Application Number: F/YR13/0353/F

Major Dwellings

Parish/Ward: Chatteris Town Council

Date Received: 20 May 2013 Expiry Date: 19 August 2013

Applicant: King Partnership Homes

Proposal: Erection of 56 dwellings

Location: Land north and east of 209 New Road, Chatteris

Site Area: 1.31 ha/43 dwellings/ha

Reason before Committee: Number of objections received.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of 56 affordable dwellings comprising a mix of 1, 2, 3 and 4-bed units. The site is located on the eastern side of Chatteris and is part of the broad locations for growth identified in the emerging Core Strategy. It is anticipated that this land should be master planned to ensure the deliverability of the land however consideration has been given to this as a stand alone site to provide an affordable housing scheme.

The development has a density of 43 dwellings per hectare which is considered relatively high for this location. Whilst a higher quality of environment could be achieved through the relaxation of numbers on the site, weight has been given to the Housing Associations need to achieve maximum accommodation within their own guidelines. The impact of delivering the maximum number of units leads to a layout heavily dominated by parking which could be to the detriment of future occupiers. However, satisfactory parking provision is made within the site to reflect the Council's parking standards; as such it would be inappropriate to resist the scheme on this basis.

The proposal allows for 625 sq metres of public open space provision within the site.

The Local Planning Authority has given consideration to the nature of the proposed development and its proximity to Chatteris town and local services, and is mindful of the sites location within an area identified as broad location for growth. This sustainable development also clearly delivers affordable housing to fulfill a recognised local need. Whilst Officers consider there would be more suitable design/ layout solutions for the site which further the aims of the NPPF in its widest sense, the scheme, on balance, does not represent a form of development which could be resisted in light of the benefits it accrues in facilitating a range of sustainable housing opportunities.

2. HISTORY

F/91/0553/F Erection of a supermarket Refused 6 February 1992

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2 - Planning law requires that applications for planning

permission must be determined in accordance with the development plan, unless material considerations

indicate otherwise

Paragraph 14 - Presumption in favour of sustainable development

Paragraph 17 - Core planning principles

Paragraphs 18-22 - Building a strong competitive economy

Paragraphs 32, 34 - Promoting sustainable transport

-37,39

Paragraphs 47-50 - Delivering a wide choice of quality homes

Paragraphs 56-61 - Requiring good design

Paragraphs 69-70 - Promoting healthy communities

Paragraphs 95-97, - Meeting the challenge of climate change, flooding and

99 coastal change

Paragraphs 109, - Conserving and enhancing the natural environment

111, 118, 120-125

3.2 Draft Fenland Local Plan Core Strategy:

CS1 - Presumption in Favour of Sustainable Development

CS2 - Facilitating Health and Wellbeing of Fenland Residents

CS3 - Spatial strategy, the Settlement Hierarchy and the Countryside

CS4 - Housing

CS5 - Meeting Housing Need

CS7 - Urban Extensions

CS10 - Chatteris

CS13 - Supporting and Managing the Impact of a Growing District

CS14 - Responding to Climate Change and Managing the Risk of Flooding

in Fenland

CS15 - Facilitating the Creation of a More Sustainable Transport Network

in Fenland

CS16 - Delivering and Protecting High Quality Environments across the

District.

CS17 - Community Safety

CS19 - The Natural Environment

3.3 Fenland District Wide Local Plan:

 To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other policies of the Plan.

- To resist development likely to detract from the Fenland landscape. New development should meet certain criteria.

E8 - Proposals for new development should:

-allow for protection of site features;

- be of a design compatible with their surroundings;
- have regard to amenities of adjoining properties;
- provide adequate access.

 To resist any development which by its nature gives rise to unacceptable levels of noise, nuisance and other environmental pollution. To take account of the amount, type and location of hazardous substances where proposals are submitted involving these substances.

R4 - To require developers to provide and maintain public open space on developments of 10 or more dwellings.

IMP2 - Securing benefits through the use of planning agreements.

TR3 - To ensure that all proposed developments provide adequate car parking in accordance with the approved parking standards.

4. **CONSULTATIONS**

4.1 Parish/Town Council:

Recommend refusal. Whilst Councillors have no problem with the principle of development they believe public open space should be provided on the site.

4.2 Local Highway Authority:

Transport Assessment

Confirms that the revised Transport
Statement is satisfactory and that the
impact of the development on New Road
and the local highway network will have no
material impact on the safety or capacity
terms.

Internal Site Layout

The various iterations of the development have addressed the majority of the points which have been raised through the consultation process:

- Cycle parking provision is unclear and should be secured by condition;
- Parking for plot 20 is not ideal being poorly related to any turning provision;
- The shared service vehicle turning area adjacent to plot 54 is contrived;
- Refuse collection points at shared drive junction are located in visibility splays – this element to be finalised by condition.

Replacement parking for No.209 New Road

Replacement access and parking for No.209 New Road should be provided before development commences.

Chatteris MTTS Contribution

The development attracts a contribution towards the Chatteris Market Town Transport Strategy of £24,377.00.

Travel Planning

The proposal requires a Framework Travel Plan to promote sustainable travel opportunities to the site. Such a plan has not been submitted and whilst it would be preferable to secure the heads of terms during the application process, for this scale of development it is accepted that this could be secured by a Grampian condition prior to the first occupation of any dwelling.

4.3 Middle Level Commissioners:

Makes advisory comments relating to the disposal of surface water.

4.4 Environmental Health (FDC):

The development involves the development of a large area of land therefore it will be necessary to impose an unsuspected contamination condition on any approval.

Noise:

Due to the proximity of the site to the A142 an assessment of the site has been undertaken to determine into which noise exposure category (NEC) the site falls, taking into account both day and night time noise levels. The results show that some of the site falls within NEC C.

The advice for NEC C is that "planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.

Therefore recommends condition as follows:

Construction work should not begin until a scheme for protecting the proposed noise sensitive development from noise from road traffic has been submitted to and approved by the LPA; all works which form part of the scheme should be completed before any part of the noise sensitive development is occupied.

4.5 **Arboricultural Officer (FDC):**

No objection to the development in principle as there is no large scale removal of trees/vegetation.

Further discussions are required relating to the classification of the trees and a landscaping scheme is required.

Concerns that T1 – T5 is to be retained in rear gardens as poplar trees are not suitable as garden trees due to high twig abscission and pressure would be to remove them.

4.6 Police Architectural Liaison Officer:

Satisfied that crime prevention measures have been and will be incorporated into the development and therefore can support the application.

4.7 County Archaeology:

The site should the subject of a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer and requests appropriate condition.

4.8 Operations Manager – Environment and Leisure:

No objection but the following must be agreed prior to commencement of development:

- access road must accommodate the refuse and recycling vehicles and the surface will be required to be of construction to comply with gross vehicle weights of up to 26 tonnes and be designed to an adoptable standard.

Refuse and recycling facility provision will be required as an integral part of the development and include consideration of access and egress of the service vehicles. Road design is expected to have facility to exit the premises in a forward direction. However, when this is not possible provision is required for the vehicles to safely turn & exit the site.

The new residents will be expected to present waste and recycling material for collection at the curtilage of the property, where it meets the Public Highway on the day of collection.

Residents should not be expected to pull or carry waste for a distance of more than 30 metres.

Blocks of flats are recommended to use bulk storage containers.

New residents will require notification of these details by the developer before moving in and the first collections taking place.

Refuse and recycling bins will be required to be provided as an integral part of the development

Please refer to the waste management design guide on the Fenland website for further details.

4.9 Local Residents:

7 letters of objection re:

- loss of wildlife on the land;
- too much traffic on New Road:
- size of houses is out of character with existing housing in the area;
- development too dense;
- new access road is opposite an existing access to a small development of 4 dwellings and will be a hazard;
- potential problems accessing onto the bypass by increase in vehicle numbers from the new estate:
- the access is too close to the bypass;
- noise and disturbance from construction traffic:
- devaluation of properties;
- changes to character of area;
- increased risk of flooding from the new development due to land levels;
- infrastructure inadequate to deal with any further development;
- the dwellings should be single-storey and not 2-storey;
- loss of privacy by overlooking into private garden areas;
- the junction should be made into a roundabout;
- estate development will overwhelm the area:
- the land is used by dog walkers and children to play on;
- the development is too close to the bypass.

5. SITE DESCRIPTION

5.1 The site is existing meadow land located between the A142 and existing residential development at Newlands Road and Queensway. There is an existing tree belt along the eastern boundary with some loose knit landscaping on the western boundary. There is a mix of 2-storey and single-storey dwellings along the western boundary and the dwellings to the south are 2-storey in nature. There is an existing timber structure to the east of 209 New Road which is currently used as parking for No.209 but this is not a formal parking arrangement.

6. PLANNING ASSESSMENT

The key considerations for this application are:

- Principle and Policy Considerations
- Design, Density and Layout
- Noise
- Access and parking
- Biodiversity
- Flood Risk and Drainage

- Archaeology
- S106

Principle and Policy Considerations

The site is located on the edge of the main settlement of Chatteris, which is highlighted as a Primary Market town in the emerging Core Strategy and as such is an area identified to accommodate the majority of the district's new housing (CS1); this is reinforced in Policy CS3 which directs growth to the four market towns. The site forms part of the broad locations for growth as indicated in Policy CS10.

Development in these broad locations for growth should be planned and implemented in a coordinated way through an agreed overarching comprehensive delivery scheme that is linked to the timely delivery of key infrastructure.

The NPPF seeks to promote sustainable development and to promote the vitality of our main urban areas. The policies within the Local Plan and Core Strategy also support development where it does not harm the character of the area and provides adequate access, parking and amenity space.

Section 7 of the National Planning Policy Framework attaches great importance to the design of the built environment, a key aspect of sustainable development which is indivisible from good planning. Therefore, in light of national and local policies it is appropriate to assess the design of the proposed development and how it assimilates with the surrounding area.

Policy CS1 of the emerging Core Strategy seeks to take a positive approach to sustainable development and this proposal is considered sustainable as development located close to one of the existing Market towns in Fenland with good transport links.

Policy CS3 focuses development initially in the four Market towns of which Chatteris is one. This policy steers development to places that offer the best access to services and facilities thereby helping to reduce the need to travel as well as using previously developed land.

Design, Density and Layout

The application represents an extension to the existing built form which has a natural stop by the presence of the A142. The proposed density of the scheme is circa 43 dwellings per hectare which is at odds with the prevailing density of Queensway which is circa 20 dwellings per hectare. However the Housing Association is content with the number of dwellings proposed and therefore the layout is acceptable, albeit at the upper tolerances of acceptability.

The dwellings are a mix of 2-storey and single-storey dwellings using a variety of brick and render finishes designed to break up the visual mass of the dwellings. Chimneys have been added to some of the blocks of dwellings to add visual interest to the site.

The dwellings are located along a main spine road which runs in a north/south direction and will be adopted by the County Council together with some dwellings served off private drives.

Whilst refuse bins can be collected from the kerbside of dwellings served off the adopted road, the dwellings served off private drives will have to be presented to a bin collection point located next to the adopted road. These collection points need to be of sufficient size to accommodate the bins without spillage onto the main estate road.

The development will also provide 625 sq metres of open space in accordance with the Council's open space standards. It is located within the centre of the site with good surveillance from surrounding houses.

A landscaping scheme will be conditioned to be provided to ensure that opportunities to enhance the environs of the site and living conditions of residents are maximized.

Noise

Due to the proximity of the site to the A142 an assessment of the site has to be undertaken to determine which noise exposure category the site falls into taking into account both day and night-time noise levels.

The level of noise affecting the site places it in NEC C at the nearest façade and recommendations in this regard are as follows;

Walls – solid brickwork or brick/block cavity or brick clad timber frame. Roof – tiled/slated

Rooms – all first floor habitable rooms with windows overlooking or with a significant view of the A142 to be fitted with thermal glazing.

In order to ensure that the site is constructed to the guideline the Council's Environmental Protection team considers it necessary to impose a condition requiring the developer to evidence that they have carried out the recommendations of the noise report.

Access and parking

Access into the site will be formed directly off New Road and will comprise a 5m wide adopted road with associated footpaths. A small number of dwellings will be served off private drives.

The development achieves the minimum parking standards as set out in the Council's emerging Core Strategy and provides an extra 4 visitor spaces.

The Local Highway Authority is content with the road layout and the parking space numbers.

Biodiversity

The site is a former agricultural field that has been set aside as grassland. A habitats survey was undertaken in November 2012 to identify any protected species on the land which may be protected and subject to specific action plans either under the UKBAP or Local BAP.

The report concluded that there is no evidence of otter, water vole, white clawed crayfish and badgers within or immediately adjacent to the site. There is no suitable roosting habitat for bats on the site however it is recommended that a number of bat boxes are built into the overall development particularly along the eastern boundary.

There were no records of reptiles or dormice within 500m of the site and due to the lack of connectivity to the ditches around the site it is considered very unlikely that great crested newts would utilize the site or commute across it.

Recommendations relating to timing of works are contained within the submitted habitats report and will need to be adhered to during any construction works.

The development will incorporate the provision of 8 No. bird boxes positioned at 1.5 m - 5 m above ground to replicate natural nesting habitats. 4 No. bat boxes will be incorporated into dwellings or mounted on external walls along the eastern fringe of the site.

Flood Risk and Drainage

The site is located within Flood Zone 1 and a Flood Risk Assessment has been submitted given the site area. The Middle Level Commissioners considers that the use of soakaways is not acceptable on this site and that it will be necessary to directly discharge surface water into nearby drains on the eastern side of the site and as such, further information will be required relating to the method of disposal and disposal point.

Anglian Water has confirmed that a gravity solution to the connection point for foul water is acceptable as the foul sewerage system, at present, has available capacity for this site. The connection point will be a manhole in New Road.

<u>Archaeology</u>

The site lies in area of archaeological interest and therefore the site should be subject to a programme of architectural investigation which should be commissioned at the expense of the developer.

S106

The development is for 56 affordable homes and therefore there will be a requirement for the developer to enter into a Section 106 obligation to provide certain contributions.

This development attracts the following S106 requirements:

 Affordable Housing at 25% in accordance with Policy CS3 which equates to 15 dwellings being affordable. This has been broken down in the following affordable tenure mix:

Affordable rented units

8 x 2 bedroom units

7 x 3 bedroom units

- Pre-school education there is at present insufficient capacity, as the development is expected to generate 5.2 pre-school places. A contribution of £43,680 is sought.
- Primary School the development is expected to generate 11.3 primary school aged children therefore a contribution of £25,450 is sought (this excludes the affordable housing element in the calculation).
- Secondary School catchment school has sufficient capacity therefore no contribution sought.
- CCC Waste £267 per dwelling sought for Household Waste Recycling Centre – total sum = £14,952.
- Life Long Learning a contribution of £5,012 is sought.
- Open Space the site provides an on site open space provision with 3-5 pieces of play equipment. In addition, a commuted sum of £55,200 will be sought.
- Contribution of £24,377.36 to the Chatteris Market Town Transport Strategy as specified by the Local Highway Authority.

Cambridgeshire County Council has indicated that there will be no education, waste or Life Long Learning contribution requirement if the site is built out as 100% affordable housing and this will be reflected in the Section 106 obligation.

The applicant has indicated that they will be preparing a viability appraisal in respect of the identified contributions, however wish for the comfort for an agreement in principle of the details of this scheme. On submission of such an assessment, which will be evaluated buy appropriate specialists, the scheme will return to this Committee.

8. **CONCLUSION**

8.1 The proposed development does not fully accord with the emerging core strategy in that it is located within a broad locations for growth area as identified in Policy CS10 and Policy CS7 suggests that these areas should be planned and implemented in a coordinated way. However the site can be viewed as a stand alone site due to the narrow nature of the land at its northern extreme. This physical characteristic coupled with the affordable nature of the development results in a scheme which may reasonably be supported on this occasion.

On balance Officers feel that the scheme may be favourably recommended as it reflects the growth aspirations of the District, would result in sustainable development within a primary market town and would facilitate affordable housing.

The proposal is therefore recommended for approval.

9. **RECOMMENDATION**

GRANT subject to:

- i) expiry of re-consultation period following receipt of amended plans with no new grounds of objection;
- ii) expiry of site notice with no new grounds of objection;
- iii) completion of S106 obligation;
- iv) conditions as detailed below.
- 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 siting 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. 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.

4. All vegetation clearance at the site shall only take place outside the bird breeding season of March to August inclusive. If this is not possible, a nesting bird survey must be undertaken by an experienced ecologist 24-48 hours prior to clearance and the report submitted to the Local Planning Authority.

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 Planning Policy Statement 9 Biodiversity and Geological Conservation.

5. Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes.

Reason - To ensure that retained trees are adequately protected.

6. Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details.

Reason - To ensure that the precise height of the development can be considered in relation to adjoining dwellings.

7. Construction work should not begin until a scheme for protecting the proposed noise sensitive development from noise from road traffic has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme should be completed before any part of the noise sensitive development is occupied.

Reason – To ensure adequate living conditions are achieved for future occupiers of the dwellings.

8. No development or preliminary ground works of any kind shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which includes a timetable for the investigation, which has been submitted by the applicant to and approved in writing by the Local Planning Authority.

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.

9. 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 that the site meets the crime prevention guidelines.

10. Prior to the commencement of development a detailed scheme for the construction of estate road(s) and associated private drives and footway(s) shall be submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall be constructed to at least binder course surfacing level to the adjoining highway New Road prior to the first occupation of any dwelling served by the estate road as approved.

Reason

In the interests of highway safety and the amenities of occupiers.

11. Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification, and thereafter retained in perpetuity.

Reason

In the interests of highway safety and to ensure satisfactory access into the site.

- 12. Prior to the commencement of use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:
 - a) enter, turn and leave the site in forward gear;
 - b)park clear of the public highway;

shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

Reason - In the interests of satisfactory development and highway safety.

13. Prior to the commencement of the development hereby approved adequate temporary facilities (details of which shall be submitted to and agreed in writing with the Local Planning Authority) 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.

Reason - To minimise interference with the free flow and safety of traffic on the adjoining public highway.

14. Prior to the first occupation of the development hereby approved, visibility splays shall be provided on each side of the vehicular accesses and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway. Minimum dimensions to secure the required splays shall be 2.4 metres measured along the centre line of the proposed access from its junction with the channel line of the highway carriageway, and 43 metres measured along the channel line of the highway carriageway and the centre line of the proposed access.

Reason - In the interests of highway safety.

15. Prior to the occupation of any dwelling hereby permitted visibility splays of 2 m x 2 m shall be provided each side of the respective vehicular access/shared private drive to the estate road measured from and along the back edge of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.

Reason – In the interests of highway safety.

16. Before any dwelling hereby permitted is occupied provision shall be made within the dwelling curtilage for the secure parking of bicycles in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason – In the interests of highway safety.

17. The development hereby permitted shall not be occupied until a Residential Travel Plan has been submitted, approved and signed off by the Local Planning Authority.

Reason - In the interests of highway safety.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.

Reason - To control pollution of land and controlled waters in the interests of the environment and public safety.

19. 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.

20. Approved plans



