

Application Number: F/YR12/0791/F

Major

Parish/Ward: Manea

Date Received: 16 October 2012

Expiry Date: 14 January 2013

Applicant: Mr P Humphrey, Portman Developments

Agent: Mr R Briscoe, Peter Humphrey Associates Ltd

Proposal: Erection of 43 dwellings comprising of:

7x 2 storey 4-bed dwellings with attached garages

14 x 2 storey 4-bed dwellings with detached garages

4 x 2 storey 3-bed dwellings with attached garages

6 x 2 storey 3-bed dwellings with detached garages

2 x single-storey 4-bed dwellings with attached garages

2 x single-storey 3-bed dwellings with integral garages

4 x single-storey 3 bed dwellings with detached garages

**4 x single-storey 2-bed dwellings with associated parking,
formation of allotments, public open space and a new access.**

Location: Land West of Teachers Close, Manea

Site Area: 3.65 hectares

Reason before Committee: The application is a departure from the development plan, the level of representations received and the site is owned by a District Councillor

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for 43 dwellings with allotments and open space on agricultural land to the west of Teachers Close, Manea. The site lies to the north west of Manea adjoining existing residential development fronting School Lane with access via the Hutchinson, Scholars and Teachers Close development. The site adjoins the existing built up area of the village and lies within Flood Zone 1.

The key issues to consider are:

- Relevant Policy and Guidance including Public Consultation
- Design, layout and amenity
- Access
- Biodiversity
- Flood Risk
- Viability and S106 issues

Relevant policy has been considered alongside the identified material considerations. There will be minimal impact on local residents due to the site layout and the Local Highway Authority does not raise any issues in terms of highway safety. New development in villages will be supported where it contributes to the sustainability of the settlement and does not harm the wide open character of the countryside.

As a result the proposal can be considered policy compliant and is recommended for approval subject to appropriate conditions and a S106 agreement.

2. HISTORY

- | | | | |
|-----|-------------|---|------------------|
| 2.1 | F/90/0697/O | Erection of a sports hall and club house with car park; use of land for open space and 9 hole golf course and residential development of 10 acres (including 1 acre low cost housing) | Withdrawn |
| 2.2 | F/1370/89/O | Residential Development (10 acres), erection of a sports hall with car park and use of land for 9 hole golf course and erection of 3 dwellings and associated open space | Refused 16/02/90 |

3. PLANNING POLICIES

3.1 National Planning Policy Framework (NPPF):

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

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 32: Safe and suitable access to the site can be achieved for all people.

Paragraph 55: To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the viability of rural communities.

Paragraph 109: Conserving and enhancing the natural environment.

Paragraph 103: Ensure flood risk is not increased.

3.2 Fenland Local Plan Core Strategy – February 2013 (Core Strategy):

CS1: Presumption in favour of sustainable development.

CS2: Facilitating the health and wellbeing of Fenland Residents

CS3: Spatial Strategy, The Settlement Hierarchy and the Countryside.

CS4: Housing

CS5: Meeting Housing Need

CS12: Rural Areas Development Policy.

CS14: Responding to Climate Change and Managing the Risk of Flooding in Fenland.

CS16: Delivering and Protecting High Quality Environments across the District.

CS17: Community Safety.

3.3 Fenland District Wide Local Plan 1993 (FDWLP):

H3 – Settlement Development Area Boundaries

H16 – Housing in the open countryside

E1 – Conservation of the Rural Environment

E8 – Proposals for new development.

4. CONSULTATIONS

4.1 *Parish Council*

The application be supported. However express the following concerns;

- the impact that traffic generated by development would have on Hutchinson Close/School Lane and School Lane/Station Road junctions.
- Ability of Hutchinson Close to accommodate construction traffic
- No need for the provision of allotments

Requests that S106 contribution be sought requiring a financial contribution towards the provision of leisure facilities within Manea.

4.2 *CCC Archaeology*

Requests applicant considers possibility of providing direct access to Station Road.

Records suggest that the site lies in an area of high archaeological potential. It is considered likely that important archaeological remains survive on site and that these would be severely damaged or destroyed by the proposed development. The site lies directly within an area known for Romano-British settlement and several Roman hoards have been unearthed both west and east of the site. Hints of earlier occupation within the Iron Age have also been found with pottery scatters from this period being found to the south west of the current site.

Strongly recommend that the site is subject to an archaeological evaluation prior to the granting of planning permission.

4.3 *Police Architectural Liaison Officer (PALO)*

Commented that visibility to parking areas should be improved to the side of dwellings, along with the site boundaries. Recommends gated access to allotments. Amended plan provided to address some issues and others can be covered by conditions.

4.4 *North Level IDB*

Oppose the application – the applicant commenced pre-application discussions but these have not been finalised. Further information and discussions required to overcome opposition.

4.5 *Environment Agency*

Offers informatives for any consent granted.

- 4.6 **FDC Scientific Officer** Requests the full contamination condition due to the scale of the development.
- 4.7 **Anglian Water** No response received in the consultation period.
- 4.8 **Cambridgeshire Fire and Rescue** Adequate provision for fire hydrants requested.
- 4.9 **CCC Highways** Initial comments requested a more fully dimensioned plan amended plan. This was submitted and the highway authority confirms that the amendments are acceptable. Overall satisfied with the highway layout and raises no objection. A condition is recommended that prior to first occupation of any dwelling the roads, footways and footpaths shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with details provided to the LPA.
- 4.10 **Local Residents:** 8 letters of support have been received from the residents of individual properties in the locality which make the following points in summary;
- Impact on existing residents minimal
 - Existing access road to the site through estate only built on one side with dwellings so could cope with traffic increase without risk to residents
 - Existing access at Scholars Close clearly built to accommodate further development
 - Understand that a separate access for construction traffic could be provided
 - Will provide much needed single storey development in the village
 - Sensitively designed scheme
 - Increase in population will support and hopefully expand services in the village such as trains and buses
 - Traffic problems on the access road are caused by existing residents parking on it
 - Public open space should have play equipment
 - Natural extension for village earmarked 20 years ago
 - Fits with criteria for new development

13 letters of objection have been received from residents of individual properties in the locality making the following points in summary;

- Access next to existing properties from Scholars Close will cause problems due to the amount of on street parking
- Existing access road too narrow for existing traffic so proposed development will make things worse
- Children play in the road and increased traffic could result in injuries and fatalities
- Potential increase in pupils will put pressure on the school
- The application is linked to the potential funding and building of the new sports pavilion in Park Road
- Loss of privacy to properties on Scholars Close
- Mr Jolley informed residents that access would be looked at onto Station Road
- Too much traffic already on School Lane with school and village hall in close proximity. Congestion will be increased along with the risk of accidents
- Empty properties should be inhabited before new ones are built
- Existing surface water and sewerage problems in Manea and village notorious for power cuts
- Adverse impact on local wildlife from increase in domestic pets
- Adverse visual impact too much
- Overlooking from new properties to existing properties on School Lane
- Noise and disturbance from allotments which are not needed in the village
- Property will be devalued
- Many houses for sale in Manea so new houses not needed
- Loss of rural outlook
- Emergency services will have difficulty accessing the development when road is busy
- Manea does not need more houses as not enough facilities to cope

- Site is outside the agreed plan area for Manea
- Noise and light pollution will occur

A petition of 37 signatures from 28 addresses has been submitted. This was collected in October/November 2012 and objects to the proposal. Individual letters were also received from 2 of these addresses.

A copy of an additional petition which was handed to the Manea Parish Council in April 2011, as part of Manea's Action Plan, objecting to development on the application site (prior to the submission of this application) has been submitted with the more recent petition. This has 41 signatures from 31 properties in the immediate vicinity of the site.

5. SITE DESCRIPTION

- 5.1 The site is located to the north west of Manea abutting the established built form of the village. The site is arable farmland sown to grass and maintained by regular mowing. Existing housing is present on the eastern and southern boundaries with farmland extending to the north and west of the site. The proposed site access is via Hutchinson and Scholars Close. The site is level and open with drains along most of the perimeter. It lies within Flood Zone 1 and has an area of 3.65 hectares.

6. PLANNING ASSESSMENT

- 6.1 The key considerations for this application are:
- Relevant Policy and Guidance including Public Consultation
 - Design and Layout and amenity
 - Access
 - Biodiversity
 - Flood Risk
 - Viability and S106 issues

Relevant Policy and Guidance

The application site lies adjacent to the established built form of the settlement and abuts the Development Area Boundary (DAB) as identified in the 1993 Fenland District Wide Local Plan. The emerging Core Strategy does not contain DAB's but seeks to deliver sustainable development in appropriate locations.

Policy CS3 identifies Manea as a growth village where development and new service provision either within the existing built up area or as a small village extension may be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns.

Policy CS12 states that new development in villages will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside and sets out a range of criteria that development must comply with.

There is also a caveat within Policy CS12 which states that if a proposal within or on the edge of a village would, in combination with other development built since April 2011 and committed to be built (i.e. with planning permission) will increase the number of dwellings in the village by 10% or more then the proposal should have demonstrable evidence of strong local community support for the scheme.

The number of dwellings in Manea (Jan 2013) was 842. This has been calculated by identifying all existing dwellings within the DAB and any sizeable extensions to the settlement. In Manea there are 783 dwellings within the DAB and the Charlemont Drive workplace homes area accounts for another 59 which gives a total of 842. Since April 2011 there have been at least 12 completions of new housing (2012 Monitoring Information) and there are 91 dwellings with planning permission, including the 38 affordable units at Williams Way.

If this proposal were to be approved this would result in 134 approvals and would be over the 10% threshold for Manea. There were 830 dwellings identified in Manea in April 2011 therefore the 10% threshold is 83 dwellings.

As a result the applicant must submit demonstrable evidence of strong local community support for the scheme in order for the proposal to comply with policy CS12.

A public consultation exercise was carried out in March in the Church Rooms in Manea. As this is a new requirement of the Core Strategy the agent based the consultation on the recently used approach by Roddons for a site in the village of Manea. The meeting was advertised for 14 days prior to the event on the notice board at the venue and the agents also held a "walking survey" in the immediate vicinity of the site for two separate one hour periods on 14/02/2013 between the hours of 9-10am and 3-4pm. The results indicate that 30 questionnaires were completed with 28 respondents agreeing that the site is in a good location for housing. One respondent indicated the site is not a suitable location and another respondent did not answer the question. This respondent gave a summary of the results of the Manea Action Group which concluded that Manea has grown already and Growth Village status should not be interpreted as unlimited growth.

There is no indication of how many people in total attended the event; however the summary of the results indicates that not all those who attended felt the need to complete a questionnaire. This was the first public consultation event to be carried out under the requirements of policy CS12, therefore some of the methodology may need to be refined through feedback and the issuing of guidance. It is useful to see, however, that there is almost unanimous support for the development from those 30 respondents who chose to attend and participate in the consultation. Accordingly, the public consultation element of policy CS12 has been satisfied.

Design, layout and amenity

The proposed layout provides a mix of the following properties;

- Detached four-bed houses x 21
- Semi-detached three-bed houses x10
- Detached 2-bed bungalows x 4
- Detached 3-bed bungalows x 6
- Detached 4-bed bungalows x 2

The mix of single storey and two storey dwellings has been informed by the existing properties in the immediate vicinity of the site and in order to lessen the impact on the existing residents and the wider locality. The finishes of the dwellings consist mainly of yellow buff stock brickwork with contrasting red/brown detailing. It is proposed that some of the dwellings will have an element of rendering with a roof finishes of interlocking pantiles in red/brown and terracotta.

A significant amount of public open space has been provided between the existing properties on Scholars/Teachers Close and the proposed development with a good level of indicative planting which could be secured via landscaping conditions. The public open space gives a buffer of 15 metres at its narrowest point and over 35 metres at the widest point. It is considered that the proposal will not give rise to any adverse impacts upon residential amenity given the positioning of the public open space, the layout of the site and the size of the plots. The proposed dwellings which abut the rear gardens of properties on School Lane have been designed to ensure minimal impact, taking into account the ample garden lengths of these existing dwellings.

Access

Access is via the existing estate roads leading from School Lane along Hutchinson Close and Scholars Close. It is proposed that a new 5 metre wide adoptable access road with footpaths is provided into the site. This access arrangement is in accordance with the Local Highway Authority requirements.

Biodiversity

The applicant has provided a biodiversity report. This survey concludes that there are no statutory protected sites within 2km of the application site and in order to comply with the NPPF any vegetation clearance to facilitate the development should take into account the breeding/nesting season. In addition, garden bird boxes should be provided, along with the retention of open drains in preference to installing culverts, ensuring solid fencing has a 100mm x 100mm gap at the base of each fence run to allow hedgehogs to continue to forage over the site, the use of native tree and hedging in the landscaping design and the management of lighting to avoid illuminating landscaping planting. These requirements could be covered by conditions.

Flood Risk

The site falls within Flood Zone 1 and the Middle Level Commissioners have opposed the application based on insufficient information to assess whether all flood risk issues have been complied with relating to the disposal of surface water. A flood risk assessment has been submitted as part of the application as the site is over one hectare in area. This concludes that the site is at low risk of flooding however given the concerns raised by the MLC it is considered necessary, in this instance, to impose a surface water condition relating to the submission of further information prior to the commencement of any development on the site.

Section 106 and Viability

The section 106 contributions sought are as follows;

Affordable Housing @ 25% = 11 dwellings

Pre School Contributions in accordance with CCC guidance =£58,800

Primary Education Contribution sought in line with FDC SPG = £69,000

Strategic Waste Contribution in accordance with CCC guidance = £11,481

Libraries and Lifelong Learning Contribution in accordance with CCC guidance = £538

Contribution for development of car park at Manea Station in accordance with the Fenland Rail Development Strategy 2011/31 (adopted by FDC Cabinet April 2012) = £30,000

Public Open Space = to be confirmed taking into account the proposed provision

Monitoring Contribution of £500 per schedule

A viability report has been submitted with the application. This has been independently assessed by external consultants at the applicant's expense. The independent assessment reveals that the scheme is not viable and is unable to deliver the required affordable housing and other S106 contributions.

The applicant's agent has indicated that if no affordable housing is sought on the site other contributions could be provided. A further update will be provided at the meeting on this matter.

Other considerations

Both local residents and the Parish Council have indicated that they would prefer construction traffic to use an alternative access to the site if possible and comments have been made about the lack of need for allotments on the site and their management. Updates on these issues will be provided.

7. CONCLUSION

- 7.1 The proposal has been assessed in light of the above points and the relevant National and Local Planning Policies. It is a comprehensive, mixed development with existing road links to School Lane via Scholars Close and Hutchinson Close. Whilst concern has been raised over the ability of the estate road to cope with additional traffic the highway authority have not raised any concerns and an alternative route for construction traffic is under consideration.

Policy CS12 supports development in villages where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. However in order to control the number of new dwellings in villages, should the proposal increase the number of dwellings within the village by more than 10%, then that proposal should have demonstrable evidence of strong local community support. Evidence has been provided that there is community support for the proposal; however it is acknowledged that there are also objectors to the scheme. These representations have been considered and weighed against planning guidance, policy and other material considerations.

As result and as demonstrated above, the Local Planning Authority considers that the proposal complies with the policies of the emerging Core Strategy and the provisions of the NPPF and is recommended for approval.

8. RECOMMENDATION

Grant subject to:

- i) conditions**
- ii) s106 agreement**

- 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 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**
- b) means of enclosure**
- c) hard surfacing, other hard landscape features and materials**
- d) existing trees, hedges or other soft features to be retained**
- e) planting plans, including specifications of species, sizes, planting centres number and percentage mix**
- f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife**
- g) details of sitting and timing of all construction activities to avoid harm to all nature conservation features**
- h) management and maintenance details**

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.

- 3 Prior to the occupation of the development, a highway and landscape management and maintenance plan, within the development site shall be submitted to and approved by the Local Planning Authority in writing. The highway and 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.

4 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

5 All vegetation clearance at the site shall only take place outside the bird breeding season of March to August inclusive.

Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of The National Planning Policy Framework

6 Prior to the commencement of development, a scheme for the provision of external lighting 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 adequate safety and security on site.

7 No development or preliminary groundworks of any kind shall take place until the applicant or any successors in title has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.

Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy E7 of the Fenland District Wide Local Plan.

8 Prior to the first occupation of the development hereby approved, the proposed on-site parking shall be demarcated, levelled, surfaced and drained in accordance with the approved plan(s). Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of residents / occupiers of the approved scheme, and shall not be used for any other purpose.

Reason - In the interests of highway safety.

9 Prior to the first occupation of any dwelling the roads, footways and footpaths shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason – In the interests of highway safety.

10 Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Authority in consultation with the Drainage Authority. The scheme shall subsequently 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.

Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding.

11 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).

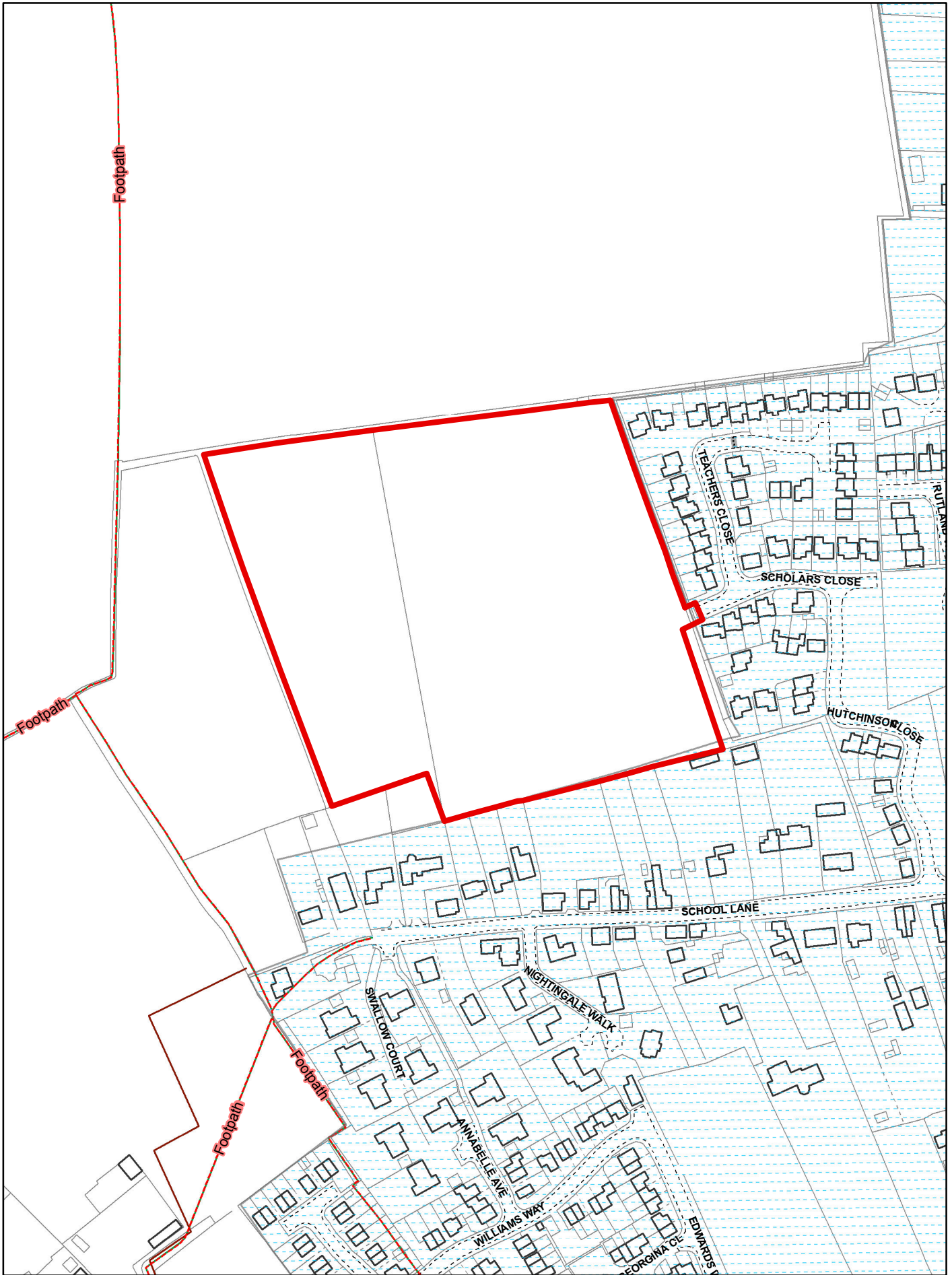
(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(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.

12 Approved plans

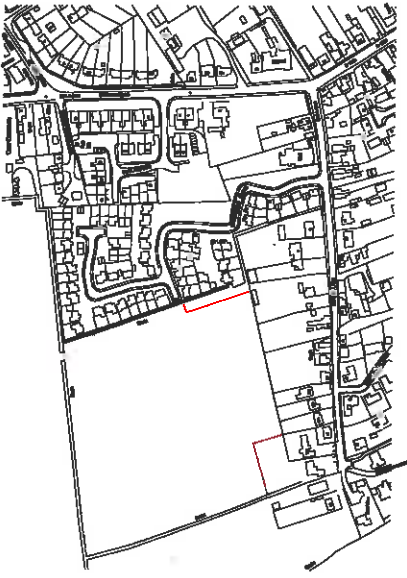


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F/YR12/0791/F
 (showing DAB)
 Scale = 1:2,500





Location Plan 1:2500

Development Schedule

- 1. Four Bedroom - Detached House
Plots 1, 4-9, 12, 16, 19, 23, 24, 27, 30, 32, 38, 41
Total 21
 - 2. Three Bedroom - Semi-Detached houses
Plots 2, 3, 10, 11, 25, 26, 37 - 40
Total 10
 - 3. 2 Bedroom - Detached Bungalow
Plots 31, 33, 34 & 35
Total 4
 - 4. Three Bedroom - Detached Bungalow
Plots 15, 14, 16, 20, 21, 22
Total 6
 - 5. Four Bedroom - Detached Bungalow
Plots 41, 42
Total 2
- Scout / Affordable - 6 Plots
25, 26, 31, 33 - 35
- Site Total - 43



RESIDENTIAL DEVELOPMENT

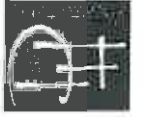
LAND OFF
SCHOOL LANE & HUTCHINSON CLOSE
MANEA
CAMBRIDGESHIRE

PROPOSED SITE LAYOUT

PORTMAN DEVELOPMENTS

DATE	APPROVAL	SCALE	REF
18/01/2012	APR	1:500	48/12(P)/02 C
REVISIONS			
NO	DATE	DESCRIPTION	
A	18/01/2012	Issue for planning	
B	18/01/2012	Issue for planning	
C	18/01/2012	Issue for planning	

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Site Plan 1:500