plans will be delivered</p>

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	<p>in full and retained in perpetuity and shall be managed and maintained in accordance with details to have previously been submitted to and agreed in writing with the Local Planning Authority.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
5	<p>Prior to the first occupation of the relevant dwelling hereby approved, the associated on-site parking shall be provided in accordance with the approved plans. Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of occupiers for each dwelling of the approved scheme and shall not be used for any other purpose.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
6	<p>Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan 2014.</p>
7	<p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ul style="list-style-type: none"> a. The statement of significance and research objectives; b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c. The timetable for the field investigation as part of the development programme; d. The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives. <p>Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (DLUHC 2023).</p> <p>Informative</p>

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	<p>Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI. A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges.</p>
8	<p>No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been 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"> a) hard surfacing, other hard landscape features and materials b) existing trees, hedges or other soft features to be retained c) planting plans, including specifications of species, sizes, planting centres number and percentage mix d) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife e) details of siting and timing of all construction activities to avoid harm to all nature conservation features f) location of service runs g) management and maintenance details <p>The approved hard landscaping scheme shall be carried out with regard to the dwelling to which it relates, prior to the occupation of that dwelling and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.</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 in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
9	<p>Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. A proposed topography plan shall be provided which shows the site topography for the approved site and adjacent neighbouring land. The development shall be constructed and retained in accordance with the details so approved.</p> <p>Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by</p>

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	<p>cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.</p> <p>Reason: To reduce the risk of flooding of the development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 14 of the Fenland Local Plan, 2014 and Section 14 of the National Planning Policy Framework, December 2023.</p>
10	<p>Prior to the first occupation of the relevant dwelling hereby approved, boundary treatment shall be installed in accordance with the approved plan 6343/PL20D and retained in perpetuity.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
11	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:</p> <p style="padding-left: 40px;">i) the erection of any walls, fences or other means of enclosure to the frontage boundary to all plots (as detailed in Schedule 2, Part 2, Class A).</p> <p>Reasons:</p> <ol style="list-style-type: none"> 1. To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity and character of this part of the area in which it is set in accordance with Policies LP16 and LP18 of the Fenland Local Plan 2014. 2. To prevent the restriction of movement along the West Street public byway at the open frontage of Plots 1 and 2 of the approved development.
12	<p>Notwithstanding the submitted details, no development shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the consideration of the following aspects of construction:</p> <ol style="list-style-type: none"> a) Construction programme; b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures; c) Details of a temporary facilities area clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction; d) Details of restricted Construction hours; e) Details of restricted Delivery times and collections; f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites;

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	<p>g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate;</p> <p>h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways;</p> <p>i) Use of concrete crushers;</p> <p>j) Prohibition of the burning of waste on site during demolition/construction;</p> <p>k) Site artificial lighting including hours of operation, position and impact on neighbouring properties;</p> <p>l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.</p> <p>m) Screening and hoarding details;</p> <p>n) Access and protection arrangements around the site for pedestrians, cyclists and other road users;</p> <p>o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures;</p> <p>p) External safety and information signing and notices;</p> <p>q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures;</p> <p>r) Storage of materials, including soil, in areas of the site liable to flood, and:</p> <p>The approved CMP shall be adhered to throughout the construction period and must demonstrate the adoption of best practice.</p> <p>Reason: In the interests of protecting highway safety and residential amenity in accordance with policies LP2, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
13	<p>Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a detailed Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.</p> <p>The CEMP (Biodiversity) shall incorporate recommendations of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech 2023) and Bat Survey Report (Allied Ecology 2023) and must include the following</p> <p>A) Risk assessment of potentially damaging construction activities.</p> <p>B) Identification of "biodiversity protection zones".</p> <p>C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction this may be provided as a set of method statements</p> <p>D) The location and timings of sensitive works to avoid harm to biodiversity features</p> <p>E) The times during which construction when specialist ecologists need to be present on site to oversee works</p> <p>F) Responsible persons and lines of communication</p> <p>G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person</p> <p>H) Use of protective fences, exclusion barriers and warning signs if applicable</p> <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless</p>

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	<p>otherwise agreed in writing by the local planning authority</p> <p>Reason: To protect biodiversity in accordance with policies LP16 & LP19 of the Fenland Local Plan 2014.</p>
14	<p>No development above slab level shall take place until details for the provision of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any dwelling within the development is occupied.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>
15	<p>Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that foul water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
16	<p>No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.</p> <p>The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by Parsons Consulting Engineers (ref: 21159-001) dated 10th January 2025 and shall also include:</p> <p>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;</p> <p>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;</p> <p>c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);</p> <p>d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</p>

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	<p>e) Site Investigation and test results to confirm infiltration rates;</p> <p>f) 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;</p> <p>g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;</p> <p>h) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>i) Permissions to connect to a receiving watercourse or sewer;</p> <p>j) Measures taken to prevent pollution of the receiving groundwater and/or surface water</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 and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts. This condition is imposed in accordance with Policy LP14 of the Fenland Local Plan, 2014.</p>
17	<p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts. This condition is imposed in accordance with Policy LP14 of the Fenland Local Plan, 2014.</p>
18	<p>Prior to the first occupation of any dwelling details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 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. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>

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19	<p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 6343/PL11D.</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>
20	<p>No development above slab level shall take place at Plots 1 & 2 until a scheme to secure the highway boundary markers (as referenced on 6343/PL11D Rev D – Site Plan) has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall detail the type and location of boundary markers. The development shall be carried out in accordance with the agreed details prior to occupation of Plots 1 & 2.</p> <p>Reason: For the safe and effective operation of the highway. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
21	<p>Before development commences a timetable for the delivery of the road improvement scheme for West Street, including the byway, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shown on the approved plans shall be delivered in accordance with the agreed timetable and shall be retained in perpetuity thereafter.</p> <p>Reason: In the interests of highway safety and to ensure satisfactory access into the site. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
22	<p>Accesses to the public highway as shown on approved plan 6343/PL11B are to be provided before first occupation of the relevant dwelling and should be constructed so as to prevent discharge of water to highway.</p> <p>Reason: For the safe and effective operation of the highway. This condition is imposed in accordance with Policies LP14 and LP16 of the Fenland Local Plan, 2014.</p>
23	<p>Vehicular accesses and driveways shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway.</p> <p>Reason: in the interests of highway safety. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
24	<p>Two 2.0 x 2.0 metres pedestrian visibility splays shall be provided as shown on drawing 6343/PL11D Rev D – Site Plan. This area shall be kept clear of any obstruction to visibility exceeding 600mm high and retained as such throughout the lifetime of the development.</p> <p>Reason: In the interests of highway safety. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
25	<p>The mitigation measures concerning reptiles described in section 5.2 of the</p>

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	<p>Preliminary Ecological Appraisal – Final Report are required to be implemented in full prior to first occupation of the site and retained in perpetuity so that the development will not cause harm to reptiles.</p> <p>Reason: Conservation of protected species. This condition is imposed in accordance with Policy LP19 of the Fenland Local Plan, 2014.</p>
26	<p>No development shall commence until:</p> <p>(a) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority (LPA). The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs (b), (c) and (d).</p> <p>In the event that a remediation scheme is required, this should also be conditioned at this stage as follows:</p> <p>(b) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p> <p>(c) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.</p> <p>(d) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in the NPPF and Policies LP2, LP16 and LP19 of the Fenland Local Plan 2014.</p>
27	Approved Plans

