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**F/YR16/0795/O**

**Applicant: Mr T Bartlett  
Compass Estates**

**Agent : Mr Howard Baker  
Sisco Architecture Ltd**

**Land West Of 15, Fairbairn Way, Chatteris, Cambridgeshire**

**Erection of 26no dwellings (max) (Outline application with all matters reserved)**

**Reason for Committee: This application is before committee due to the level of objection received from local residents.**

The proposal is for up to 26 dwellings, 7 of which would be affordable (Outline with matters in respect of access, appearance, layout and scale) on paddocks and fields considered to have limited landscape value to the open countryside.

The principle of development on the edge of the existing settlement would represent a sustainable residential development. Key considerations are the potential harm to the open countryside and any impact upon the amenity of occupiers of nearby houses. In this instance the site is considered to be a natural extension of the nearby Persimmon development. Harm to the countryside is minimal and the applicant has demonstrated that the development could take place with no significant harm to neighbouring occupiers. There is no objection on highway grounds. Surface water drainage has been a matter of discussion between the Lead Flood Authority and the applicant, however outstanding matters have been resolved. There are no flood risk or impact on neighbouring amenity concerns.

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## **1 SITE DESCRIPTION**

1.1. This application relates to a 0.75 hectare site off Fairbairn Way on the southern edge of the settlement of Chatteris near to London Road. The site is currently open fields used for grazing. It has housing abutting on two sides. There are some small trees and hedgerows of limited amenity value. There is a drain on the north-western edge within the site boundary. The site abuts some rear garage and parking areas and 4 gardens of properties on Fairbairn Way. Land to the south and west is of similar appearance and use.

1.2 The site is within Flood Risk Zone 1 an area at the lowest risk of flooding.

## **2 PROPOSAL**

2.2 The application is in outline form seeking the principle of up to 26 dwelling 7 of which would be affordable, and indicating a possible access position of Fairbairn Way. The applicant has submitted a detailed indicative layout, which is not for determination now, however it seeks to demonstrate that 26 house could be

developed in a satisfactory manner without significantly detrimental impact on neighbouring occupiers.

- 2.3 The applicant included a Habitat Survey and a Flood Risk Assessment and Drainage Strategy. Following discussions with the Lead Flood Authority the drainage strategy has been amended twice and the Lead Flood Authority no longer raises an objection.
- 2.4 Full plans and associated documents for this application are available at: <https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=OAVNGYHE01U00>

### 3 **SITE PLANNING HISTORY(adjacent site)**

F/YR07/0224/RM	Erection of 63 dwellings comprising; 2 x 1-bed apartments, 3 x 2-bed apartments, 5 x 2-bed bungalows, 20 x 2-bed houses, 22 x 3-bed houses, 9 x 4-bed houses and 2 x 5-bed 2 and a half storey houses, with associated garages, parking and landscaping. (Adjoining site)	Granted	31/05/07
F/YR01/0535/O	Residential (Adjoining site) Development (1.49 ha)	Granted	15/03/04

### 4 **CONSULTATIONS**

- 4.1 **FDC's Environmental Health Officer** has no objections and request a planning condition be attached.
- 4.2 **CCC Highways**  
The new access location will require the relocation of a telecom box. The access road off Fairbairn Way requires an amended kerb profile to achieve a bell mouth profiled access (6m radius kerbs). This can be amended at the reserved matters application. The access road doesn't need to be 6.0m wide and can be reduced to 5.5 metres. Highways do not agree with comments made in respect of the on-street parking. It is not the responsibility of this development to provide on-street parking for the adjacent development. The parking provision for this development will be assessed at reserved matters stage to ensure it is consistent with Fenland District Council parking guidelines. CCC Highways has no objection subject to conditions.
- 4.3 **Cambridgeshire Constabulary** has viewed the documents available and in relation to community safety, crime and disorder the only concern is that this is a medium to high crime area. This appears to be a good development with an acceptable layout and he would welcome discussing Secured by Design with the applicant should at detailed stage to mitigate against any vulnerability to crime and disorder.
- 4.4 **Anglian Water** considered the Surface Water Strategy/Flood Risk Assessment submitted with the planning application relevant to Anglian Water is unacceptable and would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority. However Anglian Water does not object subject to conditions attached.

- 4.5 **CCC Lead Flood Authority** considers that after extensive further discussions the Lead Flood Authority considers the applicant has taken on board requested amendments to the drainage strategy and does not object subject to attached conditions.
- 4.6 **CCC Planning, Minerals and Waste Officer** highlights the proposed development lies within the Mineral Safeguarding Area for Sand and Gravel designated by Policy CS26 of the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011). In the event that mineral is extracted during the course of construction, the County Council would expect to see the mineral put to a sustainable use in accordance with the core principles of the adopted Minerals and Waste Core Strategy and Policy CS42.
- 4.7 The Officer also highlights that the need for the applicant to submit a Waste Management and Minimisation plan (as required by the County Councils Waste Plan). This is referred in the attached notes and is conveyed to the applicant.
- 4.8 **CCC Section 106 Contributions** because the application is in outline form and does not define the actual numbers provided the following requests are based upon the school numbers generated. They request the following:
- £9,333 per pupil place towards extension of the Kingsfield Primary School
  - £ £24,667 per pupil place towards extension of the Cromwell Community College.
- 4.9 **Environmental Services Waste Management Officer** highlights that the surface of the access road would require construction to comply with gross vehicle weights of up to 26 tonnes and be adopted. Further advice will be included in the informatives .
- 4.10 **PCC Ecology Officer** considers the Phase1 Habitat Survey to be acceptable and request a condition be attached to deliver the identified mitigation measures.
- 4.11 **The Chatteris Town Council** does not object but highlights the need to address sufficient road width, parking and drainage.

#### 4.12 **Representations**

12 letters received from local residents objecting on the following grounds:

- 26 houses are too many;
- Poor drainage and risk of flooding;
- Concern regarding riparian ownership of the land drain in the north-western corner of the site which should not be affected;
- The site should be entirely fenced-off;
- Loss of light and privacy, visually overbearing impact resulting in an un-neighbourly impact to residents on Fairbairn Way impacting on well-being;
- It will turn Fairbairn Way into an estate;
- Light pollution; concern regarding increased impact on the roundabout at London Road/Tithe Road;
- A secondary access should be found for emergency services access;
- Road is sub-standard and will result in traffic safety issues for pedestrians and cyclists,

- Insufficient proposed parking impacting on an area with inadequate existing parking;
- More noise and disturbance;
- A preference to exclude affordable housing unless it was elderly persons scheme;
- Resulting inappropriate development of the open countryside;
- Impact upon inadequate services
- Development goes beyond the Town Building Line setting an unwanted precedent likely to result in more development;
- Housing should be no higher than two-storey to reduce overlooking;
- Impact on wildlife;

**4.13** The occupier of No 15 Fairbairn Way welcomes the development due to the unkempt nature of the land which he considers should have been built at the time of the previous Persimmon scheme and has caused maintenance problems. He would however welcome an adjoining dwelling that does not result in a rear façade projecting beyond his rear wall in order to protect his amenity.

## **5 POLICY FRAMEWORK**

### **5.1 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.

### **5.2 National Planning Policy Guidance (NPPG)**

Determining a planning application

Flood Risk and Coastal Change

### **5.3 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

LP5 – Meeting Housing Need

LP10 – Chatteris

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

LP19 – The Natural Environment

## **6 KEY ISSUES**

### **Principle of Development**

**Character and Appearance**  
**Residential Amenity**  
**Risk of flooding and drainage**  
**Housing Need**  
**Highway Safety**  
**Section 106 Contributions**  
**Health and wellbeing**  
**Economic Growth**

## **7 BACKGROUND**

- 7.1 There are no planning applications on the site although records are relevant to the Persimmon site adjacent.

## **8 ASSESSMENT**

### **8.1 Principle of Development**

The site is on the edge of the Market Town of Chatteris considered to be a sustainable location where new growth can be accommodated. Therefore the principle of residential development accords with Local Plan Policy LP3.

### **8.2 Character and appearance**

This site is a small field with housing to the north and east (the recent Persimmon development). There are some trees and occasional hedgerows but no features of high amenity value. Immediately abutting the site is another small field part of a smallholding attached to a property on London Road. Further to the south the land opens out to wider aspects of the countryside.

- 8.3 LP16 refers to development making a positive impact to local distinctiveness and the character of the area, and amongst other things does not have an adverse impact on the landscape character. It is also a core planning principle in the NPPF that recognises the intrinsic value of the countryside therefore consideration needs to be given to any harm caused.

- 8.4 It is considered that the development would appropriately extend the recent housing without projecting unduly into the open countryside. Therefore it is unlikely to have a significant impact on the wider landscape or the settlement of Chatteris. It is not considered to result in development significantly out of character with that of the immediate area and is therefore capable of according with Policy LP16.

### **8.5 Residential Amenity.**

LP2 and LP16(e) seek to avoid adverse impacts. Residents of the adjoining Persimmons development, highlight numerous concerns regarding residential amenity. However the detailed layout is not being determined at this stage. Nevertheless the indicative scheme appears well designed in terms of protecting the amenity of existing occupiers. It does not affect the land drain, and has considered the layout in order to have housing orientated in side to side juxtapositions (similar to the existing housing layout) or the proposed houses abut parking courtyard areas. It has also been amended to address concerns from the occupier of No 15 Fairbairn Way. The proposal is not considered likely to result in overbearing impact and other matters are capable of being addressed in a reserved matters submission. It is therefore considered capable of according with Policy LP2 and LP16.

## **8.6 Risk of flooding and drainage**

The indicative plan indicates the development could avoid any impact on the land drain. The applicant's drainage strategy has been amended to accord with the Flood Authority requirements and appropriate conditions are attached. Therefore the scheme is now considered to accord with policy LP14 of the Fenland Local Plan.

## **8.7 Housing Need**

The application proposes 25% affordable provision (if the scheme provided 26 dwellings it would result in 7 affordable units which should be 5 affordable rented and 2 shared ownership units). Alternatively an off-site provision based on a contribution of 55% open market value for rented units and 65% open market value on shared ownership would be considered acceptable due to the current difficulties of securing Registered Social Landlords for smaller affordable schemes. These alternative methods of meeting the housing need can be included within the Section 106 agreement and will accord with Policy LP5 of the Fenland Local Plan.

## **8.8 Highway Safety**

There are no objections from the Local Highway Authority and as such the development is considered capable of implementation in accordance with adopted Policy LP15 of the Fenland Local Plan. The detailed design of the access will require a bell-mouth on the southern side to accord with highway standards and will result in safe turning manoeuvres into the site.

## **8.9 Section 106 Contributions**

The Developer Contribution SPD requires the following:

Open Space and Play areas,

- Neighbourhood Park £3,000
- Childrens Play £3,000
- Natural Green Space £3,750
- Allotments £750
- Outdoor sports £6,000

Total **£16,500**

This contribution is to be used on recreation projects within Chatteris.

8.10 The applicant has agreed to meet the planning obligations for education, recreation and affordable housing requirements to be included within the legal agreement and therefore accords with Policy LP13 of the Fenland Local Plan 2014.

## **8.11 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 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.

## **8.12 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 Local Plan provides no defined settlement limits. Therefore developments on the edges of Market Towns such as Chatteris, may be acceptable subject to compliance with other matters such as flood risk, impact on the character of the countryside etc. However windfall sites which meet all policy implications may be hard to identify. This site is considered a genuine extension of the adjoining site due to it being partly enveloped by the Persimmon development and it therefore results in minimal harm in all other respects. When windfall sites meet all policy aspects they are capable of supporting the Council's 5 year supply position which accords with the NPPF.

## **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 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 51 of the Planning and Compulsory Purchase Act 2004.

- 2 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.

- 3 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 means of access thereto;
- v. 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.

- 4 Prior to the commencement of the development full details (in the form of scaled plans and/or written specifications) shall be submitted to and

approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

The layout of the site, including roads, footways, buildings, visibility splays, parking provision and surface water drainage.

Reason: In the interest of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.

- 5 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.  
Reason: To prevent environmental and amenity problems arising from flooding and in accordance with Policy LP14 of the Fenland Local Plan 2014.
- 6 No drainage works shall commence until a surface water management strategy based on the agreed Sustainable Drainage Strategy prepared by MTC Ref 1781-DS Rev D Nov 2016 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.
- 7 Details for the long-term maintenance arrangements for the surface water drainage system has been submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling hereby permitted. The submitted details should identify run-off 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 un-adopted drainage systems in accordance with the requirements of paragraphs 104 and 109 of the NPPF.
- 8 No development shall commence on site until such time as 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 (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 under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).  
Reason - To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy LP15 of the Fenland Local Plan, 2014



- 9 Prior to commencement of development a Construction Environmental Management Plan has shall be submitted to and approved by the local planning authority and shall include :
1. Provision for the parking off the public highway of all construction vehicles and management of construction traffic and access/haul routes including a signage strategy for construction traffic and details of any traffic management works required on the adopted highway
  2. Arrangements for materials delivery, loading and unloading and storage areas
  3. hours of operation of construction
  4. site working methods to control the emission of dust through a Dust Management Plan and measures for the sustainable use of soils
  5. wheel washing facilities
  6. means to control noise and pollution of the water environment
  7. a scheme for recycling/ disposing of waste from demolition and construction works

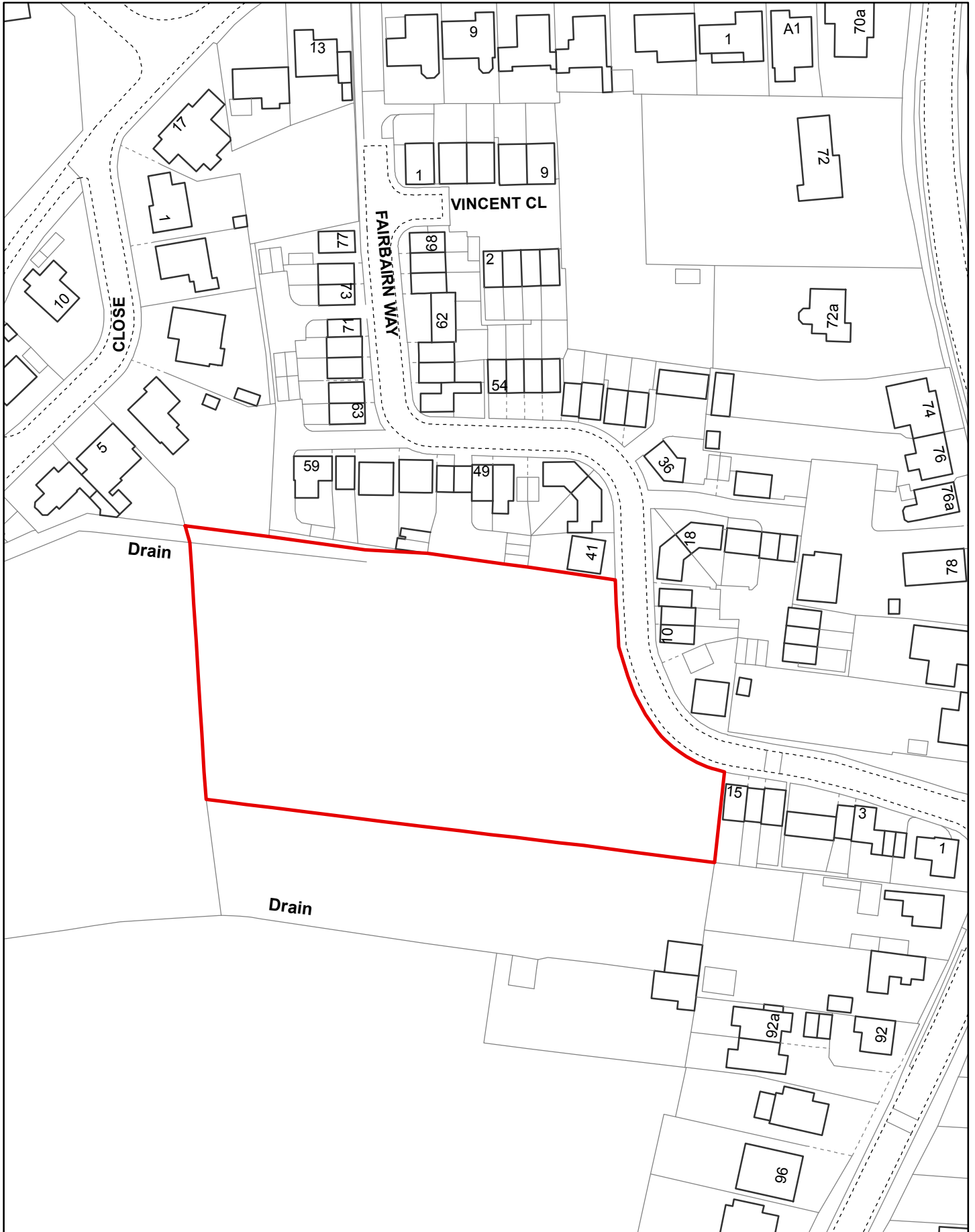
Reason: In order to ensure that the development of the site is undertaken following best practice and to ensure the protection of the amenities of nearby residents and in order to comply with Policy LP16 of the Fenland Local Plan 2014.

- 10 Prior to the first occupation of any dwellinghouses hereby permitted a scheme of ecological mitigation measures including a timetable shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of biodiversity and in order to accord with Policy LP16 of the Fenland Local Plan adopted May 2014.

- 11 The development hereby permitted shall be carried out in accordance with the following approved plans and documents

Case Officer	Team Leader
Date:	Date:



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CDM RESIDUAL RISKS	
ITEM RISK	
01	Risk 01, ...
02	Risk 02, ...
03	Risk 03, ...
04	Risk 04, ...
05	Risk 05, ...

P2 ADDITIONAL ANNOTATIONS ADDED	
REV	DATE
P1	FIRST ISSUE
	20.10.16
	24.06.16

Job LAND TO SOUTH OF VINCENT CLOSE AND WEST  
 DRAWING NO. 60415  
 PROPOSED SITE PLAN AND SITE LOCATION PLAN  
 Client MR TOBY BARTLETT  
 ALAN BARTLETT AND SONS LIMITED  
 Date JUNE 2016  
 Scale 1/200 AND 1/1250  
 Job No 60415  
 Dwg No (0-)100  
 Rev No P2

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