

Application Number: F/YR12/0623/F

Major

Parish/Ward: Whittlesey Town Council – Benwick/Coates/Eastrea

Date Received: 15 August 2012

Expiry Date: 14 November 2012

Applicant: Mr J Thory

Agent: Peter Humphrey Associates Ltd.

Proposal: Erection of 11no dwellings with garages comprising of 5 x 2-storey 3-bed (3no affordable), 4 x 2-storey 4-bed and 2 x 3-storey 5/6-bed involving demolition of existing warehouse

Location: Land North of 47 Coates Road, Coates, Whittlesey.

Site Area/Density: 1.83 hectares

Reason before Committee: The application is considered to be a wider interest proposal and a departure.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for 11 dwellings (inclusive of 3 affordable dwellings) at land north of 47 March Road, Coates, Whittlesey. The proposal would result in an expansion of the village of Coates on the opposite side of the access road to existing residential development.

The key issues to consider are:

- Policy and Principle
- Layout, Siting and Design
- Section 106 Agreement

The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be acceptable in terms of principle and design. It is considered that there will be no adverse environmental impacts on residential amenity, highway safety or the character of the surrounding area. Therefore the application is recommended for approval.

2. HISTORY

Of relevance to this proposal is:

- | | | | |
|-----|--------------------|---|-------------------------|
| 2.1 | F/0244/80/O | Erection of agricultural bungalow and storage building. | Withdrawn
20/05/1980 |
|-----|--------------------|---|-------------------------|

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan,

Paragraph 14: Presumption in favour of sustainable development.

3.2 **East of England Plan**

Policy ENV7 – Quality in the Built Environment.

3.3 **Fenland Communities Development Plan Draft Core Strategy 2012:**

CS1: Spatial Strategy, The Settlement Hierarchy and the Countryside,

CS2: Growth and Housing,

CS10: Rural Areas Development Policy,

CS14: Delivering and Protecting High Quality Environments across the District.

3.4 **Fenland District Wide Local Plan:**

H3 – Settlement Development Area Boundaries,

E1 – Conservation of the Rural Environment,

E8 – Proposals for new development.

4. **CONSULTATIONS**

4.1 ***Parish/Town Council***

Recommend approval, however are extremely concerned about overlooking issues and also feel the access road should be adopted.

4.2 ***CCC Highways***

The issues raised within my consultation response dated 19 September have been satisfactorily addressed. Consequently the layout as shown on the above plan is now acceptable from the highway point of view. Please ensure that the fundamental highway recommendations made within the consultation response dated 19 September are included as Conditions on any planning permission granted.

4.3 ***Cambs Police Architectural Liaison***

The scheme as proposed provides reasonable degrees of surveillance which should assist in reducing crime. However I do have some concerns regarding the information supplied and the site boundary treatment where access can be gained from open land into rear gardens. In order that there is adequate external lighting so that surveillance can be maintained from dusk to dawn thereby reducing the risk and fear of crime, could I ask that a suitable condition be applied to any permission, should the authority be minded to approve this application and also a suitable clause conditioning boundary treatment.

4.4 ***Scientific Officer (Contaminated Land)***

Attach the contaminated land condition.

4.5 ***Middle Level Commissioners***

No comments to date.

Affordable Housing

3 (30%) units to be providing as Affordable Housing

The mix required in the agreement is 3 x 3-bed dwellings

Tenure to be determined by the Affordable Housing Scheme prior to commencement of development

Education Contributions

Primary

According to the County Council guidance the development is expected to generate a net increase of 6.0 primary school places. The catchment primary school is Coates Primary School. County Education officers have confirmed that there is sufficient capacity over the next five years to accommodate the places being generated by this development. Therefore no contribution for primary education is sought.

Secondary

The development is expected to generate a net increase of 3.7 secondary school places. The catchment school is Sir Harry Smith Community College. This has sufficient capacity over the next five years to accommodate the places generated by the development. Therefore no contribution for secondary education is sought.

Pre-School

According to County Council guidance the development is expected to generate a net increase of 2.0 pre-school places. In terms of pre-school education, there is not enough capacity in the area in the next two years (2012/13-2013/14) to accommodate the places being generated by this development. Therefore a contribution for pre-school education is sought.

This should be sought in line with
Cambridgeshire County Council guidance
£8,400 x 2.0 places generated = **£16,800**

Public Open Space

Not sought as only 14 dwellings

Fenland District Council Waste Contribution

This is a flat rate contribution payable on all dwellings; this contribution enables the Council to provide Waste Containers for the development.

11 Units @ £60 = **£660**

Cambridgeshire County Council Waste Contribution

This is a flat rate contribution payable on all dwellings; this contribution enables the County Council to improve/provide Waste Recycling Centres to serve the Town

11 Units @ £6.62 = **£72.82**

Section 106 Monitoring Contribution

This is an administration fee required to enable the Council to monitor the development from commencement to completion. The fees is charged at £500 per schedule, i.e. £1,500 (Waste, Affordable Housing and Education)

CCC Rights of Way

Public Footpath No 19 Whittlesey runs inside the site boundary on the South East side. If planning permission is granted this public footpath must remain completely open and its full width maintained. If hedging is to be planted along the boundary of this footpath, it must be set back a distance which prevents encroachment. Planning informatives suggested.

Environment Agency

We have no objection to the proposed development but wish to make the following comments:

The site is located within Flood Zone 1 (low risk) on our Flood Map. However, as the site is over 1 hectare in size, the scale of the proposed development may present risks of flooding on-site and/or elsewhere if surface water run-off is not effectively managed.

The site falls within the operational area of the Feldale Internal Drainage Board (IDB) and therefore IDB should be consulted with regard to any flood risk associated with their watercourses under their jurisdiction and surface water drainage proposals. A surface water drainage strategy should be agreed with the IDB prior to the commencement of development.

We consider that planning permission should only be granted to the proposed development, as submitted, if the following planning condition is imposed.

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason

To prevent the pollution of controlled waters by ensuring that any unforeseen contamination encountered during development is dealt with in an appropriate manner.

4.7 Local Residents:

1 individual letter of objection:

- the ambiance and character of the area will be ruined by vehicle movements,
- development on rural land should be resisted,
- existing development should be improved instead of allowing new development,
- road safety issues re. school access and speeds,
- trees are under threat.

1 additional general contribution letter was received expressing concern about various planning policies, the means of access to the site and the ownership status of the access road.

5. **SITE DESCRIPTION**

5.1 The site currently comprises an area of productive agricultural land fronting adjacent to March Road, Coates measuring approximately 1.83 hectares. It sits outside but adjoins the Development Area Boundary of Coates. The site looks over agricultural land to the north east and is situated opposite established residential development to the south west which is within the Development Area Boundary. Access to the site is taken from an existing unmade road which will be made up to County adoptable standard. However, this access meets March Road at a point where significant junction upgrading is required in order to access the area in a safe manner. CCC Highways therefore carried out a Stage 1 Audit which examined and reported on road safety implications. Detailed engineering drawings have been prepared based on the recommendations and these will be the subject of a separate agreement between the Highways Authority and the applicant in order to implement the development. The 11 dwellings sit within generous sized plots with proposed soft landscaping to integrate the development into the village surroundings. Two water features will be created fronting the access road in order to add character and biodiversity opportunities to the area. Parking and garaging to the required standard is proposed. 'Farmhouse' style detached dwellings of a mix of 2 storey and single storey with living accommodation in the roof space are proposed along with 3 x 3 bed affordable dwellings on two floors. Footpaths will be provided to link the development with the village centre thus illustrating the sustainable nature of its location.

6. **PLANNING ASSESSMENT**

6.1 The key considerations for this application are:

- Policy and Principle
- Layout, Siting and Design
- Section 106 Agreement

Policy and Principle

The site is outside but adjoins the Development Area Boundary of Coates as shown in the Local Plan. However, the emerging Fenland Communities Development Plan Draft Core Strategy 2012 identifies Coates as a limited growth village where under policy CS1 a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability (up to 9 dwellings or 12 if it includes 9 affordable housing units). This policy steers most new development to those larger places that offer the best access to services and facilities thus reducing the need to travel, as well as making best use of existing infrastructure and previously developed land.

The contained nature of the site and its location opposite existing development within Coates lends itself to an expansion in this direction without setting a precedent for further development in the area. Whilst the proposal is for 11 dwellings rather than the 9 suggested in the Draft Strategy it is considered that the design proposal together with the shape and size of the site is such that the development satisfactorily sits within its setting. Further extension into the proposed development site is therefore considered to be in line with emerging policy and the village form - subject to acceptable layout, siting and design and any other policy considerations.

Layout, Siting and Design

This application seeks full planning permission for 11 dwellings (inclusive of 3 affordable dwellings). The layout has been designed to reflect the linear form of development found in Coates. However, the dwellings will be set back from the access road and staggered thus allowing the opportunity for water features and landscaping which will soften the development and provide biodiversity opportunities. The dwellings have been designed in a variety of a modern 'farmhouse' interpretation styles and are considered to be acceptable in the setting. Each dwelling has its own rear private amenity space, a driveway and garage and/or parking spaces thus allowing vehicles to park clear of the highway. Access for refuse vehicles will be available from the cul-de-sac road within the site which will be built to adoptable standards. The Local Highway Authority has raised no objection to the scheme and is content with the proposed layout. The proposal will alter the character of the area by the introduction of new development but is acceptable in a limited growth settlement if the design of the development is acceptable. There are not considered to be any adverse impacts upon residential amenity in the surrounding area as a result of this proposal. The layout, siting and design of the proposed development are considered to be acceptable and will fit in with the visual character of the area subject to conditions including those suggested by the Crime Prevention Officer.

Section 106 Agreement

The Section 106 Agreement has been detailed in paragraph 4.7 above and should be concluded prior to the granting of planning permission.

7. CONCLUSION

- 7.1 The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be acceptable in terms of the principle and design. It is considered that there will be no adverse environmental impacts on residential amenity, highway safety or the character of the surrounding area. Therefore the application is recommended for approval.

8. RECOMMENDATION

Grant – Subject to the prior completion of a Section 106 Agreement and the following conditions.

- 1** The development permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason:
To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2** Prior to the commencement of development, and notwithstanding the details submitted, a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall accord with the agreed details and thereafter retained in perpetuity unless otherwise agreed in writing.
Reason:
To ensure a satisfactory form of refuse collection.
- 3** The approach access road to be improved to provide a minimum carriageway width of 5.5m together with a footway of a minimum width of 1.8m. On the opposite side of the carriageway where no footway is to be provided a maintenance strip of a minimum width of 0.5m shall be provided. A turning head must be provided at the end of the improved access road based on a stub radii of 6.0m The 5.5m width of improved approach road must extend at least to the tangent point of the northern most turning head radii.
Reason:
In the interests of highway safety.
- 4** The internal development road must comprise a minimum carriageway width of 5.0m, and such carriageway to not extend further than 20.0m each side of the access spur (measured from the centre line). A footway of minimum width 1.8m to be provided on the north eastern side in front of the properties. The footway indicated on the north western side where there is no frontage development can be omitted and replaced with a 0.5m wide maintenance strip. The junction radii within the internal development road should be a min 6.0m.
Reason:
In the interests of highway safety.
- 5** Both junctions onto the improved approach access road should comprise vehicle to vehicle visibility splays of 2.4m x 43.0m.
Reason:
In the interests of highway safety.
- 6** The access serving plots 9, 10 and 11 should comprise pedestrian visibility splays of 2.0m x 2.0m measured from and along the new footway.
Reason:
In the interests of highway safety.

7 Prior to the first occupation of the development the off-site improvements comprising a right turn facility within March Road together with widening of the footpath up to The Fold and alterations to the junction of the private track with the improved approach access road together with all necessary signing, lining, drainage and street lighting shall be completed to the written satisfaction of the LPA.

Reason:

In the interests of highway safety.

8 A minimum visibility splay of 2.4m x 43.0m must be provided to the north west from the private track adjacent The Lodge.

Reason:

In the interests of highway safety.

9 Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction and public footpath No 19 adjoining the south east of the site shall remain open and unobstructed by building materials and contractors vehicles at all times.

Reason:

In the interests of highway and pedestrian safety.

10 The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway in accordance with a scheme to be submitted to the LPA.

Reason:

In the interests of highway safety.

11 No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy so approved, unless otherwise approved in writing by the Local Planning Authority.

Reason:

To prevent environmental and amenity problems arising from flooding.

12 Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

a) proposed finished levels but in particular the earthworks to be carried out in relation to the water features,

b) all means of enclosure – notwithstanding the details submitted,

c) any existing trees, hedges or other soft features to be retained,

g) planting plans, including specifications of species, sizes, planting centres number and percentage mix,

h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife in particular the water attenuation swales.

- 13 Prior to the occupation of the development, a landscape management and maintenance plan, including details of measures to protect and enhance existing flora, fauna and habitats within the development site shall be submitted to and approved by the Local Planning Authority in writing. The landscape management and maintenance plan shall be carried out as approved in accordance with the specified schedule contained therein.
Reason - To protect the visual amenity value of the landscaping, and the biodiversity value of the habitat within the site.**
- 14 All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.
Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.**
- 15 Prior to the commencement of development, a scheme for the provision of external lighting both within the site and on the adjacent road shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.
Reason - In order to ensure that the site meets the crime prevention guidelines.**
- 16 Prior to commencement of development and notwithstanding the submitted plans details of the location, height, design and materials of all screen walls and security fences for the overall and individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, and all such works shall be erected concurrently with the development and retained thereafter in perpetuity.
Reason - To ensure that the appearance of the development is satisfactory and the boundary screening does not affect highway visibility.**

17 No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) 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 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 d), e) and f).

(d) 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.

(e) 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.

(f) 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 control pollution of land or water in the interests of the environment and public safety.

18 Prior to the commencement of any development, a scheme and timetable for the provision and implementation of foul and surface water drainage shall be submitted and approved in writing by the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and thereafter retained in perpetuity. Reason - To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of flooding.

19 Approved Plans

An Informative for Fire Hydrants

UPDATE

This item was heard at Planning Committee on 17 October 2012 where it was granted subject to a Section 106 Agreement to secure the following:

- CCC Household Recycling Centre Contribution of £72.82
- Pre-school education contribution of £16,800
- 30% Affordable Housing on site
- FDC waste contribution of £660

Subsequent to this the policy requirements for Affordable Housing was changed by virtue of CS5 of the emerging Core Strategy (Feb 2013) which identified a requirement for 25% affordable housing provision on site.

Following the recommendation to approve the scheme the agent has submitted a viability assessment in respect of the project which has been subject to Independent scrutiny.

The National Planning Policy Framework and the Growth and Infrastructure Act 2013 both create a framework which allows for the relaxation of obligations when they are deemed to result in development schemes becoming unviable. An open book assessment has been submitted which identifies that this proposal is one such scheme.

The submitted has been evaluated by Independent Assessors who concur with the assessment made in that the site is unable to viably provide any affordable housing or other S106 contributions. They further recommend that a review mechanism be included in the S106 agreement, whereby the viability of the scheme can be re-assessed when the final figures are known on or before occupation of the last unit on the scheme.

Whilst this 'mop up' suggestion is noted, Officers are mindful that this is a relatively small scale development which has demonstrated there would be a certain amount of developer risk attached to bringing it forward, indeed even without the Section 106 contributions and assuming a reduced land value to the accepted norm. Accordingly it would not appear in the spirit of the NPPF guidance to place such a future burden on the developer. The consent will remain valid for 3-years from issue and should it not come forward for development within this timeframe, or an alternative scheme be proposed, the Local Planning Authority will have a future opportunity to consider viability, or otherwise.

As such Officers recommend that the scheme be granted as reported without such a requirement. It should be noted that Section 106 contributions of £16,872.82 represent the CCC requirements in this instance. Contact has been made in this regard to the County and the outcome of this will be reported to committee.

10 RECOMMENDATION

Grant – Subject to the conditions listed above (Section 8) without S106 obligation.

Water

Track

PLOT NUMBER	No. OF BEDROOMS	Type	GARAGE TYPE	
PLOT 1 - Type B	4 BEDROOM	Detached house	double garage + 2 car spaces	
PLOT 2 - Type E	4 BEDROOM	Detached house	double garage + 2 car spaces	
PLOT 3 - Type H	3 BEDROOM	Detached house	single garage + 2 car spaces	
PLOT 4 - Type C	3 BEDROOM	Detached house	double garage + 2 car spaces	
PLOT 5 - Type D	3 BEDROOM	Detached house	double garage + 2 car spaces	
PLOT 6 - Type F	3 BEDROOM	Detached house	single garage + 2 car spaces	
PLOT 7 - Type I	4 BEDROOM	Detached house	double garage + 2 car spaces	
PLOT 8 - Type G	4 BEDROOM	Detached house	double garage + 2 car spaces	
PLOT 9 - Type A	3 BEDROOM	Terminated cottage	2 car spaces	Affordable
PLOT 10 - Type A	3 BEDROOM	Terminated cottage	2 car spaces	Affordable
PLOT 11 - Type A	3 BEDROOM	Terminated cottage	2 car spaces	Affordable
Total 11 Units			36 car spaces	

SITE AREA = 18300 sqm approx. (equivalent to 1.8ha)

REVISION A: REVISED TO SUIT HIGHWAYS COMMENTS, SEPTEMBER 2012



PROJECT
Proposed Residential Development
Land North West Of The Lodge
Coates
Whittlesey

CLIENT
Mr. Thory

DRAWING TITLE
PROPOSED SITE PLAN

DATE MAY 2011 SCALE 1:500 JOB No. 4688-P01A

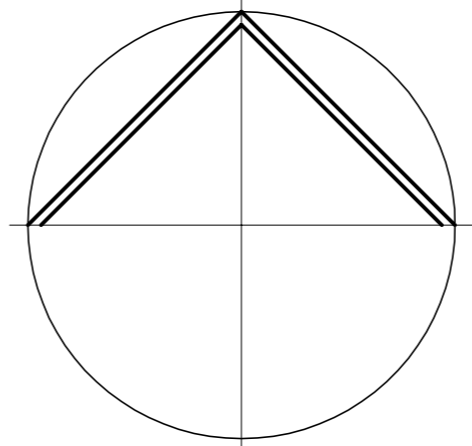
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30 OLD MARKET WEBBCH CAMBS PE13 1NB

Building
Design Award
Category Winner 2008

KEY TO SYMBOLS	
1.8m c.b.	1.8m CLOSE BOARDED FENCE
1.2m p.f.	1.2m TIMBER POST & RAILS FENCE
	1.8m BRICK FENCE
	BRINDLE BLOCK PAVING 200x100x40 thick Marshalls Mono Ltd. Concrete block paving or similar. Colour: Brindle, stretcher bond pattern. 50mm compacted sharp sand to BS12 100mm Minimum sub-base
	GRAVEL DRIVEWAY 2-6mm clean stone over Imbitex membrane 250mm Minimum sub-base 5-20mm clean crushed stone over Imbitex membrane
	VEHICULAR ACCESS ENTRANCE Adopted Road to CCC Highway specification, Plot 11-14.Mm. 5m wide tarmac to CCC Highway specification, first 10m long of drive to prevent gravel spill onto road.
	SHRUBLANDSCAPE PLANTING
	INDICATIVE TREE PLANTING
	PERIMETER SECURITY HEDGE BOUNDARY AND PLOTS 1.2m High galvanneal steel security fence with hedging
	MIXED CONSERVATION HEDGE: 70% CRAETAGUS
	30% DOGWOOD (CORNUS) FIELD MAPLE (ACER CAMPESTRE) OREGON GRAPE (MAHONIA AQUIFOLIUM) PRIVAT (LIGUSTRUM) QUELDER ROSE (VIBURNUM OPALIS)
	Position of wheeled bins
	Position of Bin Collection Point



PROPOSED SITE PLAN 1:500@A1

