

F/YR16/0436/O

**Applicant: Grosvenor Partnership 3
LLP**

**Agent : Mr R Brown
Richard Brown Planning Ltd**

Land North Of Woodville, Wisbech Road, March, Cambridgeshire

Erection of 9 x dwellings (max) (Outline with matters committed in respect of access)

This application is a minor application.

Reason for Committee: The Town Council's views are in conflict with the Officer recommendation

1 EXECUTIVE SUMMARY

The application seeks outline planning permission for a development of 9 dwellings within the Market Town of March.

The site has previously benefitted from planning permission for 6 workplace homes which has since lapsed in June 2010.

Whilst the application is in outline form, with only the means of access committed for determination at this stage, an indicative site layout plan has been provided. The layout plan is considered to provide sufficient detail in order to demonstrate that the scheme would not have any unacceptable impacts with regard to the relationship with adjoining residential properties. This will require a further assessment at the reserved matters stage.

The application has demonstrated that technical considerations, such as flood risk, drainage, biodiversity and highway impacts, have all been considered to the satisfaction of the relevant consultees. Subject to a number of conditions the impacts here are again considered to be acceptable.

The proposal requires affordable housing provision, by providing 1 dwelling on site and a commuted sum which has been accepted by the applicant. The proposal complies with Policy LP5 in this respect subject to the completion of a Section 106 Agreement.

Overall the proposal is considered to be acceptable subject to the imposition of planning conditions and the completion of a Section 106 Agreement.

2 SITE DESCRIPTION

2.1 The site is located to the north of March adjacent to the A141 Wisbech Road and is approximately 0.64ha in size and is rectangular in shape. The site is currently

vacant with St Marys Church Hall and its associated car park to the north, residential properties to the south (Woodville Drive) and frontage dwellings located opposite to the west and industrial area to the east. Land further to north-east is currently being developed with residential properties (known as Church Gardens). The site lies within Flood Zone 1.

3 PROPOSAL

- 3.1 This application seeks outline planning permission for the erection of 9 dwellings with all matters except for access committed at this stage.
- 3.2 The application is accompanied by an illustrative site plan which shows an arrangement of dwellings served by a new access onto the A141 Wisbech Road which would include a 2 metre wide footpath on either sides of the new road at its radius kerbs which meet with the existing footpaths along Wisbech Road.
- 3.3 The application is accompanied by the following documents:
- Ecological Appraisal Report (May 2016)
 - Technical Note in relation to the Proposed Access Arrangements (August 2016)

Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=O6E6DPHE06P00>

4 SITE PLANNING HISTORY

F/YR07/0200/F	Erection of 6 workplace homes comprising of 6 x 4-bed detached houses with garages and workshops	Granted 11/06/2007
F/YR05/1009/RM	Erection of 12 workplace homes comprising; 4 x 4-bed 2-storey and 8 x 3-bed 3-storey houses with associated access road and parking	Refused 08/02/2006
F/YR04/4176/O	Workplace Homes Development (0.66ha)	Granted 15/12/2004

5 CONSULTATIONS

- 5.1 **March Town Council:** Recommend refusal. Potentially dangerous access as A141 and in close proximity to other accesses.
- 5.2 **FDC Scientific Officer (Land Contamination):** No objection. The proposal is unlikely to have a detrimental effect on local air quality or the noise climate. The applicants should consider if the adjacent road (A141) will have an impact on

noise levels within the proposed dwellings and garden areas. Given the sites former usage contamination is not considered an issue.

- 5.3 FDC Arboricultural Officer:** The proposed development does not require the loss of any existing trees. The proposal takes into account the proximity of mature trees on the north boundary and keeps all development outside the RPAs of off-site trees. The provision of planting to screen the properties on the south boundary and protection measures for the trees to the north of the site to prevent root damage during construction and landscaping can be conditioned.
- 5.4 FDC Housing Strategy:** No objections. On this application which is for 9 dwellings, an affordable housing contribution equivalent to one dwelling on site and a further 0.8 of one dwelling in accordance with the Local Plan Policy LP5.
- 5.5 FDC Conservation Officer:** No objection. Given the distance and positioning of the site to the nearby listed building, Church of St Mary (a Grade II Listed Building), as well as the presence of a buffering car park area and well-defined natural boundary treatments between the site and the listed building it is considered that the proposed development would not have a tangible impact on the listed building's setting.
- 5.6 CCC Highways Authority:** Originally objected to the proposal - unsatisfactory access to serve the proposed development. Vehicular ingress, egress of the development will be prejudicial to the satisfactory functioning and free flow of the A141.
- On receipt of a technical note which includes accident statistics which highlights a decrease trend in accidents since the introduction of a 40 mph speed limit. Unable to substantiate the original objection and concludes no highway objection subject to planning conditions in relation to full construction details of the access and details of proposed arrangements for future maintenance and management of the road.
- 5.7 CCC (Historic Environment Team):** No objections. Records indicate that the site lies in an area of high archaeological potential. Do not object to the development from proceeding but the site should be subject to a programme of archaeological investigation secured through planning condition.
- 5.8 PCC Ecologist:** No objection subject to the use of appropriate conditions. Subject to these recommendations being fully incorporated into the approved scheme the development will result in no net loss to biodiversity.
- 5.9 Middle Level Commissioners:** No comments received.
- 5.10 Anglian Water:** No comments received.
- 5.11 Local Residents/Interested Parties:** A total of 3 objections have been received from 3 properties (2 on Woodville Drive and 1 on Wisbech Road). There has also been 1 representation from a resident on Wisbech Road who does not object but has concerns with the access being opposite their driveway and the time it takes to turn in and out onto the A141.

The objections may be summarised as follows:

- The site constantly floods when there is heavy rainfall – the site proposed has no main sewerage and cannot cope with surface water at this time. A full Flood Risk Assessment needs to be carried out;
- The proposed plans shall overlook Nos. 2 and 3 Woodville Drive;
- There should be no more accesses onto this part of the A141 due to the volume of traffic that already use it and the amount of accidents on this part of the road – the lay-by which is used constantly could cause confusion and danger to road users;
- Loss of access to the ditch at the south side of the site;
- The access to the land is very close to the Woodville Drive entrance which would cause confusion and danger to road users; and
- There are too many houses proposed.

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Paragraph 2: Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise

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 47: Supply of housing

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Paragraphs 100-104: Development and flood risk.

Paragraph 109: Minimising impacts on biodiversity

Paragraphs 203-206: Planning conditions and obligations.

National Planning Policy Guidance (NPPG)

Determining a planning application

Planning Obligations

Flood Risk and Coastal Change

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 - Housing

LP5 – Meeting Housing Need

LP9 – March

LP13 – Supporting and Mitigating the Impact of a Growing District

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 across the District

LP17 – Community Safety

LP18 – The Historic Environment

LP19 – The Natural Environment

7 KEY ISSUES

- **Principle of Development**
- **Design and Impact on the Character and Appearance of the Area**
- **Access and Highway Safety**
- **Flood Risk and Drainage**
- **Residential Amenity**
- **Biodiversity**
- **Archaeology**
- **S106 Planning Obligations**
- **Health and wellbeing**
- **Economic Growth**

8 ASSESSMENT

8.1 Principle of Development

March is listed as a 'primary market town' in Policy LP3 of the Fenland Local Plan, where the majority of the district's new housing, employment growth, retail growth and wider service provision is directed to.

8.2 The site is located within a reasonable walking distance of some local services and facilities, as such the principle of residential development of this site in this sustainable location is considered acceptable.

8.3 Design and Impact on the Character and Appearance of the Area

Whilst the design and layout of the proposal is not committed for formal determination as part of this outline planning application the scheme is supported by an indicative layout which provides an indication as to how 9 dwellings could be accommodated at this site.

8.4 The site is located back from the highway and would result in development in depth. There are other in-depth residential development along this section and side of Wisbech Road, namely Woodville Drive and Church Gardens which is currently under construction. Accordingly the proposal would not be considered to be out of keeping with the local character of the area. It is likely that a number of 2-storey properties would be accommodated at the site.

8.5 The proposal does not require the loss of any existing trees and takes into account the proximity of protected mature trees on the northern boundary and retains all development outside the Root Protection Areas of the off-site trees. The provision of planting to screen the properties on the southern boundary can be secured under 'landscaping' at the reserved matters stage. The protection measures for the trees to the north of the site to prevent root damage during construction and landscaping can be secured by planning condition.

8.6 Accordingly the proposal would comply with Policy LP16 in this regard.

8.7 Access and Highway Safety

The application involves a new access road onto Wisbech Road to serve the development proposed. Wisbech Road (A141) is a 40 mph road primary strategic road that links Huntingdon, Chatteris and March with the A47 at Guyhirn.

8.8 Following the receipt of a technical note the Local Highway Authority (LHA) has removed its objection to the scheme. Most notably the technical note reveals that since the speed limit on this road was reduced from 50mph to 40mph the amount of accidents has reduced considerably and no serious accidents have taken place. Whilst the LHA note that incremental development in the local area may add further concerns they do not identify that this proposal would have a severe impact on the capacity and flow of traffic.

8.9 The proposal is silent on whether or not the intention is for the proposed access to be adopted as public highway. The access, which is committed for determination at this time, is of a sufficient width to be adopted and a condition will be imposed which seeks to ensure that sufficient provision is made for the future maintenance and management of the road (which would include the road being adopted by the LHA) together with details of the refuse collection. Clearly it will not be acceptable for refuse vehicles to wait on Wisbech Road on collection days.

8.10 In light of the conclusions above and the lack of an objection from the LHA the proposal is considered to be acceptable and compliant with Policy LP15 of the Local Plan and the NPPF.

8.11 Flood Risk and Drainage

The site lies within Flood Zone 1. Surface water disposal has been indicated to be via a sustainable drainage system (which can be secured via a condition) and to the existing watercourses and foul sewage to be disposed of via mains sewer. The drain which has been referred to by local residents is within the application site and therefore it appears that the maintenance of this would fall to the future developer/owners of the site. Again a condition regarding this can be imposed.

8.12 Local residents also assert that no foul water drainage connection is available to the Anglian Water network. This may therefore require an on-site scheme. The details of this can also be secured via a condition.

8.13 A Flood Risk Assessment is not required to be submitted given the scale of the proposal, the size of the site and given that the land is within flood zone 1.

8.14 The details are considered to be acceptable (subject to the imposition of conditions) and would ensure that the proposal complies with Policy LP14 of the Local Plan.

8.15 Residential Amenity

With regard to the proposed residential use the indicative layout indicates (subject to Plot 4 being re-positioned or being a bungalow) that no unacceptable impacts would arise. This will need to be re-assessed at the reserved matters stage. No unacceptable impacts in terms of overlooking, over shadowing or over bearing impacts need arise from the development.

8.16 The level of residential amenity to the future occupiers of the site is considered to be acceptable as evidenced by the indicative layout. Again this will need to be reassessed at the reserved matters stage.

8.17 Overall the proposal would provide an appropriate level of amenity to the occupiers of nearby properties. The site would also be capable of providing an acceptable level of amenity to future occupiers. Accordingly the proposal satisfies Policy LP16 in this regard.

8.18 Biodiversity

An Ecology Appraisal (May 2016) has been submitted with this application which comprises a desk based review and a Phase 1 Habitat Survey.

8.19 The Assessment finds that the proposed development could proceed without significant adverse effects on the ecology, provided some mitigation measures are implemented prior to and during the development.

8.20 Measures proposed to enhance the biodiversity of the site include provision of bat and bird boxes. These measures have been agreed by the Council's Consultant Ecologist and can be secured by planning conditions. Accordingly the proposal accords with Policy LP19 of the Local Plan with regard to ecological matters.

8.21 Archaeology

Cambridgeshire County Council (CCC) has confirmed that the site lies in an area of high archaeological potential. Whilst CCC does not object to development from proceeding in this location they consider that the site should be subject to a programme of archaeological investigation secured by planning condition.

8.22 S106 Planning Obligations

The proposed development, in accordance with Policy LP5 of the Local Plan would require the provision of 1 affordable home (tenure to be affordable rented unless the Council agrees at a later stage that it can be an alternative tenure) to be provided on site plus a contribution equivalent to 0.8 of an affordable dwelling to enable housing need to be met elsewhere.

8.23 The agent has agreed in principle to enter into a S106 planning agreement to secure the affordable housing provision. Subject to the completion of this the proposal complies with Policy LP5 in this regard.

8.24 Health and wellbeing

In accordance with Policy LP2 of the Local Plan development proposals should positively contribute to creating a healthy, safe and equitable living environment. In doing so development proposals, amongst other things, should create sufficient and the right mix of homes to meet people's needs, and in the right location. It is considered that this location represents a sustainable location where residents will be able to easily access local services and facilities without dependence on a private motor vehicle. The scheme will provide a range of dwellings together with affordable housing provision.

8.25 Economic Growth

The development would be likely to provide a degree of local employment during construction which would support the continued sustainability and economic growth of March.

9 CONCLUSIONS

- 9.1 The application seeks outline planning permission for a development of 9 dwellings within the Market Town of March.
- 9.2 The site has previously benefitted from planning permission for 6 workplace homes which has since lapsed in June 2010.
- 9.3 Whilst the application is in outline form, with only the means of access committed for determination at this stage, an indicative site layout plan has been provided. The layout plan is considered to provide sufficient detail in order to demonstrate that the scheme would not have any unacceptable impacts with regard to the relationship with adjoining residential properties. This will require a further assessment at the reserved matters stage.
- 9.4 The application has demonstrated that technical considerations, such as flood risk, drainage, biodiversity and highway impacts, have all been considered to the satisfaction of the relevant consultees. Subject to a number of conditions the impacts here are again considered to be acceptable.
- 9.5 The proposal requires affordable housing provision, by providing 1 dwelling on site and a commuted sum which has been accepted by the applicant. The proposal complies with Policy LP5 in this respect subject to the completion of a Section 106 Agreement.
- 9.6 Overall the proposal is considered to be acceptable subject to the imposition of planning conditions and the completion of a Section 106 Agreement.

10 RECOMMENDATION

GRANT subject to:

- i) **Completion of s106 agreement. Should the applicant be unwilling or unable to complete the s.106 agreement within 4 months from the date of committee approval then delegated powers to be given to Officers to refuse the application.**
- ii) **Conditions as set out below**

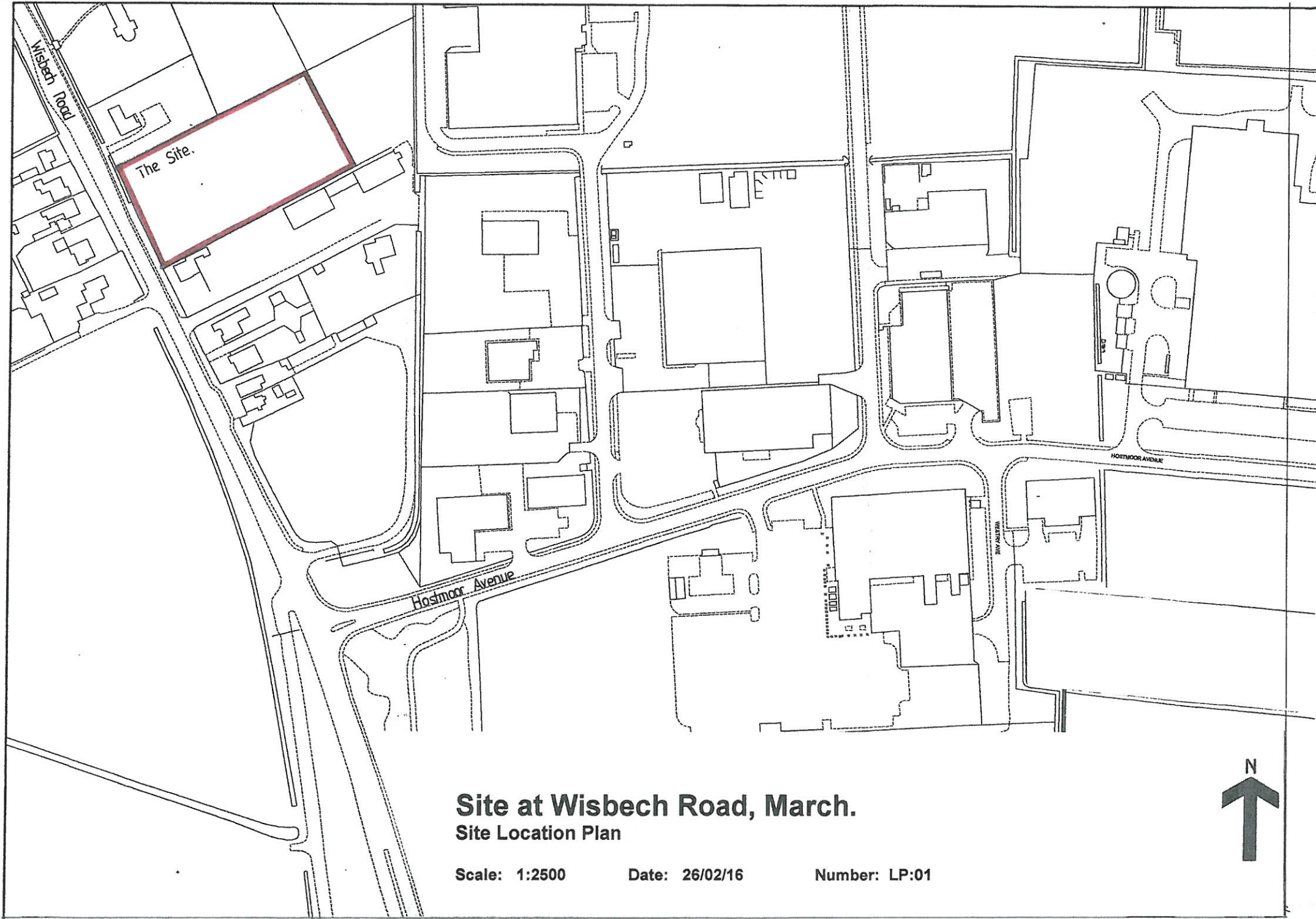
1.	Approval of the details of: i. the layout of the site; ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the landscaping
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	<p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2.	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3.	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4.	<p>No development or preliminary groundworks of any kind shall take place until the applicant 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.</p> <p>Reason – To secure the provision of the investigation and recording of archaeological remains and the reporting and dissemination of the results in accordance with Policy LP19 of the Fenland Local Plan Adopted May 2014.</p>
5.	<p>No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. site compound & storage areas. iii. loading and unloading of plant and materials storage of plant and materials used in constructing the development v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate vi. wheel washing facilities vii. measures to control the emission of dust and dirt during construction viii. the measures to meet the requirements of the Ecological Appraisal dated May 2016. <p>Reason: To prevent harm being caused to the amenity of the area in accordance with the provisions of Policies LP2 and LP16 of the</p>

	Fenland Local Plan (Adopted May 2014).
6.	<p>Prior to commencement of development, a detailed scheme showing full construction details of the access from the existing highway into the site, shall be submitted to, and approved in writing by the Local Planning Authority. Such a scheme shall also incorporate a pedestrian crossing point utilising tactile slabs and include levels, drainage and methods of construction. The approved scheme shall then be implemented prior to the first occupation of the site.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (Adopted May 2014).</p>
7.	<p>No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).</p> <p>Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.</p>
8.	<p>No works shall commence on site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.</p> <p>Reason: To ensure satisfactory development of the site and a satisfactory Standard of highway design and construction and in accordance with Policy LP15 of the Fenland Local Plan (Adopted May 2014).</p>
9.	<p>Prior to the first occupation of any dwelling the road(s), and footway(s) 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.</p> <p>Reason: To ensure satisfactory development of the site and a satisfactory Standard of highway design and construction and in accordance with Policy LP15 of the Fenland Local Plan (Adopted May 2014).</p>

10.	<p>The development hereby approved shall be carried out in accordance with the recommendations contained within the Ecological Appraisal Prepared by Cotswold Wildlife dated May 2016. Should the development not take place within two years of the date of this permission, an updated ecological survey shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved updated ecological survey and any mitigation measures contained in the updated survey shall be fully implemented on site at the relevant stages of work.</p> <p>Reason: To protect the habitats of protected species in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
11.	<p>Prior to the commencement of the development hereby approved details of a range of bird nest boxes and bat roosting features shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the numbers, designs and location within the site. The agreed details shall then be implemented and retained in perpetuity.</p> <p>Reason: To protect the habitats of protected species in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
12.	<p>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.</p> <p>Reason - To ensure that retained trees are adequately protected and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
13.	<p>Prior to commencement of development a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason - To ensure a satisfactory form of refuse collection and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
14.	<p>No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 annual probability (plus a 40% allowance for climate change) critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed</p>

	Reason - To prevent the increased risk of flooding, both on and off site.
15.	<p>Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff subcatchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.</p> <p>Reason - To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.</p>
16.	<p>No development shall take place until a foul water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The works/scheme shall subsequently be implemented in accordance with the approved details before the development is completed and thereafter retained in perpetuity.</p> <p>Reason – To ensure a satisfactory method of foul water drainage and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
17.	<p>Approved Plans</p> <p><u>Informatives:</u></p> <p>1. This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant’s responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant. The applicant should note that the nature of the highway works proposed will necessitate the completion of a Short Form 278 Highway Works Agreement between the developer and the LHA prior to commencement.</p> <p>2. The applicant is advised that to discharge condition 7 the Local Planning Authority requires a copy of a completed agreement between the Applicant and the Local Highway Authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.</p>



The Site.

Wisbech Road

Hostmoor Avenue

HOSTMOOR AVENUE

BYWALLEY

Site at Wisbech Road, March.

Site Location Plan

Scale: 1:2500

Date: 26/02/16

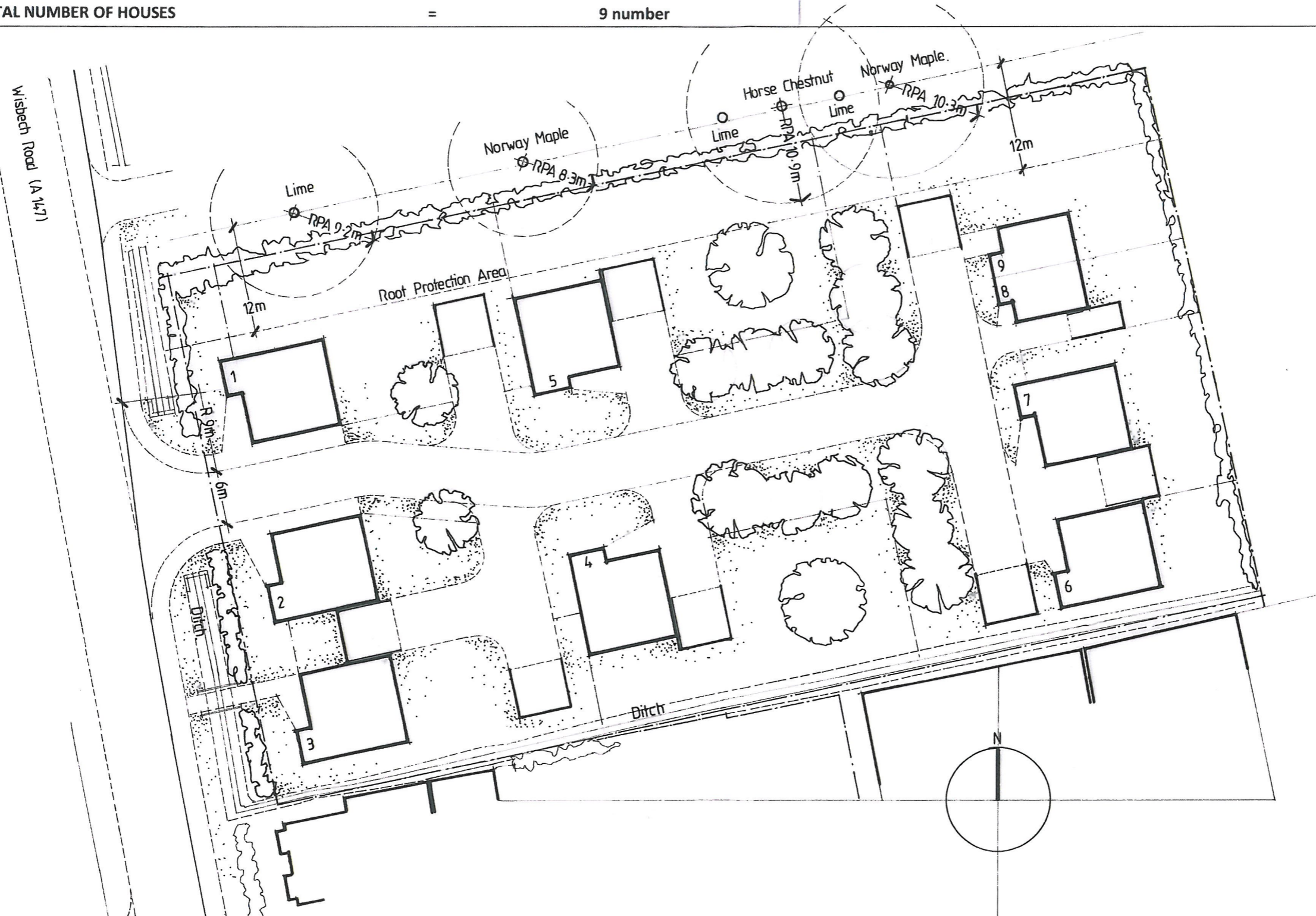
Number: LP:01



Property Schedule

5 Bedroom Detached House	196m sq	2100sq ft	7 number
3 bedroom Semi-Detached Houses	79m sq	850sq ft	2 number

TOTAL NUMBER OF HOUSES			= 9 number



Site at Wisbech Road, March.

Site Layout Plan