

Application Number: F/YR14/0132/F
Major
Parish/Ward: Medworth Wisbech South
Date Received: 14 February 2014
Expiry Date: 13 June 2014
Applicant: Kenford Developments Ltd
Agent: Construct Reason Limited

Proposal: Erection of 12 x 2-storey 2-bed dwellings with garages, access road and associated works (re-plan of plots 69-72, 95-120)

Location: Land between South Brink and Cromwell Road, Wisbech

Site Area: 0.383ha

Reason before Committee: This application is before committee due to previous Committee involvement

1. EXECUTIVE SUMMARY/RECOMMENDATION

The application seeks full planning permission for the erection of 12 x 2-storey 2-bed dwellings, with garages, access roads and associated works. The proposal constitutes a re-plan of part of the original development and will result in changing from 30 flats to 12 houses. The key considerations for this application are:

- Principle and policy implications
- Site history
- Planning contributions
- Design and layout
- Health and wellbeing
- Economic development

The proposal constitutes an amendment to a wider development scheme to re-plan an area approved for 30 flats into 12 houses. Permission for residential development on the land is extant and the proposed design and layout is considered acceptable. An assessment has demonstrated that the scheme is not financially viable to support the payment of £260,000 in lieu of a healthcare centre which was requested as part of the wider scheme.

It is considered that the design and layout of the proposal is acceptable and no harm will be caused to existing or future residential amenities. It is therefore recommended that planning permission is granted.

2. HISTORY

F/YR12/0455/F - Erection of 26 x 2-storey dwellings: 3 x 3-bed and 8 x 2-bed with attached garages, 2 x 3-bed and 12 x 2-bed with detached garages and 1 x 2-bed with attached garage and carport – Granted 30.01.2013 (Committee decision)

F/YR11/0150/PLA – Modification of Planning Obligations attached to planning permission F/YR06/0464/O – Decision pending (Committee decision)

F/YR10/0074/RM – Erection of 85 dwellings comprising f 19 x 1-bed flats, 19 x 2-bed flats, 31 x 2-bed houses, 16 x 3-bed houses with associated garages and parking (amendment to plots 1-20, 67-131 inclusive of planning permission F/YR08/0259/RM) – Approved 02.07.2010 (Delegated decision)

F/YR09/3015/COND – Details reserved by condition 5 and 10 of planning permission F/YR06/0464/O (Erection of 145 dwellings (max) and Health Centre) – Approved 20.10.2009 (Delegated decision)

F/YR09/3010/COND – Details reserved by conditions 1 and 2 of planning permission F/YR08/0259/RM (Erection of a Health Care Centre and 131 dwellings) – Approved 10.03.2009 (Delegated decision)

F/YR08/0259/RM – Erection of Health Centre (2-storey), bin and cycle stores and 131 dwellings (incorporating 46 affordable dwellings) comprising; 41 flats (12 x 2-bed with integral car port, 20 x 2-bed, 8 x 1-bed and 1 x 2-bed with parking below) and 90 houses (39 x 3-bed 3-storey with integral garages, 12 x 3-bed and 39 x 2-bed) with associated garages, parking and Public Open Space – Approved 12/05/2008 (Committee decision)

F/YR07/1318/DE1 – Demolition of existing dwelling, garage and outbuildings – Further details not required 19/12/2007 (Delegated decision)

F/YR06/0464/) – Erection of 145 dwellings (maximum) and Health Centre (4.2ha) – Granted 24/05/2007 (Committee decision)

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.

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 50: Housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 58: Development should respond to local character and be visually attractive as a result of good architecture and landscaping.

Paragraph 100: Directing development into areas of lower flood risk.

3.2 Fenland Local Plan 2014:

LP1: A Presumption in Favour of Sustainable Development

LP2: Facilitating Health and Wellbeing of Fenland Residents

LP3: Settlement Hierarchy

LP14: Responding to climate change and managing the risk of flooding in Fenland

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

LP16: Delivering and Protecting High Quality Environments

4. CONSULTATIONS

4.1 ***Parish/Town Council:***

Recommend approval as no objections or observations in respect of this application.

4.2 ***CCC Highways:***

No objections in principle. Conditions required relating to provision of parking areas, surfacing of roadway and provision of visibility splays.

4.3 ***Police Senior Architectural Liaison Officer:***

No comments or objections to make in respect of Community Safety and Crime Reduction.

4.4 ***FDC Environmental Health:***

No objection to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate. The desk study has been noted and accepted by Environmental Health. A phase 2 (intrusive) investigation has been carried on the site. The investigation has shown areas of made ground with some contaminants above guideline values. The report concludes that some remediation is required to ensure that the site is suitable for its intended end user.

It is understood that a remediation strategy has been submitted and accepted for previous phases of the development. Can the applicants please provide details of what remediation is proposed for the area.

4.5 ***FDC Housing:***

No further requirement to request affordable housing as it has been delivered as part of the wider scheme.

4.6 ***Environment Agency:***

A condition is required to ensure that the development is carried out in accordance with the Flood Risk Assessment.

4.7 ***Natural England:***

Natural England's standing advice applies to this site.

4.8 ***Anglian Water:***

Request a condition requiring a drainage strategy covering the issue to be agreed.

4.9 ***Middle Level Commissioners:***

Discharge consent for this phase of the site has yet to be sought. Further supporting evidence is required to prove to the Board that a viable scheme for appropriate water level/flood risk management exists.

4.10 ***Harbour Master:***

No comments received

4.11 ***Cambridgeshire Fire and Rescue***

Adequate provision should be made for fire hydrants via a S106 contribution or planning condition. (This is covered by the Building Regulations and therefore an informative on the decision notice would be more appropriate).

4.12 ***Cambridgeshire County Council Growth and Economy:***

Contributions towards education are not required. £1682 is required for waste.

4.13 ***Neighbours:***

1 letter of objection received, concerns regarding whether the existing tree line along Weasenham Lane will be protected, overlooking from other parts of the development due to raising of ground levels, concerns that the new proposal will be of a similar height to

5. **SITE DESCRIPTION**

5.1 The application site occupies part of a large residential development site which fronts Cromwell Road. The land in question is currently vacant as it constitutes the next phase of the wider development scheme. The south east of the site adjoins the completed dwellings with the north west of the land adjoining a further phase of the development. The site is located south east of the River Nene, within the established settlement of Wisbech and is within Flood Zone 3.

6. **PLANNING ASSESSMENT**

6.1 The application seeks full planning permission for the erection of 12 x 2-storey 2-bed dwellings, with garages, access roads and associated works. The proposal constitutes a re-plan of part of the original development and will result in changing 30 flats to houses. The key considerations for this application are:

- Principle and policy implications
- Site history
- Planning contributions
- Design, layout and access
- Flood risk and drainage
- Landscaping
- Health and wellbeing
- Economic development

(a) Principle and policy implications

The site lies within the settlement of Wisbech which is classified as a 'Primary Market Town' in the settlement hierarchy set out in policy LP3. This is where the majority of growth within the District should take place. The site lies within Flood Zone 3 where development should be avoided if possible. However, as there is an extant consent for residential development on the site the principle of residential development is already established.

Policy LP15 requires the design of the development to ensure that access to the site is safe and convenient and LP16 requires the high quality design of development proposals. These policies will be discussed further in section (b) of this report.

(b) Site history

The application site forms part of a wider development scheme for 131 houses (46 of which were affordable houses) and a healthcare centre. Members will recall the planning committee meeting in January 2013 where approval was given for the erection of 26 dwellings on the site of the healthcare centre. This was a result of there no longer being a need for the centre from the NHS Primary Care Trust. A financial contribution to the sum of £260,000 was therefore sought in lieu of the healthcare centre and this was to be provided prior to the occupation of the 61st market housing unit of the original scheme for 131 dwellings.

(c) Planning contributions

The proposal is for 12 dwellings and therefore, as per comments received from Cambridgeshire County Council, will generate the need for £1682 contribution towards waste management and recycling. The affordable housing for the whole site has already been delivered. This was on the basis that the current application site was to accommodate 30 flats rather than 12 houses. The scheme has therefore over delivered on the affordable housing requirements.

The main issue with the scheme is the payment in lieu of the healthcare centre. It is submitted by the agent that the healthcare centre would have generated significant revenue and been a profitable element of the scheme originally and that potential profit was lost when the NHS declined to take up the facility. With this in mind, viability assessment has been submitted. The viability assessment demonstrates that in the current market economics the profitability of the housing is limited and is not sufficient to support the payment currently required. Officers have evaluated the viability assessment and concur with the findings that the scheme is not able to sustain a payment of £260,000 in lieu of the healthcare centre or the £1682 waste contribution.

(d) Design, layout and access

The dwellings have been arranged along the frontage of an internal access road. The road layout is essentially the same as the original approval with the exception of a turning head located to the north of the site. Each plot is provided with at least two parking spaces, one of which can be accommodated within the single garage which serves each of the dwellings. CCC Highways has confirmed that the access and parking arrangement is acceptable.

The scale and design of the proposed dwellings is considered acceptable as they are consistent with other properties within the remainder of the development. The proposed materials are D R Anglian buff handmade brick for the external walls and Marley Edgemere smooth grey interlocking slates with terracotta ridge tiles for the roof. These are acceptable as they match the materials of the surrounding development.

Each plot is also provided with an acceptable level of garden space and these areas will be secured and made private with 1.8m close boarded fencing. The position of first floor windows and the orientation and scale of the buildings are such that overlooking and overshadowing between the plots are not considered an issue.

(e) Landscaping

There are no existing soft landscaping features within the site however it is proposed to introduce a landscaped area around the new turning head and towards the southern end of the site, adjoining plot 303. The tree and shrub planting mix shown on the site layout is considered to provide a good variety and a condition to ensure that the landscaping is planted and maintained in accordance with the drawing is considered necessary.

(f) Flood risk and drainage

The land lies within 3 however the principle of developing on this site has already been established. The Environment Agency has requested that a condition is imposed to ensure that the development is carried out in accordance with the mitigations measures set out in the Flood Risk Assessment. These include the elevated height of some of the dwellings and the setting of finished floor levels to no less than 3.8m above Ordnance Datum. A condition securing the levels details of the site is also considered necessary to accompany the floor level heights.

The surface water strategy submitted as part of the application does not include the relevant data to satisfy surface water drainage requirements for Anglian Waters purposes. They have requested that further information is sought from the applicant by virtue of a planning condition.

(g) Health and wellbeing

The proposal provides an acceptable level of private amenity space for future occupiers and will not compromise the living conditions of existing and future neighbouring residents. The site is within walking distance to the town centre and existing services. The proposal therefore addresses health and wellbeing issues.

(h) Economic development

The proposal will create additional housing stock within a sustainable location. It therefore aids in the growth of the District thereby contributing to economic development.

7. **CONCLUSION**

- 7.1 The proposal constitutes an amendment to a larger development scheme and involves a change in the type of development from 30 flats to 12 houses. Planning permission for residential development on the land is extant and the proposed design, layout and access is in any event considered acceptable. A viability assessment prepared by the applicant has demonstrated that the scheme is not financially viable to support the payment of £260,000 in lieu of a healthcare centre which was requested as part of the larger scheme.

It is considered that the design and layout of the proposal is acceptable and no harm will be caused to existing or future residential amenities. It is therefore recommended that conditional planning permission is granted.

8. RECOMMENDATION

Grant subject to 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. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) for Phase 4 of the residential development off Cromwell Road, Wisbech by Michael Thomas Consultancy LLP ref: 332 – FRA Rev A Phase 4 - March 2014 and the following mitigation measures detailed within the FRA:**
 - 1. The layout of the development includes the provision of open flood flow routes to enable flood flows to be directed away from properties.**
 - 2. The development will be built to ensure the properties can withstand the hydrostatic pressures associated with flood waters from a breach event.**
 - 3. The development is to be 2 storeys with no sleeping accommodation on the ground floor.**
 - 4. Safe refuge is provided at first floor level.**
 - 5. The residential units facing South Brink will be elevated with no residential accommodation on the ground floor.**
 - 6. Finished floor levels for the other properties (not directly facing South Brink), are set no lower than 3.8m above Ordnance Datum (AOD).**

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason:

To reduce the risk of flooding to the proposed development and future occupants in accordance with policy LP14 of the Fenland Local Plan 2014.

- 3. Prior to the first occupation of the development the proposed on-site parking areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with a detailed scheme to be submitted to the approved by the Local Planning Authority.**

Reason:

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.

4. **Prior to the first occupation of any dwelling the road and footways shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved in writing by the Local Planning Authority in consultation with the Highway Authority.**

Reason:

In the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.

5. **Prior to the commencement of the use hereby permitted visibility splays of 2.0m x 2.0m shall be provided each side of the vehicular access measured from and along the back of the footway. Such splays shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the highway footway.**

Reason:

In the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.

6. **Prior to the commencement of development details, including a timetable, of the contaminated land remediation work shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.**

Reason:

To control the pollution of land in the interests of the environment and public safety in accordance with policy LP16 of the Fenland Local Plan 2014.

7. **The development hereby approved shall be finished in the materials specified in section 09 of the application form dated 14 February 2014.**

Reason

In the interests of the visual amenities of the area in accordance with policy LP16 of the Fenland Local Plan 2014.

8. 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 in accordance with policy LP16 of the Fenland Local Plan 2014.

9. 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 in accordance with policy LP16 of the Fenland Local Plan 2014.

10. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

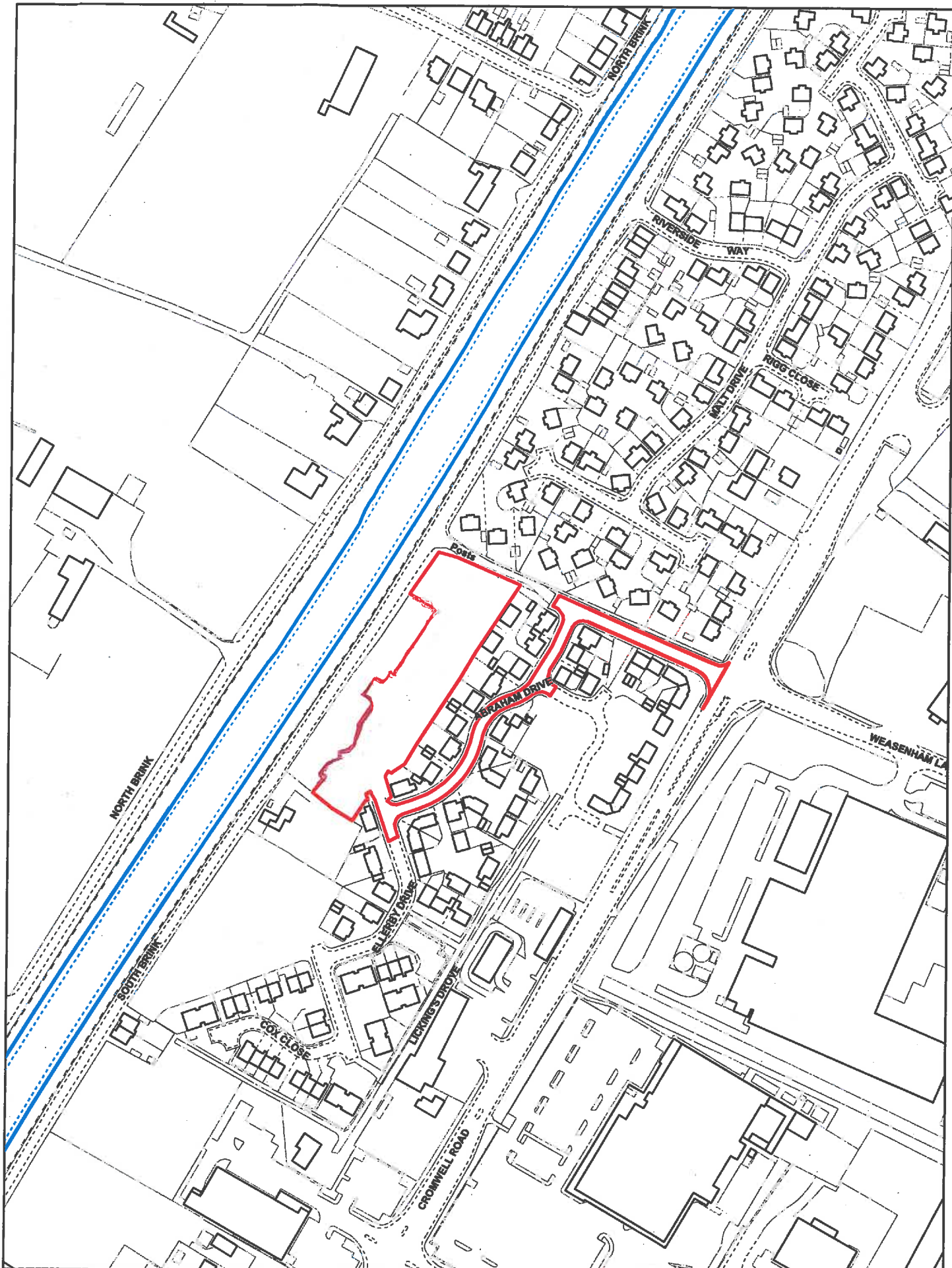
Reason

To prevent environmental and amenity problems arising from flooding in accordance with policy LP14 of the Fenland Local Plan 2014.

11. Approved plans

Additional Informative:

When consulted in respect of this development Cambridgeshire Fire and Rescue Services noted that adequate provision should be made for the provision of fire hydrants. Given that the number and location of fire hydrants will be determined following risk assessment and with reference to guidance contained within the National Guidance Document on the Provision of Water for Fire Fighting 3rd edition, published January 2007 it is suggested that you make early contact with the Hydrants team at hydrants.team@cambsfire.gov.uk



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F/YR14/0132/F

Scale = 1:2,500

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SOUTH BRINK

FUTURE CONSTRUCTION PHASE

CONCRETE BLOCK PAVIORS

BLACK HOT ROLLED ASPHALT

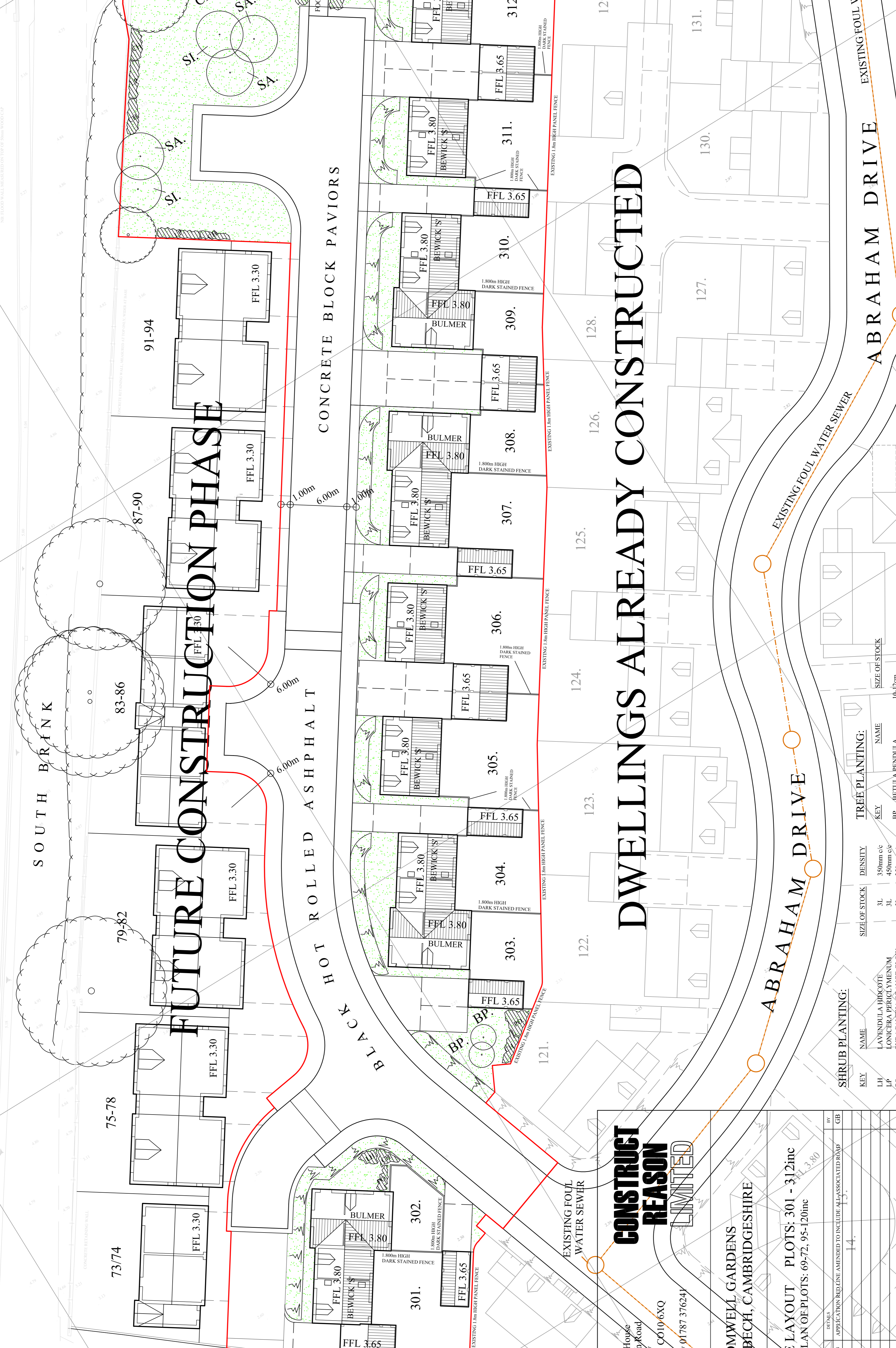
WEASENHAM LANE

DWELLINGS ALREADY CONSTRUCTED

ABRAHAM DRIVE

ABRAHAM DRIVE

WEAS



CONSTRUCT REASON LIMITED

Beaver Hoyle
Northern Road
Sudbury
Suffolk CO10 6XQ
Sudbury 01787 376241

CROMWELL GARDENS
WISBECH, CAMBRIDGESHIRE

SITE LAYOUT PLOTS: 301 - 312inc
(RE-PLAN OF PLOTS: 69-72, 95-120inc)

NO	DATE	DETAILS	BY
A	15/2/14	APPLICATION RED LINE AMENDED TO INCLUDE ASSOCIATED ROAD	GB
14.			
SCALE	1:200	DRAWN BY	GB/CPM
		DRAWING	GB
		DATE	DEC 2013
		REV	A
DRAWING NO.	2066 / AD / 1 / 401		

SHRUB PLANTING:		TREE PLANTING:	
KEY	NAME	SIZE OF STOCK	DENSITY
LH	LAVENDULA HIRSCOTE	3L	350mm c/c
LP	LONICERA PERICLYMENUM	3L	450mm c/c
PO	PYRACANTHA ORANGE GLOW	3L	350mm c/c
CH	COTONEASTER HORIZONTALIS	3L	350mm c/c

KEY	NAME	SIZE OF STOCK
BP	BETULA PENDULA	10-12cm
SA	SORBUS ACCUPARIA	10-12cm
SI	SORBUS INTERMEDIA	10-12cm
CM	GRATIAEUS MONOGYNA	10-12cm

FRONTAGE AREAS TO BE GRASSED
ALL DRIVES TO BE BLACK TARMACADAM
FOOTPATHS AND PATIO AREAS TO BE CONSTRUCTED USING 400X600mm CONCRETE SLABS.

ALL TREES TO BE STAKED, TIED AND GUARDED AND FITTED WITH WATERING TUBE.