## F/YR16/0545/O

Applicant: Mr S Ayers Agent : Swann Edwards Architecture Limited

33 And Land North Of 17-31, Gosmoor Lane, Elm, Cambridgeshire

Erection of 50 dwellings (max) involving the demolition of existing buildings (Outline application with some matters committed - Access)

Reason for Committee: Due to the Parish Council's view being contrary to Officer recommendation.

#### 1 EXECUTIVE SUMMARY

This is an outline application for the erection of 50 dwellings. Access is committed as part of this application and the layout, external appearance, landscaping and scale are reserved for consideration at a later date. An indicative layout plan has, however, been submitted as part of this application. The site is located to the north of Gosmoor Lane in Elm and is within Flood Zone 1. The application is accompanied by a linked application (ref: F/YR16/0543/F) for an area of car parking to the north western part of the site to be given to the school to alleviate traffic problems on the surrounding highways.

The application raises the following considerations:

- Principle of Development
- Village Thresholds
- Access and Highway Safety
- Form and Character and Impact on the Surrounding Area

The application has been considered against the relevant national and local planning policies and guidance and has been found to comply with the provisions of Policies LP1, LP2, LP3, LP5, LP6, LP12, LP13, LP14, LP15, LP16 and LP17. The application is therefore recommended for approval.

#### 2 SITE DESCRIPTION

2.1 The site is located to the northern side of Gosmoor Lane in Elm and adjoins the main built up settlement. Existing access is off Gosmoor Lane itself and there is an existing agricultural/industrial building on site. The remainder of the site extends north and east and comprises of vacant land which is overgrown in some areas and was formerly agricultural. Part of the site runs to the rear of existing dwellings along Gosmoor Lane and to the north and north east lies open agricultural land. The main settlement of Elm is located to the west, north west and south west of the site and is characterised by residential development, which is relatively high density in some areas, and the school which is to the west fronting on to Main Road. The site is in Flood Zone 1.

## 3 PROPOSAL

- 3.1 This is an outline application for the erection of a maximum of 50 dwellings on land north of Gosmoor Lane in Elm. Access into the site is committed at this stage with the scale, layout, external appearance and landscaping being reserved for consideration under a later application.
- 3.2 The indicative layout submitted shows the dwellings arranged in an estate-fashion with one main access road running from Gosmoor Lane, into the site and to the west. The indicative layout shows a mixture of detached and semi-detached properties, each with their own area of private amenity space to the rear and driveways for parking. Also single garages are proposed for a number of the properties. Furthermore, to the northernmost part of the site an area of public open space is proposed, with an area for parking for the school included to the north western corner of the site (which is subject to a separate application). The development proposes new 1.8m high timber fencing to the site boundaries with existing properties. No specific elevational details of the dwellings have been submitted at this stage.
- 3.3 Access is proposed off Gosmoor Lane and will lead into the site via a 5.5m internal estate road with 1.8m wide footways either side. Turning heads are proposed within the site, however the exact location of these will be determined at Reserved Matters stage as part of the whole layout of the site. In addition to the development, a new 1.8m wide footpath is proposed on the opposite side of Gosmoor Lane and a new traffic island to be installed on Gosmoor Lane subject to the approval of the Cambridgeshire County Council Highway Department.
- 3.4 Full plans and associated documents for this application can be found at: <a href="https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=O7SL83HE06P00">https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=O7SL83HE06P00</a>

## 4 SITE PLANNING HISTORY

F/YR16/0543/F Change of use of agricultural land to form a Pending

school car park involving the demolition of consideration.

existing building.

F/YR15/0952/O Erection of 50 dwellings (max) involving the Withdrawn

demolition of existing buildings (Outline 08.04.2016

application with some matters committed -

Access)

# 5 CONSULTATIONS

# 5.1 Parish Council:

Object as cumulatively with other approved developments this would result in the overdevelopment of Elm, the current community infrastructure is insufficient to support the continued development within the village and approval of the proposal would be contrary to Policy LP12 of the Local Plan.

# 5.2 CCC Highways:

Vehicle to vehicle visibility splays are required either side of the access and the proposed footways should be dimensioned. Defer for amended plans.

Further plans and information have been submitted and further comments from the LHA are awaited and will be updated.

# **5.3 FDC Environmental Health:**

No objections in terms of local air quality or the noise climate. It would be prudent to require a Construction Management Plan to be submitted to prevent noise and dust nuisance to local residents during construction. The desk study is noted and the unsuspected contamination condition is required.

# 5.4 Crime Prevention Team:

No objections, comments or recommendations.

# 5.5 Anglian Water:

There are assets owned by Anglian Water within or close to the boundary of the site therefore an informative is required. There is capacity for the foul drainage and sewerage flows.

# 5.6 FDC Housing Strategy:

Policy LP5 seeks 25% affordable housing on all development sites of 10 or more dwellings therefore it is anticipated that this development would provide 13 dwellings.

# 5.7 CCC Lead Local Flood Authority (LLFA):

Initially objected due to insufficient information relating to surface water drainage.

Objection has been removed following receipt of updated FRA and Sustainable Drainage Strategy. Requests conditions in relation to submission of a surface water drainage strategy and the long term maintenance of the surface water drainage systems and SuDS.

## 5.8 FDC Environment and Leisure:

No objection in principle. All properties appear to have satisfactory access to the collections points. The access road will be expected to accommodate gross vehicle weights of up to 26 tonnes and have the facility to turn safely.

# **5.9 FDC Development Transport Manager:**

No response received.

#### **5.10 Middle Level Commissioners:**

No response received.

# **5.11 Environment Agency:**

The site is within Flood Zone 1 therefore no comments to make.

## 5.12 CCC Archaeology:

The site lies in an area of high archaeological potential and therefore it is recommended that the standard archaeology condition is placed on the development.

## 5.13 Cambs Fire and Rescue:

Require adequate provision for Fire Hydrants via condition or \$106.

## 5.14 CCC Section 106 Team:

No contribution towards Early Years provision, Primary or Secondary education provision as there is currently sufficient capacity. No contribution towards Libraries and Lifelong Learning is sought. A contribution of £9,000 is sought towards strategic waste and a monitoring fee of £650 is required.

# 5.15 NHS England:

The existing GP Practices do not have capacity to accommodate the additional growth therefore a contribution of £10,560 is required with payment prior to the commencement of development.

#### **Local Residents/Interested Parties**

## 5.16 Objectors

5 letters of objection have been received (from Abington Grove, Gosmoor Lane and Cedar Way in Elm) concerning (in summary):

- The level of development exceeds that allowed under Policy LP12;
- There are already a number of large developments taking place;
- There isn't the infrastructure to cope;
- In favour of the car park but not the 50 dwellings;
- This will add congestion on the main road;
- Gosmoor Lane is in a very poor condition and construction traffic will make it worse;
- The additional traffic will be an unacceptable burden on the road and the residents:
- Drainage is poor around Gosmoor Lane;
- Current residents will not have access to their rear boundaries for maintenance of hedges;
- This will degrade the countryside appeal for the village and residents;
- It is understood that new builds in Elm require community support;
- The roads and paths are not well maintained at present;
- The development will result in accidents;
- There is already a parking issue in Abington Grove.

# 5.17 Supporters

14 letters of support have been received (from Begdale, Main Road, Gosmoor Lane, Fridaybridge Road, Abington Grove, Birch Grove, Henry Warby Avenue, Pear Tree Road and Belt Drove in Elm) concerning (in summary):

- In favour of both applications. It would be an ideal use for this brownfield site;
- The land is perfect for this development;
- The fact the land is being provided for parents to drive in and drop off and collect their children from school is to be applauded and therefore on balance the 2 applications should be supported;
- The traffic calming measures are essential;
- No objections but would like additional infrastructure as well;
- The development will add houses to the village and provide parking for the school;

- As a percentage of the school children will come from the development the number of children attending from outside Elm will reduce and will further reduce numbers driving to school;
- This will bring further improvement to the village;
- There is a need for affordable housing in the area.

#### 6 POLICY FRAMEWORK

# 6.1 National Planning Policy Framework (NPPF)

Paragraph 14: A Presumption in Favour of Sustainable Development;

Paragraph 17: Core Planning Principles;

Section 6: Delivering a Wide Choice of High Quality Homes;

Section 7: Requiring Good Design;

Section 11: Conserving and Enhancing the Natural Environment.

# 6.2 National Planning Policy Guidance (NPPG)

Design

Health and Wellbeing

**Rural Housing** 

# 6.3 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;

LP12: Rural Areas Development Policy

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;

LP19: The Natural Environment.

# 6.4 Delivering and Protecting High Quality Environments in Fenland: Supplementary Planning Document (July 2014).

DM2 – Natural Features and Landscaping Schemes;

DM3: Making a Positive Contribution to Local Distinctiveness and Character of the Area:

DM4: Waste and Recycling Facilities;

DM6: Mitigating Against Harmful Effects.

# 7 KEY ISSUES

- Principle of Development
- Village Thresholds
- Form and Character and Impacts on the Surrounding Area
- Access and Highway Safety
- Link to Application F/YR16/0543/F

- Section 106 Requirements
- Health and wellbeing
- Economic Growth
- Other Considerations

#### 8 BACKGROUND

8.1 In 2015 an application was submitted for a maximum of 50 homes which was not accompanied by the application for the car park. This application was also for a maximum of 50 dwellings and committed access only. Following discussions with the Agent in relation to some amendments and comments from the Parish Council the Agent chose to withdraw the application in order to include an area of car park in the north western corner for use by the school and to make some amendments to the indicative layout. This resulted in the current application and linked application for the car park (F/YR16/0543/F) being submitted. The linked proposal will provide up to 50 spaces with access to the school via a pedestrian gate and will provide a community benefit.

# 9 ASSESSMENT

## **Principle of Development**

- 9.1 Policy LP3 of the Local Plan identifies Elm as a 'Limited Growth Village' where a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability, and may be appropriate as a small village extension.
- 9.2 For development in villages Policy LP12 states that new development should be in or adjacent to the existing developed footprint of the village and not extend existing linear features or result in ribbon development. This proposal will utilise a brownfield site that is adjacent to the main settlement of Elm and therefore in principle the proposed development complies with this part of Policy LP12 and Policy LP3. The development is therefore considered to be acceptable in principle, subject to compliance with the other relevant policies of the Local Plan.

# **Village Thresholds**

- 9.3 Part A of Policy LP12 also requires that for development in villages, if the level of new housing since April 2011 has exceeded the 10% threshold then an application will only be supported where there is demonstrable evidence of community support which has been obtained via a proportionate pre-application community consultation exercise. The most recent village threshold figures for Elm (dated 15<sup>th</sup> November) show that of a potential 73 new homes allowed before the village threshold is breached, there have been 75 new dwellings. As such the threshold has been breached by 2 dwellings and therefore this proposal would need to comply with the community consultation requirements of the Policy.
- 9.4 A pre-application community consultation exercise has been carried out for this application and the related car park application (F/YR16/0543/F). This community consultation involved:
  - A public meeting held on Saturday 16<sup>th</sup> April 2016 from 14:30 16:30 at the local primary school;
  - 1,785 leaflets were delivered to all households within the Elm Parish (Elm, Friday Bridge and Coldham);

- Copies of the leaflet were hand delivered to all properties in Gosmoor Lane and those who would be directly affected by the proposal on other streets;
- Leaflets were given to the parents/guardians of children at the Local School.
- 9.5 30 responses were received following the above and of these responses 6 were in objection and 24 responses were in support. The application has been accompanied by a summary of the comments received and any identified actions/amendments, copies of the information sent to residents and displayed at the local event and full copies of the responses received. It is considered that this level of community consultation accords with the requirements of Policy LP12 and serves to demonstrate evidence of community support for the scheme (with 80% of the responses being in favour). As such the proposal is considered to have met the requirements of Policy LP12 in terms of the village threshold requirements.

# Form and Character and Impacts on the Surrounding Area

- 9.6 This site is currently classed as a brownfield site and has one existing large agricultural building on site. This application will seek to remove the existing building to allow for the housing development. It is noted that the proposed development is relatively large in scale and this has been taken into consideration in terms of the form and character of the surrounding area. The site is located adjacent to the main settlement of Elm. Immediately to the south of the site are dwellings fronting onto Gosmoor Lane and beyond this, on the other side of Gosmoor Lane are the Oldfield Avenue and Roseberry Road developments. These are in depth, estate-style developments with a relatively high density. To the west are further properties along Gosmoor Lane with a small pocket of development comprising the St Giles Grove development. Beyond this are larger properties and dwellings that front onto Main Road, as well as the school premises. Directly to the north and east of the site is open agricultural land therefore this site sits on the cusp of the developed part of Elm and the open countryside.
- 9.7 Consideration has been given to the existing structures on the site and its current condition and it is felt that due to its brownfield nature and the density of development in close proximity to the site that, on balance, the proposal would not adversely affect the form and character of the surrounding area. It is noted that there is some encroachment beyond what could be considered the established building line which would be the rear gardens of St Giles Grove, however the impact of this is reduced by the presence of the school buildings which are to the west of the site. Furthermore, the indicative site layout shows the northernmost part of the site as being proposed for an area of open space which will assist in the transition between the development and the countryside. Therefore it is considered that this development would not result in the loss of rural character and would not result in unacceptable or harmful encroachment in this instance. The proposal therefore complies with Policy LP12 in this instance.
- 9.8 In terms of impacts on the residential amenity of existing residents, it is noted that this development will alter the outlook from the existing properties along Gosmoor Lane by introducing dwellings to the rear of their properties. This has been taken into consideration and following the withdrawal of the previous application, the indicative layout has been amended to bring the dwellings further away from the rear boundaries of these dwellings to reduce the impact. The submitted layout

plan is indicative only and therefore can be changed further if required at Reserved Matters stage to further protect adjoining residential amenities. No elevational details have been submitted at this stage but at Reserved Matters stage the scale and fenestration of the proposed dwellings will be considered to ensure that overlooking and overbearing impacts are avoided. It is noted that there will be a traffic increase along Gosmoor Land and that this is a relatively narrow road in poor condition however there are improvements proposed (traffic calming, additional footpaths) to mitigate against these impacts. Furthermore, the indicative layout shows that adequate parking can be achieved on site and therefore there should not be adverse impacts from the development on highway safety in terms of on-street parking.

9.9 The proposed development is therefore considered to be, on balance, acceptable in terms of the form and character of the surrounding area and the impact on neighbouring residential amenity and therefore complies with the provisions of Policies LP12 and LP16 in this regard.

# Access and Highway Safety

9.10 The application seeks approval for the access arrangements at this stage and discussions have been ongoing with the Local Highway Authority. The application proposes new footpaths either side of the access and opposite and also proposes traffic calming measures. Access to the linked car park will be via this estate which aims to reduce parking on the main road during school drop off and pick up times. The LHA have requested that the visibility splays are shown on the submitted plan and this has been complied with. Further comments and conditions are awaited from Highways and will be updated by way of written or verbal update to Members.

# Link to Application F/YR16/0543/F

9.11 This application is accompanied by a full application to allocate the north western corner of the site for parking for the school. This piece of land has been proposed to be provided to the school for parking purposes to reduce traffic congestion and highway safety issues that exist during school times. The inclusion of this piece of land for use as a car park appears to be fundamental in the support that has been received for the proposal and as such this serves to meet the community support requirements of Policy LP12 and goes towards making the development acceptable in accordance with Policy. As such it is proposed to link the car park application with this to ensure its delivery via the Section 106 Agreement.

# **Section 106 Requirements**

- 9.12 This application is subject to a number of Section 106 requirements due to the size of the site and number of houses proposed. This development would trigger the need for affordable housing, provision of open space, NHS contribution and strategic waste contributions. The relevant departments have considered the proposal and it is identified that the following Section 106 requirements are relevant:
  - Affordable Housing For a development of 50 dwellings it is anticipated that this would require the provision of 13 dwellings on site. However this is dependent on the final number of dwellings proposed which will be confirmed at reserved matters stage and the exact calculation for affordable housing will be in accordance with the provisions of Policy LP5.
  - Strategic Waste Cambridgeshire County Council have identified the need for a contribution of £9,000 towards strategic waste.

- Public Open Space The POS requirements of this development are Neighbourhood/Town Park contribution of £7,000; Children's Play Space contribution of £7,000; Natural Greenspace contribution of £8,750; Allotment contribution of £1,750; Outdoor Sports Contribution of £14,000.
- Monitoring Contribution Cambridgeshire County Council require a monitoring contribution of £650.
- Implementation of the car park (application F/YR16/0543/F).

It is proposed to secure these by way of a Section 106 Agreement.

# Health and wellbeing

9.13 Policy LP2 of the Fenland Local Plan requires that development proposals contribute to creating a healthy, safe and equitable living environment by creating sufficient and the right mix of homes, building homes that are easy to warm and safe from flooding, promoting high levels of residential amenity and avoiding adverse impacts amongst other things. This site is within Flood Zone 1 and provides new housing which has adequate amenity space and as such the proposal is considered to comply with Policy LP2 in this instance.

## **Economic Growth**

9.14 This proposal will result in up to 50 new dwellings for Fenland's Housing Stock and will therefore support the economic growth of the District in the long term. In addition, the economic growth of Fenland will be supported in the short term via employment opportunities for local contractors during the construction phase. As such the proposal complies with Policy LP6 in this regard.

## **Other Considerations**

## 9.15 Fire Hydrants

The comments of the Cambs Fire and Rescue Team in relation to the provision of Fire Hydrants are noted however these details will be secured at the Building Regulations stage of the Development and therefore there is no requirement for a condition in this instance.

# 10 CONCLUSIONS

10.1 The proposed development for a maximum of 50 dwellings and access (with other issues to be considered at the Reserved Matters stage) is considered to be acceptable, on balance. In terms of the principle of development, impact on the form and character of the surrounding area, residential amenity and highway safety the proposal is considered to accord with the relevant local and national planning policies and as such it is recommended for approval subject to the completion of a Section 106.

# 11 RECOMMENDATION

# **Grant Subject to:**

i) Completion of a S106 for affordable housing, public open space, strategic waste, provision of the car park approved under F/YR16/0543/F and monitoring fees. If this Section 106 is not progressed within 4 months from the date of the Planning Committee it is recommended that Delegated Authority be given to the Head of Planning to refuse the application on the basis of failure to complete the legal agreement.

## **Conditions:**

- 1. Approval of the details of:
  - (i) The layout of the site;
  - (ii) The scale of the buildings
  - (iii)The external appearance of the buildings;
  - (iv) The landscaping

(hereinafter called 'The Reserved Matters') shall be obtained from the Local Planning Authority prior to the commencement of development.

Reason – To enable the Local Planning Authority to control the details of the development hereby permitted in accordance with Policies LP2, LP12, LP15, LP16 and LP19 of the Fenland Local Plan, 2014.

2. 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.

Reason – To ensure compliance with Section 92 of the Town and Country Planning Act 1990.

3. 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.

Reason – To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

4. 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 LPA, shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason – To ensure that the development complies with approved details in the interests of the protection of human health and the environment in accordance with Policy LP16 of the Fenland Local Plan, 2014.

- 5. No works shall commence on site until such time as a Construction Management Plan shall be submitted to an approved in writing by the Local Planning Authority. The Construction Management Plan shall include (but not exclusively), the following:
  - Haul routes to and from the site;
  - Hours of on-site working;
  - Parking, turning and loading/unloading areas for all construction/contractors vehicles:

- Site compounds/storage areas;
- Temporary access points;
- Wheel cleansing facilities capable of cleaning the underside of the chassis and wheels of all vehicles entering and leaving the site during the period of construction;
- A noise management plan including a scheme for the monitoring of construction noise;
- A scheme for the control of dust arising from building and site works;
- Details of remedial measures to be taken if complaints arise during the construction period; and
- Any proposed temporary traffic restrictions.

Thereafter the details shall be implemented in accordance with the approved plan.

Reason - In the interests of highway safety and residential amenity in accordance with Policy LP15 and LP16 of the Fenland Local Plan 2014.

6. 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.

7. No development shall commence on site until such time as 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 - In the interests of visual amenity in accordance with Policy LP16 of the Fenland Local Plan 2014.

8. No development shall commence on site until such time as a refuse strategy has been submitted to and approved in writing by

the Local Planning Authority. The agreed strategy shall be implemented in full upon first occupation of the dwellings and thereafter retained in perpetuity.

Reason: To ensure a satisfactory form of refuse collection in accordance with Policy LP16 of the Fenland Local Plan, 2014.

9. No development shall take place within the area indicated 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 has been submitted by the applicant and approved in writing by the local planning authority.

Reason: In order to secure the preservation of the archaeological interest of the area either by record or *in situ* as appropriate in accordance with Policy LP18 of the Fenland Local Plan, 2014.

Developers will wish to ensure that in drawing up their scheme, the timetable for the investigation is included within the details of the agreed scheme.

10. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy shall demonstrate that infiltration drainage is used where site-specific BRE365 infiltration tests show it to be appropriate and if infiltration is not appropriate the scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 annual probability rainfall event (including an appropriate allowance for climate change and urban creep) 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.

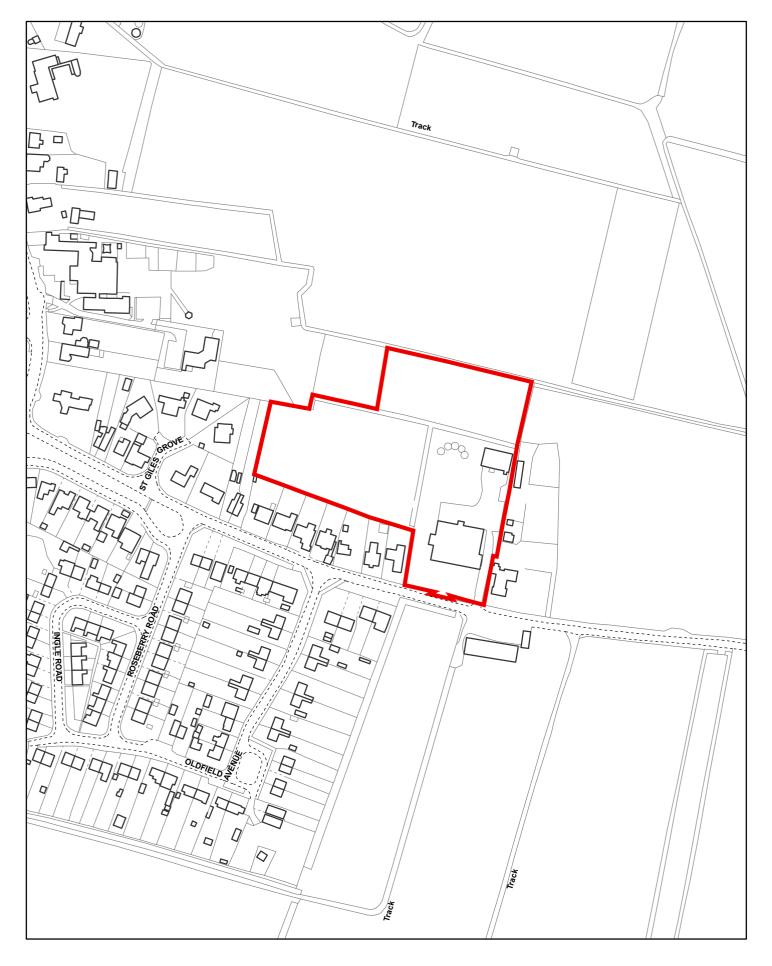
Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy LP14 of the Fenland Local Plan, 2014.

11. 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 sub-catchments, 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.

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.

- 12. Conditions as requested by the Local Highway Authority to be updated.
- 13. Approved Plans



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