F/YR17/0544/RM

Applicant: David Wilson Homes (South Agent: Mr Carl Stott

Midlands) nineteen47 Ltd

Land North Of Snowley Park And, Glenfields, Whittlesey, Cambridgeshire

Reserved matters application relating to the detailed matters of layout, scale, appearance, and landscaping pursuant to outline permission F/YR14/0365/O (Residential development (148 dwellings max) with associated infrastructure) 148no dwellings comprising of 5 x 1-bed; 19 x 2-bed; 52 x 3-bed; 63 x 4-bed and 9 x 5-bed with garages and associated infrastructure

1 EXECUTIVE SUMMARY

This is a Reserved Matters application for 148 dwellings has been revised in discussion with the Planning Department from 149 dwellings in order to protect residential amenity and highway safety. The principle of development has been established under outline planning permission.

The key issues for consideration are:

- The principle of development;
- Access and highway safety;
- Layout and Design;
- Impacts on the residential amenity and character of the area;
- Flood Risk

The application has been considered against the relevant local and national planning policies. It is considered that the development in this location is now acceptable. As such the proposal is recommended for approval.

2 SITE DESCRIPTION

- 2.1 The application site comprises an area of 5.8Ha. It lies to the north-west of Whittlesey, adjacent to the edge of the built settlement, which comprises fairly modern housing development focussed around Snowley Park and Glenfields. The northern and western boundaries adjoin agricultural land, which extends northwards from the town into the Whittlesey (River Nene) Washes. The eastern boundary adjoins a paddock with further residential development beyond (Yarwells Headland). Two small drains run in a northerly direction along the western and eastern site boundaries.
- 2.2 The site is broadly rectangular in shape and is currently vacant former agricultural land, with an informal path crossing it from the ends of Snowley Park and Glenfields towards the Whittlesey Washes. It is largely flat and open except at the northern boundary which comprises a mature hedgerow containing a number of large trees. There are some small tree groups within the site and the majority

of the site is unmanaged grassland.

- 2.3 Beyond the site to the north the land slopes gently downwards across open meadows to Morton's Leam. This comprises part of the extensive Whittlesey Washes, which are allowed to flood during certain periods of the winter months, in order to prevent flooding in Peterborough and other locations upstream on the River Nene.
- 2.4 The Whittlesey Washes is also an important area for overwintering birds and is recognised as such by its designation as a Site of Special Scientific Interest (SSSI), which forms part of the wider Nene Washes Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site.

3 PROPOSAL

- 3.1 The application seeks approval of reserved matters following outline planning permission for 150 dwellings (max) which was granted under F/YR14/0365/O on 26 September 2014. The previously approved reserve matters scheme under F/YR15/0636/RM gained approval for 144 units with the current application looking to place an additional four units (originally an additional five were proposed). Development has commenced on this phase of the development with the proposed alterations located in the eastern half of the site with development underway in the western half.
- 3.2 The changes from the approved layout to the proposed one comes in the form of changes to the eastern half of the site. Firstly it is proposed instead of 144 x 2-storey dwellings comprising 7 x 1-bed, 23 x 2-bed, 38 x 3-bed, 71 x 4-bed and 5 x 5-bed with garages and associated infrastructure) as approved under F/YR15/0636/RM there will be 5 x 1 bed (net loss of two) 19 x 2 bed (loss of 4 units), 52 x 3 bed (increase of 14) and 63 x 4 bed (loss of eight) and 9 x 5 bed (increase of 4 units).
- 3.3 The proposed dwellings are all located in Flood Zone 1 and have been arranged in the form of perimeter blocks, with most of the dwellings fronting an adoptable highway. A small collection of dwellings, mainly located to the north of the site, will front small private driveways. The SUS scheme and public open space will be located on the northern boundary as per the previous approval, and extend the existing play area in the south eastern corner of the site

4 SITE PLANNING HISTORY

- 4.1 **F/YR14/0365/O** Residential Development (max 150 dwellings) **Approved 26.09.2014.**
- **4.2 F/YR15/0636/RM** Reserved matters application relating to the detailed matters of layout, scale, appearance, and landscaping pursuant to outline permission F/YR14/0365/O (Residential development (150 dwellings max) with associated infrastructure) comprising of 144 x 2-storey dwellings 7 x 1-bed, 23 x 2-bed, 38 x 3-bed 1 x 4-bed and 5 x 5-bed with garages and associated infrastructure) **Approved 15.04.2016.**
- 4.3 **F/YR15/3084/COND** Details reserved by Conditions 16, 17 and 24 of Planning Permission F/YR14/0365/O (Residential development (150 dwellings max) with associated infrastructure)

Status: **Approved 15.12.2015.**

4.4 **F/YR16/3008/COND** Details reserved by condition 6 (Scheme for the provision of fire hydrants) of planning permission F/YR14/0365/O (Residential development (150 dwellings max) with associated infrastructure) Status: **Approved 25.05.2016.**

4.5 **F/YR16/3041/COND** - Details reserved by conditions 9, 10, 12, 13, 18, 20, 21, 22, 23, and 25 of planning permission F/YR14/0365/O (Residential development (150 dwellings max) with associated infrastructure) and conditions 1, 2, 3, 5, 7 and 10 of planning permission F/YR15/0636/RM (Reserved matters application relating to the detailed matters of layout, scale, appearance, and landscaping pursuant to outline permission F/YR14/0365/O - **Pending Consideration (The application requires further information with regard to the Travel Plan and Street Maintenance with all other matters deemed acceptable).**

5 **CONSULTATIONS**

- The application has been subject to the initial consultation carried out on 27.06.2017 with a full drawing pack received on 18.08.17 and a two week consultation period carried out based on this in revised planning layout. Due to issues with the revised planning layout and in negotiation the applicant submitted a further revised planning layout and accompanying drawing pack which were put out for re-consultation on the 18.09.17 and 21.0-9.17 to ensure all revised details were available to all parties to comment upon. The responses (including further comments based on the updated plans) are as follows:
- 5.2 **Designing Out Crime Officer -** Thank you for the opportunity to comment on the above Reserved Matters Application with consideration to any community safety or crime concerns. I have also looked at crime incidents in the area of Snowley Park and Glenfields over the last year – there have been some burglaries and vehicle crime and whilst I consider that the layout and appearance should mitigate against any community safety or crime concerns I would ask that the developer give some consideration to sending in a Secured by Design Homes 2016 application, which would also meet their obligations under Approved Document Q. This office is more than happy to be consulted and give advice please see the document link at: http://www.securedbydesign.com/wpcontent/uploads/2016/03/Secured by Design Homes 2016 V1.pdf Thank you for the opportunity to comment on this Reserved Matters Application with any concerns regarding community safety and crime. My original comments made on 4th July this year stand (Reference Cambs CPDT 296/17). I have no further comments, objections or recommendations.
- 5.3 **FDC Strategic Housing** This planning application is supported.

In light of the above application, the following affordable housing requirements have been identified:

 Policy LP5 of the Fenland Local Plan seeks 25% affordable housing on all development sites on which 10 or more dwellings are proposed. Therefore on this development where 149 dwellings are proposed I would anticipate the provision of 37 affordable dwellings on site subject to viability. This has been proposed and has already been stated in the S106 signed on 25th September 2014.

- 2. In accordance with Local Plan Policy LP5, the mix of affordable tenures should be informed by and compatible with the latest government guidance and an up to date local Strategic Housing Market Assessment (SHMA). An affordable tenure mix of 70% affordable rented and 30% intermediate tenure is considered appropriate for this development. Therefore for this application, 26 dwellings should be for affordable rent and 11 dwellings for an intermediate tenure.
- 3. The proposed mix of dwelling sizes is 5 x 1-bed houses, 19 x 2 bed houses, 11 x 3-bed houses, and 2 x 4 bed houses. This mix is acceptable. Analysis of the Fenland housing register and the Cambridgeshire Strategic Housing Market Assessment indicates significant demand for one and two bedroom dwellings and a lower demand for 3 bed houses. Therefore for the affordable rented dwellings I would suggest the following mix: 5 x 1 bed houses, 14 x 2 bed houses, 5 x 3 bed houses and 2 x 4bed house for the 26 affordable rented dwellings. For the 11 intermediate tenure dwellings I would propose the following mix: 5 x 2 bed houses and 6 x 3 bed houses.
- 4. In accordance with Policy LP5 of the Local Plan, all units should meet the lifetime homes standard where appropriate and viable (Part M4 (2) of Building Regulations from October 2015).

In response to the above re-consultation I note that the number of dwellings has been reduced from 149 to 148 dwellings. However the resulting number of required affordable dwellings still remains the same, at 37 dwellings and therefore I have no further comments to add to my original response dated the 18th July 2017.

5.4 **Cambs CC Highways -** The application is a reserved matters application for the erection of 149 dwellings as part of outline application No F/YR14/0365/O.

Technical approval has been granted for a Section 38 Highways agreement. This planning application will require a new resubmission of the section 38. The access spur/turning head serving plots 95-101 will not be adopted as this is superfluous infrastructure please continue shared surface construction along road 7 and form standard dropped kerb access arrangement.

Please provide swept path plans for an 11.5m long waste collection vehicle. The turning head at the end of Road 9 appears to be unnecessarily long, tracking plans should dictate its size.

The turning head in front of plot 146 appears to be unnecessarily long, please reduce to the minimum size dictated by the tracking plans.

The private access serving plots 107 \(\square\$ 110 should continue to form emergency link with adjacent development.

Basic geometry should be annotated on the general arrangement plan.

Pedestrian visibility splays should be detailed either side of all vehicular crossover.

All road intersections or heavy duty crossover accesses should have vehicle to vehicle visibility splays in accordance with the design speed of the road.

All street lighting buildouts should measure 1m x 1.5m.

Defer for amended plans.

5.5 **Fenland Scientific Officer (Environment & Health) (FDC) -** I refer to the above application for planning consideration and would make the following observations.

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development, as it is unlikely to have a detrimental effect on local air quality or the noise climate once complete.

A construction management plan for the site has previously been agreed under permission F/YR15/3084/COND this should be followed, to prevent noise and dust nuisance.

A ground investigation has been submitted for the site under F/YR16/3041/COND The report demonstrated that soils across the site were suitable for use however I believe some further gas monitoring was due to be undertaken.

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- 5.6 **Anglian Water Services Ltd –** No comment received to date...
- 5.7 **CCC Lead Local Flood Authority -** We have reviewed the submitted documents and can confirm the information accords with that required under Condition 8 of application F/YR14/0365/O and the LLFA has no objection in principle to the proposals.

Informative:

It should be noted that sections of the watercourse along the site boundary that are not highlighted to be maintained by the IDB should be maintained by the relevant riparian owner. Further details of 'Riparian Owner Responsibility' can be found on our website.

- 5.8 **Kerry Kavanagh (NHS Property Services) –** No comment received to date.
- 5.9 **FDC Head Of Environmental Services -** In broad principal we have no objection to this development, however, the following issues should be addressed before the application could be agreed from our perspective:-
 - The new residents will be expected to present waste and recycling material for collection at the curtilage of the property, where it meets the Public Highway on the day of collection.

- New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.
- Refuse and recycling bins will be required to be provided as an integral part of the development.
- The provision and installation of litter bins at strategic locations in public open spaces would reduce the potential impact of litter.
- 5.10 **Whittlesey Town Council:** The Town Council recommend refusal of this application on the grounds that are stated in Mr Woolastons report, detailed below.
 - 1. To date there is no FULL travel plan that has been submitted. F/YR16/3041/COND submitted on 22/4/16 is the relevant application to discharge that condition and is still pending consideration. When the outline Application F/YR14/0365/O was approved the officer's decision notice dated 26/09/14, attached various conditions.

Condition 22 states:

No development shall commence until a full travel plan detailing how the development will achieve the minimum number of car traffic movements to/from the site, how it will address the access needs of the residents of the site, by supporting walking, cycling and public transport and how the development will reduce the need for travel to/from the site shall be submitted to, and approved in writing by, the Local Planning Authority. The plan shall be implemented as approved.

Reason - To reduce the need for private travel to achieve sustainable development.

It is thirty-four months since approval of the outline application and nearly seventeen months since the condition application was received, yet there is still no full travel plan in place and the development site has residents that commute daily.

2. In the design and access statement attached to F/YR14/0365/O, page 39 shows proposed footpaths. On page 10 of the same document it states in section 3.29 It is proposed that the onsite layout includes routes suitable for pedestrians and cyclists as an integral part of the development layout. This is further endorsed by condition 15 attached to the decision notice for application F/YR14/0365/O.

Condition 15 states:

Before the development is first occupied the footpath/cycleway link from the site to Glenfields shall be provided and available for use to the satisfaction of the Local Planning Authority and shall be retained as such in perpetuity.

Reason - in the interests of the correct planned development of this site and to encourage sustainable transport modes.

This Application F/YR17/0544/RM before you today shows no pedestrian /cycleway on the site plan. Without a full travel plan in place and a site plan to address condition 15 attached to F/YR14/0365/O, it would not be a sustainable development and does not encourage sustainable transport

modes, therefore it will go against LP 15 Fenland District Council Local Plan adopted in May 2014, LP 15 (Facilitating the Creation of a More Sustainable Transport Network in Fenland).

15. Section (B) Delivering New Transport Related Infrastructure states: For Walking & Cycling Infrastructure:Deliver robust networks and facilities for walking and cycling, which are suitably linked and integrated into the wider transport network, are well maintained and promoted, and which help facilitate other schemes such as Safe Routes to Schools and travel plans. Prioritise schemes which complete gaps in the network, especially those that will encourage more local walking and cycling journeys. Deliver schemes which complement the aims of the Cambridgeshire Green Infrastructure Strategy, protect and enhance natural assets and, where possible, enhance linkages between settlements and to areas of natural green space and to the surrounding countryside. 1.Section (C) Designing Development Schemes states:

All development proposals should also demonstrate that they have regard to the following criteria: Development on a site should be located and designed so that it can maximise accessibility and help to increase the use of non-car modes. Proposals of one dwelling or more should be accompanied by a Transport Statement, or, if the proposal is likely to result in significant transport implications, by a Transport Assessment and Travel Plan. The coverage and detail of this should reflect the scale of development and the extent of the transport implications. Development schemes should provide well designed. safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors including habitat connectivity (linking to existing routes where opportunities exist) that give easy access and permeability to adjacent areas. Any development that has transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.

Third Cambridgeshire LTP 2011-2031: Policies and Strategy July 2015 Challenge 3: Making sustainable modes of transport a viable and attractive alternative to the private car Countywide, we will continue to push forward in making sustainable modes of transport more attractive by continuing to develop sustainable networks for walking and cycling, making it easier for people to change between modes of transport and working with bus operators to provide high quality bus services. In addition, we aim to improve the environment and safety for pedestrians, cyclists and public transport users, in accordance with our user hierarchy and focus on raising awareness of the transport choices available, including the health and environmental benefits of cycling and walking. This will include work with local planning authorities to ensure provision for sustainable modes that form an integral part of new developments.

3. We would like to bring to the attention of the Chairman and Members of Whittlesey Town Council planning committee the failings of the current S106 agreement. We ask that WTC planning committee request for the current S106 to be revisited or that a deed of variation be pursued to address what will be significant education shortfalls.

We feel that this is an ideal opportunity to address the Current education

anomaly. It was clearly stated in the officers' report attached to application

F/YR14/0365/O that, "Secondary" education -£23,800 (This is the basis of the submitted housing mix but could be subject to change when the reserve matters application is submitted "There is a significant change to the housing mix, between what was offered at outline stage, to what is being proposed at this Reserve Matters stage.

We feel that the whole S106 education contribution should be revisited for the following reasons: Application F/YR13/0418/O was unanimously refused by Fenland Planning Committee members 12-0, (despite officer's recommendation to approve the application). Application F/YR14/0365/O was quickly processed to avoid the pending appeal, which Fenland District Council was not going to defend the planning committee member's decision. A lot of documents were mirrored across from F/YR13/0418/O to F/YR14/0365/O, but there was an eleven-month gap between those two applications, no new education assessment was requested or done, which we believe resulted in the whole school year being missed for Pre-School, Primary school and Secondary school.

Furthermore, I have through a series of Freedom of Information requests, to both Fenland District Council and Cambridgeshire County Council established that the Secondary education contribution of £23,800 was incorrect as the financial contribution should have been based upon the size of the dwellings not the number of pupils. We estimate that a figure of between £200,000-£250,000 would be appropriate for application F/YR17/0544/RM using standard formula contained within Fenland District Council's supplementary planning guidance (SPG) 2000.

As there is still a requirement for Fenland District Council to set a commuted sum for the maintenance of the Public Open Space (which includes the Detention basins), This shortfall can and should be addressed, Fenland District Council has a duty of care to ensure developers contributions are sought and the guidelines within the NPPF clearly states that three key tests need to be passed.

- 1. Necessary to make the development acceptable.
- 2. Directly related to the development.
- 3. Fairly and reasonably related in scale and kind to the development.

The S106 planning obligation as you are aware is a fundamental part of the planning process. It is a material planning consideration when assessing planning applications.

Fenland District Council has clear guidance within the local plan policy, under section LP13 (a) "planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development. Therefore, without a fit for purpose S106 planning obligation in place, this application F/YR17/0544/RM would not be in accord with LP13 or NPPF guidelines.

4. The outline application F/YR14/0365/O associate document Design and Access statement page 38 showed no dwellings or brick built garages directly behind existing resident's dwellings. This application F/YR17/0544/RM shows new residential dwellings and brick built garages in very close proximity to existing residential dwellings.

One of the principal purposes of the Design and Access statement is to set the application site in context to its surroundings.

Creating poor residential garden amenity, privacy infringement by overlooking and the overbearing adverse visual impact and outlook of this application F/YR17/0544/RM is not acceptable.

This would not be in accord of LP 2 and LP16.

5. Finally as a neighbour of this development it has been a living nightmare for my family and numerous other residents in Snowley Park and Glenfields, the Construction Environment Management Plan (CEMP) has not been followed on numerous occasions and as a few examples residents have suffered from: early /late working, Sunday working, bank holiday working, parking of heavy duty machinery on top of an earth mound directly behind our house, (which made the front page of the Cambridge Times on 19/8/16). Numerous dust coatings of our garden amenity as witnessed by Dawn Sadler (Fenland District Council's Senior Environmental Health Officer), with no water bowser abatement being followed, wheel wash in situ but not in regular use, resulting in local roads being coated in mud.

Construction traffic not using the correct construction traffic routes which was subsequently revised on 14/6/16 when Plan "b" emerged, after I highlighted the issue

Constant interaction / phone calls with the site manager addressing all the above and visits by enforcement initially by Glen More ENF/092/16/BOC. All the above to us more than demonstrate the developer's non-compliance and total disregard for its neighbouring sensitive receptors.

Craig Gillies, David Wilson Homes site manager has addressed quite a few of the issues but it is still the case of problems being resolved after neighbours have endured for days and frequently weeks. David Wilson Homes are reactive rather than being proactive knowing they are building out within an established residential area.

Fenland Local Plan policies LP 2 and LP 16 are in place to protect resident's well-being and the high-quality environments that we reside in. This is further endorsed by Government and European legislation. Article 8, of the Human Rights act states, "that a person has the substantive right to respect for their private and family life". Additionally, everyone has the right to the quiet enjoyment of their garden amenities.

Summary.

The five reasons we have offered Members of Whittlesey Town Council planning committee this evening to refuse application F/YR17/0544/RM are based on the local plan policy guidelines, NPPF guidelines as well as Government and European legislation, which I believe demonstrate that this application is not viable in planning terms

- 5.11 **Ward Councillor –** No comment received to date.
- 5.12 **FDC Arboricultural Officer -** I have no objections in principal to the proposed soft landscaping, however, the existing properties have had an uninterrupted view across green space that is now to be obstructed by development.
 - I would therefore like to see more screening on the south boundary perhaps using fastigiate tree forms to break up the outline of adjacent buildings.
- 5.13 **North Level Internal Drainage Board** Object to any structure within 6 metres of the watercourse on the eastern boundary.

- 5.14 **Snowley Park Action Group:** We wish to object to the planning application F/YR17/0544/RM for the following reasons:
 - 1. To date there is no FULL travel plan that has been submitted; F/YR16/3041/COND submitted on 22/4/16 is

the relevant application to discharge that condition and is still pending consideration. When the outline Application F/YR14/0365/O was approved the officer's decision notice dated 26/09/14, attached various conditions.

Condition 22 states: No development shall commence until a full travel plan detailing how the development will achieve the minimum

number of car traffic movements to/from the site, how it will address the access needs of the residents of the site, by supporting walking, cycling and public transport and how the development will reduce the need for travel to/from the site shall be submitted to, and approved in writing by, the Local

Planning Authority. The plan shall be implemented as approved.

Reason - To reduce the need for private travel in order to achieve sustainable development. It is thirty four months since approval of the outline application and nearly seventeen months since the condition application was received, yet there is still no full travel plan in place and the development site has residents that commute daily.

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page 10 of the same document it states in section 3.29 It is proposed that the onsite layout includes routes

suitable for pedestrians and cyclists as an integral part of the development layout. This is further endorsed by

condition 15 attached to the decision notice for application F/YR14/0365/O. Condition 15 states:

Before the development is first occupied the footpath/cycleway link from the site to Glenfields shall

be provided and available for use to the satisfaction of the Local Planning Authority and shall be

retained as such in perpetuity.

Reason - in the interests of the correct planned development of this site and to encourage

sustainable transport modes.

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and integrated into the wider transport network, are well maintained and promoted, and which help facilitate other schemes such as Safe Routes to Schools and travel plans.

Prioritise schemes which complete gaps in the network, especially those that will encourage more local walking and cycling journeys.

Deliver schemes which complement the aims of the Cambridgeshire Green Infrastructure Strategy, protect and enhance natural assets and, where possible, enhance linkages between settlements and to areas of natural green space and to the

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District Council and Cambridgeshire County Council established that the Secondary education contribution of £23,800 was incorrect as the financial contribution should have been based upon the size of the dwellings not the number of pupils. We estimate that a figure of between £200,000-£250,000 would be appropriate for application F/YR17/0544/RM using standard formula contained within Fenland District Council's supplementary planning guidance (SPG) 2000. As there is still a requirement for Fenland District Council to set a commuted sum for the maintenance of the Public Open Space (which includes the Detention basins), This shortfall can and should be addressed, Fenland District Council has a duty of care to ensure developers contributions are sought and the guidelines within the NPPF clearly states that three key tests need to be passed.

- 1. Necessary to make the development acceptable.
- 2. Directly related to the development.
- 3. Fairly and reasonably related in scale and kind to the development. The S106 planning obligation as you are aware is a fundamental part of the planning process. It is a material planning consideration when assessing planning applications. Fenland District Council has clear guidance within the local plan policy, under section LP13 (a) "planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development. Therefore without a fit for purpose S106 planning obligation in place, this application F/YR17/0544/RM would not be in accord with LP13 or NPPF guidelines.
- 4. The outline application F/YR14/0365/O associate document Design and Access statement page 38 showed no dwellings or brick built garages directly behind existing resident's dwellings. This application F/YR17/0544/RM shows new residential dwellings and brick built garages in very close proximity to existing residential dwellings. One of the principal purposes of the Design and Access statement is to set the application site in context to its surroundings. Creating poor residential garden amenity, privacy infringement by overlooking and the overbearing adverse visual impact and outlook of this application F/YR17/0544/RM is not acceptable. This would not be in accord of LP 2 and LP16.
- 5. Finally as a neighbour of this development it has been a living nightmare, the Construction Environment Management Plan (CEMP) has not been followed on numerous occasions and as a few examples nearby residents have suffered from: early /late working, Sunday working, bank holiday working, parking of heavy duty machinery on top of an earth mound directly behind our house, (which made the front page of the Cambridge Times on 19/8/16). Numerous dust coatings of our garden amenity as witnessed by Dawn Sadler (Fenland District Council's Senior Environmental Health Officer), with no water bowser abatement being followed, wheel wash in situ but not in regular use, resulting in local roads being coated in mud.

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All of the above to us more than demonstrate the developer's non-compliance and total disregard for its neighbouring sensitive receptors. Craig Gillies, David Wilson Homes site manager has addressed quite a few of the issues but it is still the case of problems being resolved after neighbours have endured for days and frequently weeks. David Wilson Homes are reactive rather than being proactive knowing they are building out within an established residential area.

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Summary.

The reasons we have offered the planning department for our objection to application F/YR17/0544/RM are based on the local plan policy guidelines, NPPF guidelines as well as Government and European legislation, which we believe demonstrate that this application is not viable in planning terms.

5.15 Local Resident: Paul & Anita Koscriecha - "We are writing with regard to the current planning application F/YR17/0544/RM and the Reserved matters application. We are the residents of 42 Glenfields and our property is adjacent to the land currently being developed. We have been looking at the original site plan and have noted specifically the placement of houses 101 and 102. We are aware that there is a revised plan, although this is not present on the documents list on your site, where these two houses have been moved north. However, we are still concerned over the location of the rear of the houses and that this is in line with the rear of our property. The result of this would be that the occupiers of these two homes would directly overlook our back garden and into the back of our house. This would take away any sense of privacy. We would object to the plans on this basis. We would value seeing a copy of the revised placement for these houses, but in the description given in your recent letter we see nothing that would alleviate our fears."

Upon emailing the objector with the latest plan the objection was withdrawn although the local resident still wanted tree planting on the southern boundary of the site.

6 **STATUTORY DUTY**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Paragraphs 2 & 11: Planning law requires that applications for planning permission must be determined in accordance with the development plan.

- 7.7 Paragraph 14: Presumption in favour of sustainable development.
- 7.3 Paragraph 17(3): Proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs. Economic development aspirations expanded in Paragraphs 18-21.
- 7.4 Paragraph 17(4): Seek to ensure high quality design and a good standard of

- amenity for all existing and future occupants (repeated and expanded on in paragraphs 56 to 56).
- 7.5 Paragraph 17 (5): Take into account the different roles and characters of different areas.
- 7.6 Paragraph 17 (9): Promote mixed use development
- 7.7 Paragraph 17 (10): Actively manage patterns of growth
- 7.8 Paragraph 29: Promoting sustainable transport
- 7.9 Paragraph 30: LPA's should support a pattern of development, which, where reasonable to do so, facilitates the use of sustainable modes of transport.
- 7.10 Paragraph 32: Decisions should take account that a safe and suitable access to the site can be achieved for all people.
- 7.11 Paragraph 47: Delivering a wide choice of high quality homes, including sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%. Identifying a supply of specific deliverable sites or broad locations for growth.
- 7.12 Paragraph 50: Plan for a mix of housing and set policies to deliver affordable housing where required
- 7.13 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 and the way it functions.
- 7.14 Paragraph 100 -103: Development and Flood Risk
- 7.15 Paragraph 109: conserving and enhancing the natural environment the planning system should contribute to and enhance the natural and local environment by:

 Minimising impacts on biodiversity and providing net gains where possible.
- 7.16 Paragraph 117: Biodiversity and geodiversity
- 7.17 National Planning Policy Guidance (NPPG)
 Flood Risk
- **7.18 Fenland Local Plan 2014** LP1, LP2, LP3, LP5, LP6, LP11, LP14, LP15, LP16, LP19
- 7.19 Delivering and Protecting High Quality Environments in Fenland Supplementary Planning
- 8 KEY ISSUES
 - Principle of Development (Given the changes over and above the previously approved scheme).
 - Flood Risk and Drainage
 - Ecology
 - Highways
 - Layout., Scale and Appearance

- Landscaping
- Residential Amenities
- · Health and wellbeing
- Other considerations

9 BACKGROUND

9.1 The application site benefits from a Reserved Matters Approval for 144 units under F/YR15/0636/RM. The current application proposes changes to the eastern half of the site and the increase in number of units and a revision to the tenure pattern. The principle of development on the site has already been judged to be acceptable. The remainder of this report will judge the suitability of the revised proposal and if there are fundamental differences that make the scheme unsustainable in its current form.

10 **ASSESSMENT**

10.1 Principle of Development

The application site lies within the established settlement of Whittlesey which is characterised as an 'Other Market Town' in policy LP3 where the majority of the District's new housing should take place. In addition the site benefits from outline planning permission for the erection of 150 dwellings. The principle of developing the land for housing has therefore already been established.

10.2 It is noted that the S.106 agreement on the Outline Approval remains in force and this is a reserved matters application.

10.3 Flood risk and drainage

The application site lies within flood zones 1, 2 and 3. The vast majority of the site lies within flood zone 1 with only a small portion to the north eastern corner of the site which is in flood zones 2 and 3. The placement of housing on the site has already deemed to be acceptable in this respect under the previous applications.

10.4 The LLFA have stated they are satisfied with the arrangements for the maintenance of the surface water scheme and implementation timetable in their letter dated 15.06.2016 under application F/YR16/3041/COND for the discharge of Condition 10 of application F/YR15/0636/RM, it is considered that the application is acceptable in terms of flood risk and drainage in accordance with policy LP14 of the Fenland Local Plan 2014.

10.5 Ecology

The Wildlife and Countryside Act 1981 is the primary mechanism for wildlife protection. The legislation requires (1) wildlife protection, including protection of wild birds, their eggs and nests, protection of other animals and the protection of plant, (2) Nature Conservation, Countryside and National Parks, including Sites of Special Scientific Interest, (3) Public Rights of Way and (4) Miscellaneous provisions. The Wildlife and Countryside Act is statutory legislation which must be adhered to.

10.6 Furthermore, condition 24 of F/YR14/0365/O required a reptile survey and ecological management plan for protected species to be approved prior to the

approval of the layout of the scheme. The reptile survey and ecological management plan have now been approved. Other ecological conditions including habitat details (condition 12), clearance methods (condition 13), and details and installation of bird nesting boxes (condition23) are being addressed by application F/YR16/3041/COND with the details submitted in respect of these conditions.

10.7 There is no material change between the approved and proposed that would; warrant any change in position by the Council. It is also noted that the details regarding Habitats and Site Clearance were agreed under the Outline permission and there has been no material change to warrant any change in position with regard to ecology.

10.8 Highways

The access to the site has already been approved under F/YR14/0365/O. Therefore only the internal road layout is for consideration under this application. CCC Highways have confirmed that the layout is acceptable but require further changes to fit tracking plans for refuse vehicles and limit the amount of "adoptable highways". It is considered that these are issues that the Highways Authority can deal with under the S.38 agreement, of by the conditions recommended as part of this approval.

10.10 The Planning Department are awaiting amended plans from the applicant as well as further details required to discharge conditions relating to the Travel Plan and Street Management and Maintenance, as well as the provision of a Cycle Route (and provisionally proposed along the route of the emergency access) required under Condition 15 of F/YR14/0365/O. Members will be fully updated at Committee as to the progress of this matter.

10.11 Layout, Scale and Appearance

No objections have been raised by the Police Senior Architectural Liaison Officer. The suggested condition to secure the external lighting layout is considered necessary and reasonable in order to help to prevent crime and fear of crime within the development. The scheme accords with the general layout and character of the area and adjoining site and these is no material change between the proposed scheme and that already approved under F/YR/15/0636/RM.

10.12 In view of the above it is considered that the application complies with policy LP16 of the Fenland Local Plan 2014 and policies DM3 and DM4 of the Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document 2014.

10.13 Landscaping

In view of the above it is considered that the application complies with policy LP16 of the Fenland Local Plan 2014 and policy DM2 of the Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document 2014. I note the comment from the Council's Arboricultural Officer and the adjacent occupier, but the properties along the southern boundary are orientated away from this and the previously approved scheme has been deemed acceptable in a similar format with similar boundary treatment. There has been no material change that would warrant a position change from the Council.

10.14 Residential amenities

As per the 'Layout' and 'Landscaping' sections of this report, at least one third of each of the plots has been allocated for garden land and this will be made private by the use of solid 1.8m high boundary treatments. As per the 'Layout' section of this report, each plot is provided with adequate parking and bin collection arrangements.

- 10.15 In view of the above, subject to an obscure glazing condition, it is considered that the application would provide appropriate amenity for both existing and proposed residents. The application therefore complies with policy LP16 of the Fenland Local Plan 2014.
- 10.16 The Council engaged fully with the applicant to revise the plot pattern and layout at the sensitive intersection of the two phases and the applicant has dropped the number from 149 to 148 and altered the layout at the Plot 95 to 102 Cul de sac where the developer has dropped a unit in order to retain levels of amenity and meet the Council parking standards. This is reflected in the withdrawal of the objection from the adjacent occupier with regard to the original layout which has now been overcome with the revisions made. The relationships between the existing properties and the proposed accord with the previous reserved matters approval and there has been no material change that would warrant a refusal in respect of impact upon residential amenity.

10.17 Health and wellbeing

Policy LP2 seeks to ensure that development proposals contribute to creating a healthy, safe and equitable living environment. This proposal will provide adequate residential amenities without compromising those of existing residents. In addition the proposal provides areas of public open space for recreational purposes. The application therefore complies with policy LP2 of the Fenland Local Plan 2014.

10.18 Economic Growth

The application will increase the number of housing stock in the District and will form a considerable contribution to the Council's 5 year housing land supply. The application therefore supports economic growth in accordance with policy LP6 of the Fenland Local Plan 2014.

10.19 Other Considerations

The comments received from the Town Council and local residents have been noted. Those which have not already been discussed within the body of this report are addressed as follows:

- 10.21 If there are issues with the Construction Management Plan that does become a Planning Enforcement issue and also one for Environmental Health and not a matter for judgement under this planning application. Issues around the current construction are not a reason to withhold a reserved matters approval.
- 10.22 With regard to the Transport Management Plan further information has been requested from the Applicant and upon receipt the Council will progress this matter under application F/YR16/3041/COND.

11 **CONCLUSIONS**

- 11.1 The application seeks approval of the reserved matters relating to layout, scale, appearance and landscaping in connection with the erection of 148 dwellings. The submitted layout demonstrates that the dwellings can be accommodated within the site whilst providing adequate areas for flood water attenuation, public open space and an ecological buffer towards the northern boundary of the site in view of the neighbouring Site of Special Scientific Interest. The scale and appearance of the proposed dwellings are commensurate with those of the existing neighbouring dwellings at Snowley Park and Glenfields. The proposed dwellings have been carefully positioned and designed and as such it is considered to have no harmful impact on neighbouring residential amenities in terms of overshadowing or loss of privacy. The proposal includes soft landscaping throughout the site and the retention of the landscaping on the northern boundary, and is commensurate with the previously approved scheme.
- 11.2 The number of conditions has been reduced from F/YR15/0636/RM to reflect the details already approved under F/YR16/3041/COND. The applicant has given assurances that the information regarding the Travel Plan and Street Management and Maintenance will be forthcoming and the remaining items will now be pushed forward to a speedy resolution.

12 **RECOMMENDATION**

GRANT subject to the following conditions:

 No development shall take place until details of the structural soils or commercial systems used for the trees planted in the areas of hardstanding have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details in the first available planting season and maintained as such in perpetuity.

Reason -To protect the landscaping in accordance with policy LP16 of the Fenland Local Plan 2014.

2. Prior to first occupation of the development hereby approved, details of the external lighting scheme and timetable for implementation for the private drive areas shall be submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details and timetable and thereafter maintained and retained in perpetuity.

Reason - In the interests of reducing crime risk and preventing fear of crime in accordance with policy LP16 of the Fenland Local Plan 2014.

3. Prior to the commencement of the development a scheme and implementation timetable for bollards and trees for all shared surface court yards shall be submitted and approved by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the approved timetable and thereafter retained in perpetuity.

Reason - To rationalise on street parking within the development and in the interest of Highways safety in accordance with policy LP15 of the Fenland Local Plan 2014.

4. No dwelling shall be occupied until its proposed on-site parking /turning has been be laid out in accordance with the approved plans and shall thereafter retained for that specific use.

Reason

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

5. 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. All construction works shall be carried out in accordance with the approved plans

Reason

To ensure satisfactory development of the site and a satisfactory Standard of highway design and construction in accordance with policy LP15 of the Fenland Local Plan 2014.

6. Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road.

Reason

To ensure suitable infrastructure is implemented prior to the occupation of the development in accordance with policy LP15 of the Fenland Local Plan 2014.

7. 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 (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.

8. All first floor side windows serving bathrooms, en-suites and landings shall be installed with obscure glazing and maintained as such in perpetuity.

Reason

To protect neighbouring residential amenities

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

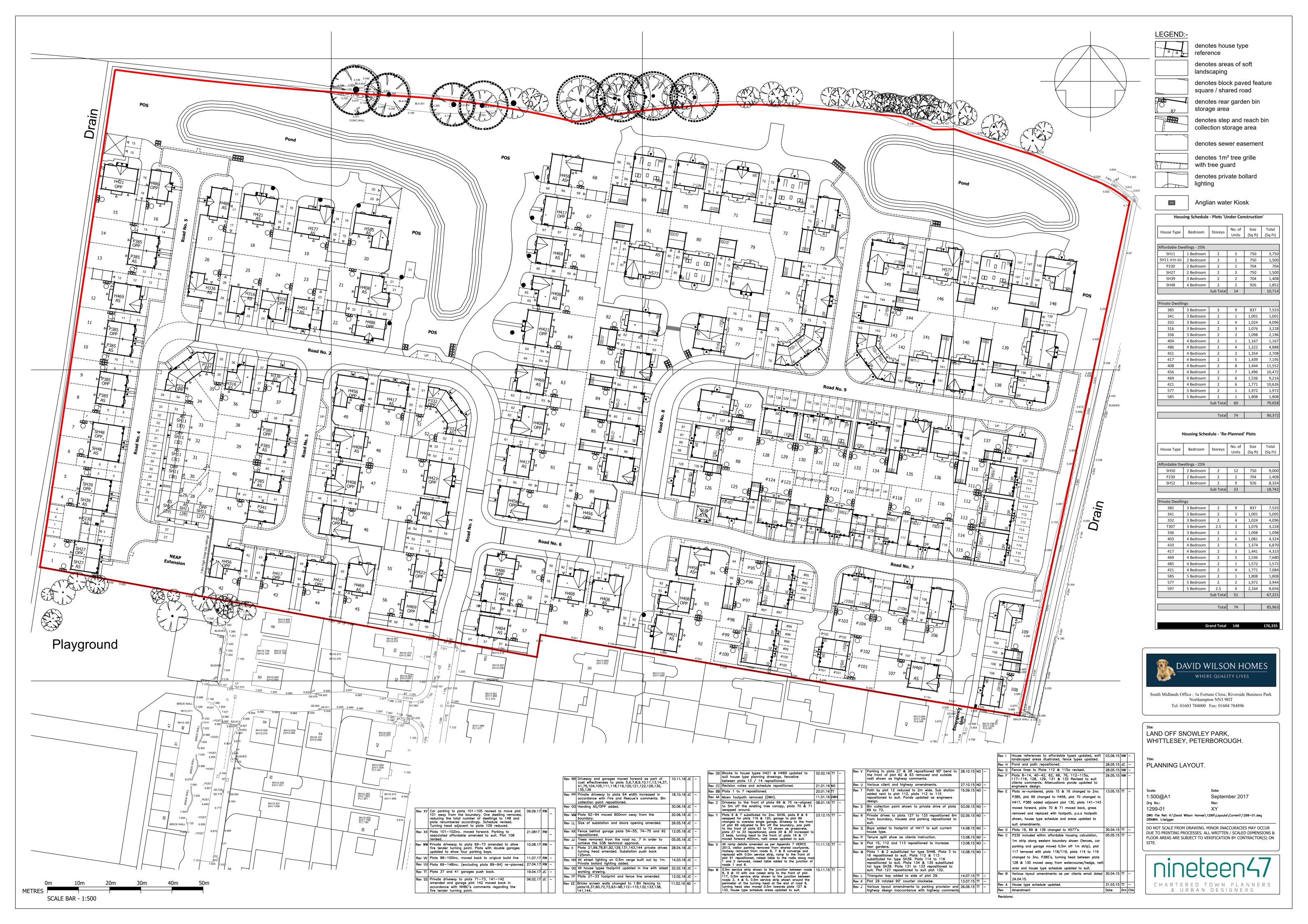
which restrict vehicular access to emergency vehicle use only. The scheme shall be maintained and retained in perpetuity as installed.

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.

No development shall take place until details of the implementation; maintenance and management of the surface water drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason - To manage flood risk in accordance with Policy LP14 Part B of the Fenland Local Plan May 2014

11 Approved Plans







TOTAL FLOOR AREA: 1972 Sqft

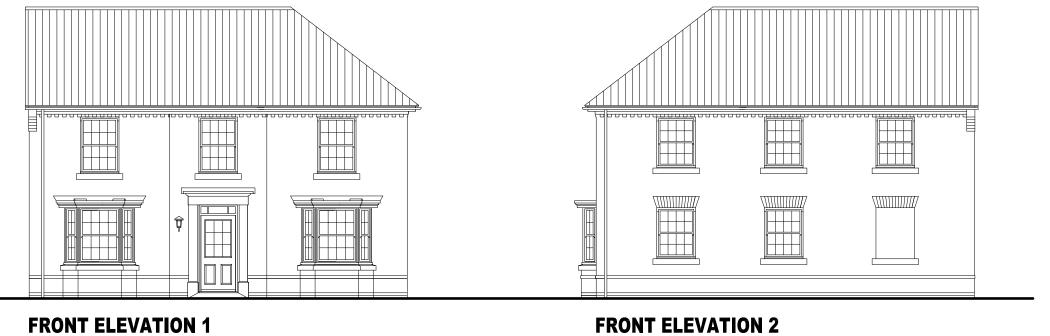
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Sales Name: MANNING

PLANNING 1 OF 2

Rev: Description:

DAVID WILSON HOMES



FRONT ELEVATION 2



TOTAL FLOOR AREA: 1572 Sqft

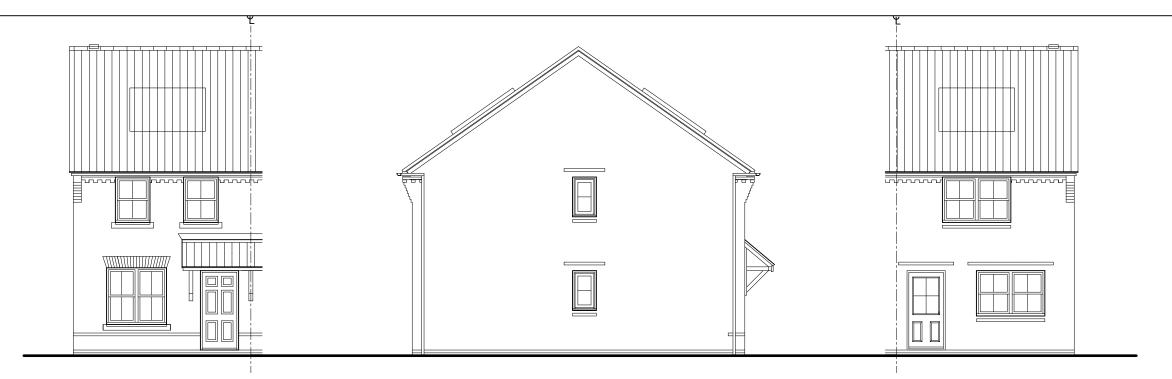
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Sales Name: EDEN

Date: 30.08.16 Scale: 1:100

PLANNING 1 OF 2
Rev: Description:

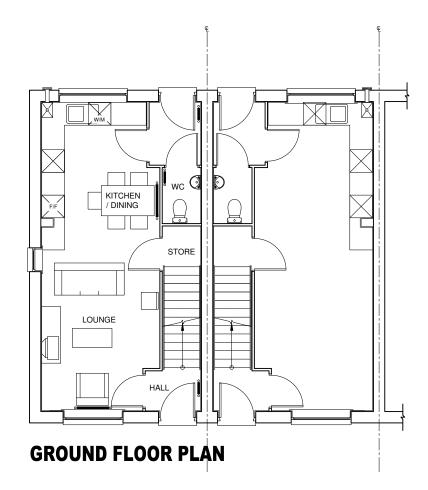
DAVID WILSON HOMES

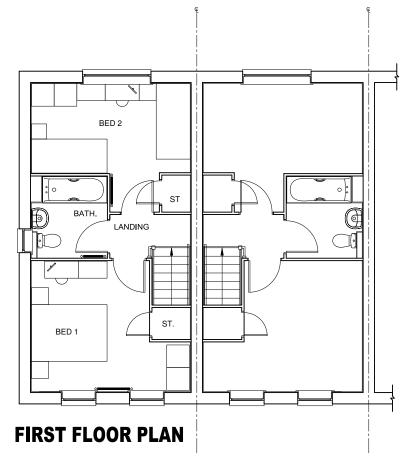


FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION







Technical Department South Midlands Office 1a Fortune Close Riverside Business Park Northampton NN3 9HT

Tel: 01604 784 000

Snowley Park, Whittlesey

WARNING TO HOUSE-PURCHASERS
Buyers are warned that this is a working drawing and the contents of this drawing may be subject to change during the progress of the build process. The layout, form, content and dimensions specified are included for general guidance only. The finishes or features shown may alter in respect of individual properties. Whilst we make every effort to ensure our drawings are up to date there may from time to time be an unavoidable delay in updating these due to changes in regulations and/or re-planning. Purchasers are advised to check with the Sales Adviser whether any alterations have been made to this drawing. The contents of this drawing do not constitute a contract, part of any contract or warranty unless specifically incorporated into the contract. They should not be relied upon for the purposes of entering into a contract to purchase any property.

	Handing Schedule:	Rev: A	01.07.15	Elevations substituted.		
		House Type: - SH27				
		Title - PLANNING DRAWINGS				K
	Drawing Status:	1299	-25		Rev: A	I I
	PLANNING	Site - SNOWLEY PARK, WHITTLESEY.				
		Scale -	1:100	Date - JUN 2015	Drawn: NMO	
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