

AGENDA ITEM NO. 5

F/YR15/0636/RM

PC DATE: 03.02.16

APPLICATION NO: _____

SITE LOCATION: Land North Of Snowley Park And Glenfields, Whittlesey

UPDATES

1. The following consultation responses have been received:
 - 1.1 Highways

The details of the emergency access can be secured via a suitably worded condition.
 - 1.2 Parks and Open Spaces Manager

Based on the S106 requirements for Public Open Space in accordance with the 2003 SPG (which formed the basis of the S106 attached to F/YR14/0365/O) there would be the requirement for 14 pieces of play equipment. A financial contribution based on the cost of 14 pieces of play equipment would be required if the proposal is for offsite provision in lieu of on-site provision. This would be used to upgrade the adjacent play area and adjoining play space. A commuted sum would also be required for future maintenance of all of the open space.
 - 1.3 Further comments from a Whittlesey Town Councillor

Comments have been received in addition to those reported in paragraph 5.57 of the Committee report. Members will have already seen a copy of these comments. They are summarised as follows:

 - Concerns with the location of the play area;
 - Any upgrade to the play equipment should be on the new area and not in the buffer zone to the north of the site;
 - The S106 requires the transfer of the open space to the Council – does FDC want the additional cost of maintaining it?
 - Suggest a management company takes over the open space;
 - Question whether the ponds will be dry for long periods;
 - It would be better for health and safety if the ponds were stepped rather than sloped;
 - Guarantee is needed to ensure that no dwellings can be built on this public open space;
 - Concerns about the long term maintenance of the drainage system should it be maintained by a Management Company who subsequently goes out of business;
 - Suggest that each dwelling pays an annual fee to keep the management company in business;
 - Loss of visual amenity to 51 Snowley Park, 20, 21, 27 and 28 Glenfields

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1.4 Further clarification has been provided by the application in relation to the approach to open space as follows:

- For all normal rain events the ponds will remain dry. For storm events from 1 in 30 up to 1 in 100 year + the water levels will range between 200 and 600m deep for both ponds. The ponds will be dry all year round and will only become wet for short periods in extreme weather;
- The S106 requires that the Public Open Space will be transferred to FDC to manage however the agent is currently exploring the option to allow a management company to manage the Public Open Space;
- The S106 allows for the possibility to contribute to an existing play area. Extending the existing play area and upgrading it results in an opportunity to create a more cohesive play area and integrate both existing and new development;
- The creation of a separate play area was dismissed at design stage as it would not address current issues relating to antisocial behaviour, would not generate diversity in play equipment, would prefer not to locate a play area near existing water features or ditches for safety reasons, additional maintenance costs;
- The 'Greenbelt Group' is the potential management company, disputes relating to their service is overseen by the ombudsman.

1.5 A Drainage Briefing Note has been provided by the applicant to address the LLFA queries in paragraph 9.10 of the committee report as follows:

- Foul drainage will be connected into the existing Anglian Water Drainage System in Glenfields;
- Storm water is drained by 2 separate surface water systems with their own detention basins;
- The discharge rate into the northern boundary ditch is restricted to 8.21/s as agreed with the North Level Internal Drainage Board;
- The entire piped system including headwalls and hydrobrake chambers will be adopted under a Section 104 agreement with Anglian Water;
- The proposed drainage system will be constructed in the first phase of the operation on site, which will include the piped sewer network, the detention basins and associated surface water management structures (including flow control chambers and headwalls);
- The works will be completed to coincide with the occupation of the first dwelling;
- The open space areas including the detention basins will be transferred to and maintained by Fenland District Council although a variation to the outline S106 is being sought to allow for the option of transfer to a management company.

2. **Assessment**

2.1 The advice received from CCC Highways in respect of a condition for the emergency access details has been noted and a condition is recommended

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accordingly. The condition is detailed in the 'Resolution' section of this update.

- 2.2 The comments received from FDC Parks and Open Spaces Manager has been noted and these will form the basis of the deed of variation to the S106 if the proposal for an off-site contribution is approved.
- 2.3 The comments from the Whittlesey Town Councillor have been noted, the majority of the issues raised have already been addressed within the main body of the committee report and in 1.4 and 1.5 (above). The sloping design of the ponds is intentional as it lends itself better to the dual purpose of the area as a flood attenuation feature and as an area of Public Open Space. Planning permission would be required for any additional dwelling on this site and as such the LPA will remain in control of any such development being proposed in the areas of Public Open Space. The comments with regards to loss of visual amenity have also been noted and, whilst it is acknowledged that residents will be impacted on in terms of loss of open views of the site, the planning judgement is such that the scale and layout of the development will not cause such a degree of harm to existing residents so as to substantiate a refusal of the scheme.
- 2.4 The further clarification and the Drainage Briefing Note are considered to comply with the spirit of condition 08 of the outline planning permission.
- 2.5 There have been minor, albeit technical, updates to the submission which have resulted in minor changes to the drawings. Prior to the issuing of the approval of the Reserved Matters it will be necessary to request a consolidated package of drawings. This should be reflected in the recommendation for the scheme.
- 2.6 The Lead Local Flood Authority (LLFA) are still considering the drainage briefing note and therefore it is recommended that approval should be subject to the LLFA being satisfied with the arrangements for the surface water management.

RECOMMENDATION – Approve subject to:

- i) The completion of a Deed of Variation to the S106 attached to F/YR14/0365/O for the payment of a financial contribution to upgrade and improve the play area adjoining the site;**
- ii) Receipt of consolidated drawings;**
- iii) LLFA confirmation that the arrangements for surface water management are acceptable;**
- iv) The conditions set out on pages 39 and 40 of the agenda as well as the following condition:**

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The development shall not be occupied until the emergency access link in the south eastern corner of the site has been provided in accordance with details which have first been approved in writing by the Local Planning Authority. The details shall include a scheme with retractable bollards which restrict vehicular access to emergency vehicle use only. The scheme shall be maintained and retained in perpetuity as installed.

Reason

To provide an alternative access route for emergency vehicles in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan 2014.