

F/YR18/0015/F

**Applicant: Lincolnshire Co-operative
Ltd**

**Agent : Mr L Smith
Robert Doughty Consultancy Ltd**

Land North And West Of 3 - 5, Low Cross, Whittlesey, Cambridgeshire

Erection of a convenience store retail unit and 3 x 2-storey 3-bed dwellings and erection of 1.8m (max height) boundary wall, involving the formation of new accesses and the demolition of existing buildings within a Conservation Area

Reason for Committee: Level of objection generated

1 EXECUTIVE SUMMARY

This proposal seeks full planning permission for a mixed development comprising 3 houses and a convenience store. Although the site is not within a designated primary shopping frontage/area it has been demonstrated that there are no sequentially preferable sites which could accommodate the store and in line with the Para 24 of the NPPF the scheme may be accepted as policy compliant.

This is a sustainably located brown field site and the mixed use proposed will significantly enhance the local streetscape and the conservation area in which it is situated.

There are no constraints or issues arising in respect of the scheme that would warrant anything other than a favourable consideration of the proposal as fully in accordance with both local and national planning policy.

2 SITE DESCRIPTION

- 2.1 The site in question has stood derelict for many years, the last use of the site being a bus depot. There are redundant commercial buildings situated along the north-western boundary parallel to Finkle Lane which runs alongside this boundary. There is housing fronting on to the site along the north-western side of Finkle Lane. The boundary treatment along the full extent of Finkle Lane comprises some metal sheeting in parts, concrete posts and herras fencing. The site currently has 'Herras' fencing securing both the Low Cross and West End frontages.
- 2.2 Within the vicinity of the site are the listed mud wall listed as wall adjoining 4 West End (Grade II), 10 Low Cross (Grade II) and 13 & 15 Low Cross (Grade II) with 1 Finkle Lane (Grade II).
- 2.3 The surrounding area is characterised by residential development of a relatively high density, which is typical of more urban environments. Curtilage sizes are modest and the architecture is varied with a mixture of dwelling types, ages,

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materials including thatch, pantiles, slate and modern concrete tiles, rendered walls, buff, yellow and red brick together with some painted render.

- 2.4 Finkle Lane is a narrow footpath where it meets Low Cross and provides some vehicular access to existing dwellings from the Finkle Close/A605.
- 2.5 The site is circa 350 metres to the junction of Broad Street and Whitmore Street and circa 514 metres to the western end of Broad Street, served by a network of footways the site benefits from good connectivity with the surrounding area and the town centre.

3 PROPOSAL

3.1 The development comprises:

3.2 The demolition of the disused bus depot buildings

These former bus depot buildings are in a dilapidated state; constructed of brick, with two varying roof heights and infill timber panels to the previous garage/workshop entrances the building(s) have a footprint of circa 104 square metres.

3.3 The erection of a single storey convenience store: The main section of the proposed store will have an overall footprint of 19 metres wide x 15.8 metres deep, this formed by two low-pitched roofs running roughly east/west, fully hipped at the eastern end at the rear of the store. This area will provide 280 square metres of retail floorspace. The eaves height is 4.2 metres and the ridge height is 7.56 metres.

To the rear of this section will be the 'back of house' area which at circa 3.8 metres in height and having a footprint of 13.2 metres wide x 7.4 metres deep; will deliver 92 square metres of storage/back of house facilities. This section will have a mono-pitched roof which will feature a sedum roof system. Immediately behind this section of the building will be a service yard contained within a 2 metre high boundary wall accessed by double gates.

There will be 20 parking spaces (including 2 disabled spaces) and a delivery vehicle turning area provided to the south-west of the site together with a rationalised access onto the A605, associated landscaping, site furniture and hard surfaced areas.

3.4 The erection of a terrace of 3 x two-storey dwellings fronting Low Cross: The proposed terrace will have an overall footprint of 15.4 metres wide x 9 metres deep. The will be set back from the Low Cross frontage with 2 parking spaces per unit being provided. The proposed dwellings measure 5.3m to eaves and 8m to the ridge. Boundary treatments have been specified and these comprise a picket fence along the Finkle Lane footpath, this will terminate in line with the rear elevation of Plot 3 and the boundary will then be formed by a 1.8 metre wall for the full extent of Plot 3s rear garden; at which point the remaining site boundary will be formed by 1.2 metre wall with railings above.

Full plans and associated documents for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

F/YR08/0179/F	Erection of 15 affordable dwellings comprising: 9 x 2-bed terraced houses 4 x 2-bed flats and 2 x 3-bed terraced houses and bin store 1.8 metre high brick wall and close boarded fencing to boundary involving demolition of existing bus garage	Refused 23/11/2010
F/YR07/1110/DE1	Demolition of dwellings 6 - 8 West End Whittlesey	Further Details Not Required 08/11/2007
F/YR07/0805/F	Erection of 21 dwellings comprising; 10 x 1-bed flats 7 x 2-bed terraced houses 2 x 2-bed semi-detached houses and 2 x 3-bed terraced houses and covered parking bays and associated parking and landscaping involving demolition of 6-8 West End and bus garage	Refused 31/08/2007
F/YR03/0481/F	Erection of single-storey office building and staff car parking area	Refused 07/11/2003

5 CONSULTATIONS

- 5.1 **Town Council:** The Town Council have no objection and therefore recommend approval, however would like to ensure that the mud wall that borders the site and is listed be retained and kept in good condition.
- 5.2 **Cambridgeshire County Council Highways Authority:** Originally requested that the detailed design information be removed from the plans as this would need to be agreed at Section 278 stage. Plans subsequently amended and LHA raise no highways objection subject to conditions relating to access construction, site layout and the provision of visibility splays prior to the first occupation/first use.
- 5.3 **Senior Archaeologist (CCC):** At pre application stage the applicant was advised that CCC Archaeology do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

Whittlesey island was an important area of dry land in the prehistoric fens. Finds of Prehistoric material are known from across the island, while the area was also extensively exploited during the Roman period, with the Fen Causeway, a major Roman routeway, passing to the north of the application area. The proposed development area is located on the western edge of the historic core of Whittlesey, which includes 13th century Saint Mary's Church (Cambridgeshire Historic Environment Record reference 02928). Archaeological investigations on the plot adjacent to the application area facing West End identified significant medieval and post-medieval domestic evidence and occupation (ECB2529, ECB2583). Archaeological investigations to the east have revealed evidence for

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the late Saxon and medieval development of the town (for example. ECB893), while archaeological investigations only 40m south of the development area at Hallcroft Road revealed evidence of post-medieval settlement (ECB1621) and occupation (ECB2034). It is therefore considered highly likely that archaeological deposits survive in this location and that these could be severely damaged or destroyed by the proposed development.

- 5.4 **Whittlesea Society:** We understand that the proposed store will be built adjacent to the Grade II listed mud wall in West End, Whittlesey. We would therefore ask that great care be taken not to damage this wall during the construction of the store should the planning application be approved.
- 5.5 **Conservation Officer (FDC):** Requests conditions relating to specific items
- 5.6 **North Level Internal Drainage Board:** Have no comment to make with regard to the above application.
- 5.7 **FDC Environmental Protection:** The noise impact assessment from the plant is noted and accepted, the measures detailed should be followed to ensure that noise from the plant is not considered an issue.

The site is contaminated and as such Environmental Health welcomes the redevelopment of the site to bring it back into beneficial use. Further investigation should by now have been undertaken (as referenced in the report), this should be provided as well as a suitably robust remediation plan, although this can be conditioned.

- 5.8 **Designing Out Crime Officers:** Happy to support this application; vulnerability to crime has been considered with the homes and retail unit. The applicant may wish to consider a Secured by Design application for these properties. Notes that there is no mention of an ATM being installed either outside or inside the retail unit; highlights that there is currently an increase in thefts from ATMs across the Eastern Region and if there are plans for an ATM at this site we need to be part of the consultation process at an early stage to ensure measures are in place to protect it.
- 5.9 **Local Residents/Interested Parties:**
- 5.9(a) A petition has been submitted, signed by 86 people, raising objection to the proposal on the grounds of the impact that the proposal will have on the business operating as West End Stores and noting that there is not a need for another convenience store in this area of the town
- 5.9(b) A further letter has been received from the proprietor of West End Stores objecting to the scheme on the grounds of
- Likely adverse impact, possible closure, on already established business through reduced turnover
 - The proposed store would not bring any additional facilities to the area
 - Additional movements in and out of the site will have an adverse impact on traffic flow, traffic congestion is already a problem along the road and this is exacerbated when North bank is closed during flooding.
 - Land is contaminated

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- Whilst 20 car parking spaces are shown how many spaces would be available for customers as the scheme proposed to employ 15 members of staff; inadequate parking will lead to further congestion on the main road
- Applicant states that the town centre is only a few minutes' walk away, this also applies to the already established Coop supermarket.

5.9(c) Two local residents have also written in objecting to the scheme on the following grounds:

- No objection to building 3 houses however do object to off road parking as there is already restricted parking for residents in Finkle Lane and residents who do not have driveways/plus visitors
- Why can't the dwellings have their off road parking at the rear of these houses
- Object to a convenience store as there is a coop in the town as well as other supermarkets
- Do not need another convenience store
- Will cause traffic to build up and make the road a nightmare to cross
- Consider that it will impact on the livelihood of the exiting store owner in the vicinity

5.9(d) One representation has been received which notes that whilst they have no problems with any development they do have concerns regarding where to park within any distance from their home as at present they park one of their vehicles on Low Cross but post development that will be the access to someone's driveway.

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).

6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Paragraph 11 – 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 of the National Planning Policy Framework (NPPF) sets out the NPPF's core values, one of which is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations

Paragraph 23 – planning policy should promote competitive town centre environments

Paragraph 24 – LPAs should apply a sequential test to planning application for main town centre uses that are not in an existing centre

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Paragraph 26 – Retail impact assessment only required for schemes over 2,500 square metres (unless a locally set threshold indicates otherwise)

Paragraph 47 – Boost significantly the supply of housing;

Paragraph 49 – Five-year supply of deliverable housing sites;

Paragraph 128 of the NPPF sets out that LPAs should identify and assess the significance of any heritage asset that may be affected by a proposal, taking into account of the available evidence and expertise.

Paragraph 131 – LPA should consider sustaining and enhancing heritage assets (HA) and putting them to viable uses, the positive contribution HA can make to sustainability communities including economic viability

Paragraph 132 – weight should be given to the significance of the heritage asset, the more important the asset the greater the weight

Paragraph 134 – where a development proposal causes less than substantial harm to a heritage asset this harm should be weighted against the public benefits, including securing its optimum viable use

Paragraph 160 – LPAs should have a clear understanding of business needs within the economic markets operating in and across there are; to achieve this they should work closely with the business community to understand their changing needs

7.2 National Planning Policy Guidance (NPPG)

7.3 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

LP6 – Employment, Tourism, Community facilities and retail

LP11 – Whittlesey

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

LP18 – The Historic Environment

8 KEY ISSUES

8.1 The National Planning Policy Framework attaches great importance to the design of the built environment, and paragraph 9 of the NPPF outlines that pursuing sustainable development involves seeking positive improvements in the quality of the built environment. The 'Core Planning' principle of 'always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings' is outlined in paragraph 17 of the NPPF.

8.2 Policy LP16 of the Fenland Local Plan 2014 seek to ensure that when considering proposals for new development, issues including the scale, style, character, appearance and amenity are taken into consideration. LP6 supports the introduction of tourism accommodation proposals subject to 9 criteria that must be met including compliance with the Council's spatial strategy, accessibility to public transport, impact on heritage assets, urban character and the setting of settlements and site suitability in terms of constraints e.g. flooding, access etc. LP18 seeks to protect and enhance Fenland's heritage assets and runs in parallel to LP16.

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8.3 Given the above policy framework the following key issues are identified as relevant to the consideration of the proposal:

- * Principle of Development
- * Five Year Housing Land Supply
- * Policy LP6 Implications
- * Heritage, design and character of area
- * Amenity
- * Highway safety and servicing
- * Other issues
- * Sustainability

9 BACKGROUND

9.1 The site was formerly occupied by the Morleys Bus Depot although for some time it has been vacant, at least for the last 12 years. Schemes for the redevelopment of the site have previously been resisted on the grounds of overdevelopment, access and highways. It is acknowledged that the scheme has been the subject of an earlier pre-application enquiry, and that suggestions made at pre-application stage have been incorporated into the detailed scheme.

10 ASSESSMENT

Principle of Development

10.1 Whilst the site is not within a designated primary shopping frontage or area it is closely related to the town centre and the NPPF Para 26 facilitates consideration of a sequential approach in regard to delivering retail facilities. With regard to the residential element of the scheme proposals this brownfield site is within a sustainable settlement and as such the principle is supported. Due consideration must also be given to highway safety and accessibility, residential amenity, the character of the area and heritage impacts as the site is located within the Whittlesey Conservation Area and in close proximity to a number of listed buildings. Flooding and contamination should also be evaluated to ensure the site and its future occupants/users are not at risk in this regard.

Five Year Housing Land Supply

10.2 Under the NPPF, Local Planning Authorities are required to have and to be able to demonstrate a five year supply of housing. The Council's five year land supply was recently tested on appeal in relation to a proposal for 6 dwellings on land south west of Syringa House, Upwell Road, Christchurch (reference No.F/YR16/0399/O). The Inspector in upholding this appeal and granting planning permission concluded, on the basis of the evidence presented to him, that the Council is currently unable to robustly demonstrate a five year land supply (the supply available is approximately 4.93 years).

10.3 The Inspector concluded that applications must be determined in accordance with the National Planning Policy Framework (NPPF). Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of housing. Paragraph 14 states that for the purposes of determining planning applications, this means that applications for housing can only be resisted where the adverse impacts of

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approving a scheme would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. In considering which policies are 'relevant policies' for the supply of housing, regard needs to be had to the outcome of the decision in *Richborough Estates Partnership LLP v Cheshire East Council and Suffolk Coastal DC v Hopkins Homes Limited* (2017) which was considered in the Supreme Court.

- 10.4 In summary this decision concluded that only those local plan policies relating to housing distribution and numbers are out of date and all other local plan policies remain relevant.
- 10.5 Whilst initially in response to this appeal decision the LPA took the view that Policies LP3, LP4 and LP12 were policies that influenced the supply of housing, and as such were rendered out of date; this view has been revisited given the outcome of an appeal decision which comes after the *Syringa House* decision. This most recent decision in respect of 2 no dwellings at land north-east of Golden View, North Brink, Wisbech (reference No. F/YR16/1014/F) clearly highlights that whilst LP3 and LP12 may have an effect on the supply of housing they are primarily concerned with directing most forms of development, including housing, to the most sustainable locations and limited development in the countryside for its protection and on this basis neither is a policy for the supply of housing.
- 10.6 Based on the above, there are no relevant policies which influence the supply of housing in this case

Policy LP6 Implications

- 10.7 Policy LP6 identifies that proposals for retail uses will be directed in the first instance to the Primary Shopping Frontage (PSF), then to the Primary Shopping Area (PSA) and finally to within the Town Centre Boundary, all of which are defined on the Policies Map. Retail proposals outside the town centre will be assessed against the criteria in the NPPF. The site is not within any of these categories and as such Para 26 is relevant. This requires that LPAs should apply a sequential test when considering applications for town centre uses that are not in an existing centre and not in accordance with an up-to-date local plan. In essence, when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. The sequential test which accompanies the application comprehensively assesses other available sites and robustly supports the site selected; which is well located to the town centre and surrounding residential development.
- 10.8 It is also acknowledged that no retail impact assessment is required as the store falls under the 500 square metre threshold outlined in Policy LP6.

Heritage, design and settlement character

- 10.9 The application is accompanied by a heritage statement, as required by both the NPPF and Policy LP18. This statement is proportionate with the works proposed and cover heritage matters to the satisfaction of Para 128 of the NPPF.
- 10.10 Previous attempts to develop the site for residential flats resulted in a density of development which was overbearing on the surrounding area. In this specific case it is felt that continuing to utilise the main part of the site for a commercial

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purpose (convenience store) requiring a simple single storey mass of building may best serve this specific site and have more limited impact on the character and appearance of the conservation area.

- 10.11 It is acknowledged that this brown field redundant site makes a negative contribution to the area in terms of the Low Cross streetscape the reintroduction of dwellings within the Low Cross 'gap' is welcomed as it lends itself to residential development and will enhance the character and appearance of the Low Cross streetscene and consequently the conservation area and the adjacent/nearby listed buildings. It is noted that the scheme will deliver parking to the front of the dwellings and it is considered imperative that the surface finish for the driveways and paths should be in the form of darker driveway cobbles to lessen the impact of an expanse of the parking areas; this may be achieved via condition. Similarly it will be necessary to agree materials by way of samples to ensure the delivery of a high quality scheme.
- 10.12 The proposal also brings with it the opportunity to secure improvements to the Finkle Lane boundary which currently detracts from the character and appearance of the conservation area given its mismatched and poor quality treatment. It is proposed that the majority of the boundary will be formed with a 1.2 metre boundary wall with railings above, with a 1.8 metre boundary wall securing the side of the rear garden of Plot 3 with a lower picket fence addressing the side of the parking area serving this dwelling. The suggested boundary treatments and associated landscape proposals will significantly improve the appearance of Finkle Lane. In respect of the landscaping proposals it has been suggested that a few trees, carefully selected to be appropriate to the location, be introduced into the planted boundary to the south of 5-7 and 8 Finkle Lane to given some vertical interest to the streetscene as seen from Finkle Lane.
- 10.13 There is a listed mud wall at 4 West End which is adjacent to the site; however it is not considered that the proposed store will affect the prominence of the mud wall within the streetscene. The south corner of the convenience store will be 10m from the mud wall and at its closest point it will be 6m from the mud wall. It is considered that care will need to be taken during development that materials or plant are not stored close to the corner of the site with the mud wall or that vehicles do not access the site directly adjacent to the mud wall so as to potentially risk causing accidental damage to it. To this end a safeguarding condition may be imposed to ensure that the mud wall is suitably fenced off during construction. It is also considered that the section of brick wall proposed next to the mud wall fronting West End has the potential to directly affect its setting and as such a condition will be required to agree a sample panel to ensure it is aesthetically appropriate.

Amenity

- 10.14 There are no residential amenity issues arising with regard to the introduction of the residential dwellings along the Low Cross frontage; these properties will respond to the neighbouring dwellings with regard to their positioning and given separation, positioning and design there are no issues of overlooking, overshadowing or loss of privacy to reconcile.
- 10.15 The individual dwellings will benefit from private amenity space in accordance with the standards outlined in Policy LP16, i.e. Plot 1 - 38%, Plot 2 - 37% and Plot 3 - 43% accordingly the scheme complies with Policy LP16.

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- 10.16 With regard to the retail store element of the scheme it is considered that by designing the store in such a way as to minimise the ridge height and through the incorporation of hips to the eastern end of the store the overall impact of the building is reduced, with regard to the outlook from Nos 3 and 5 Low Cross. In addition this rear elevation will be blank excepting for a rear door, which will again serve to minimise any noise and disturbance and a hedge will be planted along the common boundary to further mitigate the outlook from these properties.
- 10.17 Due consideration has also been given to the proximity of the proposed and existing residential properties and the likely noise and disturbance arising from the operation of a retail store from this site. In this respect a noise assessment accompanies the submission which considers fixed plant and machinery within the service yard and concludes that the sound rating level predicated at 29 dB will not be perceptible against the daytime background levels of 40-44 dB LA₉₀ or the night background of 31-33 dB LA₉₀.
- 10.18 Whilst the noise from vehicles using the parking area has not been assessed within this report the agents contend that it is reasonable to assume that there will be little impact arising from this, over and above that already generated by traffic using the A605. Similarly the Noise Assessment acknowledges that there will be other likely sound sources which do not form part of the assessment; these include sound from goods deliveries, sound from the car parks and sound from other sources in the outdoor yard. In this regard a noise management plan has been secured from the agents that seek to ensure that the potential for noise and disturbance is minimised / mitigated against. The Environmental Protection team have accepted the findings and recommendations of the noise assessment and the site management plan. In addition due regard must be given to the historic use as a bus depot as although this use has ceased it remains capable of resurrection.
- 10.19 On matters of general layout of the site as indicated in the heritage and amenity section of the report the enhancements secured to the southern boundary of the site will ensure that the outlook from the properties in Finkle Lane is enhanced.
- 10.20 Based on the above evaluation it may be seen that the proposal accords with policies LP2 and LP16 of the Fenland Local Plan in respect of residential amenity for both existing and proposed residential occupiers.

Highway safety and servicing

- 10.21 The proposal was discussed directly with the County Highways team at pre-application stage and no objection has been raised with regard to the scheme details. Parking to serve the residential dwellings is provided in accordance with Appendix A.

20 parking spaces are shown to serve the retail store; when applying the parking standards for an A1 use a requirement of 15 spaces based on a floor area of 372 square metres, i.e. for units up to 499 square metres 2 spaces per unit with a further space for every 25 square metres of floor space over 50 square metres – e.g. 2 spaces to serve the unit, plus 13 spaces (based on the total floor area of 372 – 50 (divided by 25) = 12.88)

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Accordingly adequate parking is to be provided in accordance with Appendix A of the Fenland Local Plan and compliance with Policy LP15 is achieved. In addition to the car parking provision cycle stands x 3 will be provided at the site equating to 6 cycle parking spaces.

- 10.22 The comments of the neighbouring resident regarding the loss of on-street parking along the sites Low Cross frontage are noted, and it is clear that some opportunities for on-street parking will be lost as a result of the development. However this does not represent any highway safety risk and as such there can be no weight given to the displacement of vehicles and the impact it may have on residential occupiers with regard to the loss of convenient parking.

Other issues

Impact on other local services/facilities

- 10.23 Whilst the comments of generated from and in support of established local business are noted it is not for the planning permission to stifle business competition and such matters are not material to the consideration of the application.

Flood Risk

- 10.24 The site is less than 1ha and lies within Flood Zone 1, as shown on the Environment Agency's indicative Flood Risk Maps. Surface water drainage will be considered as part of the Building Regulations process.

Contamination

- 10.25 The application is accompanied by a detailed ground investigation report which includes the findings of intrusive geo-environmental investigation. This follows the advice given at pre-application enquiry stage. The Environmental Protection team have advised that they welcome the redevelopment of the site to bring it back into beneficial use. They concur that further investigation is required, as referenced in the report, and that this should be provided as well as a suitably robust remediation plan, although this can be conditioned.

Sustainability

- 10.26 For the sake of completeness the scheme has also been assessed against Paragraph 7 of the NPPF. Paragraph 7 states:

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future

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generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

- **an environmental role** – *contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

10.27 In respect of this proposal the development of this site will further the sustainability objectives as follows:

Economic: The provision of housing, especially in light of the current deficiency in supply will contribute to the economic success of the District. It is recognised that the construction of the development would provide some employment for the duration of the work contributing to a strong responsive and competitive economy. The submission highlights that the project represents a £1.5m investment by the Lincolnshire Co-op, creating 15 new jobs and work for local companies during the construction phase and subsequent maintenance etc.

Social Role: There will be enhanced opportunities for community cohesion given the relationship of the site to the main town. The proposal has a benefit of 3 houses towards the 5 year supply offering the opportunity for residents to settle in the locality. Furthermore the provision of an enhanced retail offer in the local area will again afford opportunities for community cohesion.

Environmental: It is considered that the scheme would assimilate well with its immediate environs and would deliver further homes within a sustainable location. The constraints of the site in terms of contamination have been fully explored and there are no matters arising with regard to flood risk, visual amenity or residential amenity. The scheme will also facilitate the enhancement of the conservation area and accordingly will have a positive impact on the visual amenity of the area.

Planning Balance

10.28 As indicated above the scheme has significant sustainability credentials in terms of its location and fully accords with the aims of the FLP and NPPF; accordingly there is a clear planning argument to support this development as sustainable.

11 CONCLUSIONS

11.1 The proposal follows on from extensive and detailed pre-application with a number of key stakeholders and this is evident from the quality of the submission and the level of detail provided in the same. The scheme clearly aligns with local and national policy and fully considers and responds to the constraints of the site and the advice received at pre-application stage.

11.2 Whilst the concerns raised by local residents/business have been noted they fall outside the planning considerations of the scheme and accordingly may not be given any weight in the evaluation of the scheme. It is against this backdrop the scheme is favourably recommended.

12 RECOMMENDATION: Grant

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Conditions

- 1 The development permitted shall be begun 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 shall not be brought into use until its related means of vehicular access has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

- 3 Prior to commencement of use of the development the proposed on-site parking, turning, loading, unloading areas, related to the use commenced, shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

- 4 Prior to the first use of the retail unit and associated car park hereby approved, visibility splays shall be provided as shown on the approved plan and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason - In the interests of highway safety.

- 5 The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. All access works shall be undertaken in full prior to the first use of the related development.

Reason - To prevent surface water discharging to the highway.

- 6 Prior to the commencement of development a scheme detailing the measures to be put in place to protect the Grade II listed mud wall, wall adjoining 4 West End during the course of works shall be submitted to and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved scheme.

Reason – To safeguard the existing heritage asset in accordance with Policy LP18 of the Fenland Local Plan.

- 7 Prior to the commencement of works to erect boundary walling fronting West End as hereby approved, a sample brick panel (1m by 1m) presenting brick, brick bond, mortar and coping details shall be made available for inspection on site and this shall be approved in writing by the Local Planning Authority and the works undertaken in accordance with the approved details prior to the first use of the retail unit hereby approved.

Reason - To safeguard the visual amenity of the area, in accordance with policies

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LP16 and LP18 of the Fenland Local Plan, adopted May 2014.

- 8 Notwithstanding the information submitted and prior to the commencement of works to erect the new dwellings fronting Low Cross details to include
- (i) a sample brick panel (1m by 1m) presenting brick, brick bond and mortar for inspection on site,
 - (ii) roof tile/slate sample,
 - (iii) full product information for windows and doors,
 - (iv) full product information for rainwater goods, and
 - (v) clarification of the positioning of flues and vents including associated product information

shall be submitted to and approved in writing by the Local Planning Authority and the works undertaken in accordance with the approved details.

Reason - To safeguard the visual amenity of the area, in accordance with policies LP16 and LP18 of the Fenland Local Plan, adopted May 2014.

- 9 The surface finish of the driveway and paths to three properties fronting Low Cross shall be agreed by means of sample materials and accompanying detailing which shall be submitted to and approved in writing by the Local Planning Authority and works carried out in accordance with the approved details. The dwellings shall not be occupied until the driveway and pathway works have been completed to the agreed details.

Reason - To safeguard the visual amenity of the area, in accordance with policies LP16 and LP18 of the Fenland Local Plan, adopted May 2014.

- 10 Notwithstanding the landscaping details shown on drawing number J1726 (08) 04 H additional details shall be provided which clarify the tree planting and hedging. This revised detail should include specimen trees within the planted boundary to the south of Nos 5-7 and 8 Finkle Lane

Reason - To safeguard the visual amenity of the area, in accordance with policies LP16 and LP18 of the Fenland Local Plan, adopted May 2014.

- 11 The boundary treatments hereby permitted shall be constructed in accordance with the details specified on drawing number J1726 (08) 04 H. The boundary treatments shall be in situ and completed prior to the first occupation on the site. All works shall be carried out in accordance with the approved details and retained thereafter.

Reason - To safeguard the residential amenity of existing and proposed occupiers and to ensure that the visual amenity of the area is safeguarded, in accordance with policy LP16 of the Fenland Local Plan, adopted May 2014.

- 12 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 or the completion of the development whichever is 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

Agenda Item 9

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.

- 13 Prior to the commencement of the development hereby approved a scheme and timetable to deal with contamination of land and/or groundwater shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall then be implemented on site in accordance with the approved timetable.

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. This should include a conceptual model, and pollutant linkage assessment for the site. Two full copies of the desk-top study and a non-technical summary shall be submitted to and approved in writing by the Local Planning Authority.

IF during development any previously unsuspected contamination is discovered then the LPA must be informed immediately. A contingency plan for this situation must be in place and submitted with the desk study. If a desk study indicates that further information will be required to grant permission then the applicant must provide, to the LPA:

2.A site investigation and recognised risk assessment carried out by a competent person, to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:

- (i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above.
- (ii) The requirements of the Local Planning Authority for site investigations have been fully established, and
- (iii) The extent and methodology have been submitted to and approved in writing by the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to and approved in writing by the Local Planning Authority.

Following written LPA approval of the Site Investigation the LPA will require:

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

4. The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the Local Planning Authority.

Agenda Item 9

Reason: To control pollution of land or water in the interests of the environment and public safety.

- 14 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:
- i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);
 - ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
 - iii) alterations including the installation of replacement or additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);
 - iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);

Reasons: To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity and character of this part of the area/conservation area in which it is set.

- 15 The retail use shall be operated strictly in accordance with the details contained within the submitted Delivery and Associated Noise Plan submitted 23rd February 2018.

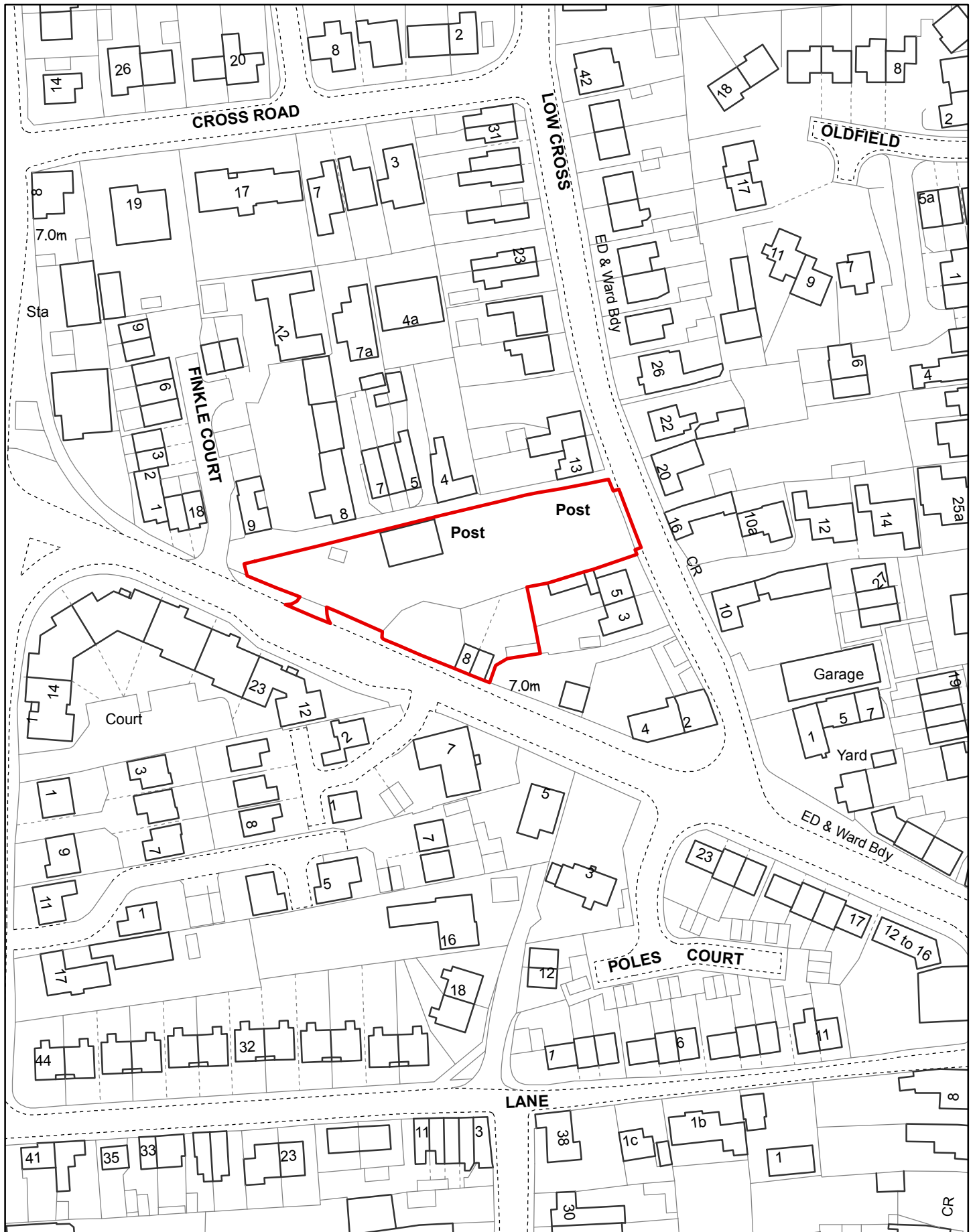
Reason - To ensure there is no detrimental effect upon the amenities of the area in accordance with Policies LP2, LP6 and LP16 of the Fenland Local Plan 2014.

- 16 Before commencement of construction works with regard to the retail unit hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use of the retail store and associated car park and retained thereafter in perpetuity.

Reasons: In order to ensure that the site meets the crime prevention guidelines and in the interests of the visual amenity of the area as required by Policy LP16 and LP17 of the Fenland Local Plan adopted May 2014

- 17 The retail unit hereby approved shall only open between the hours of 07:00 and 2200 daily including Bank Holidays and shall be closed at all other times, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To safeguard the amenities currently enjoyed by the occupants of adjoining dwellings in accordance with Policy LP2 and dLP16 of the Fenland Local Plan, adopted May 2014



Created on: 15/01/2018

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F/YR18/0015/F

Scale = 1:1,250

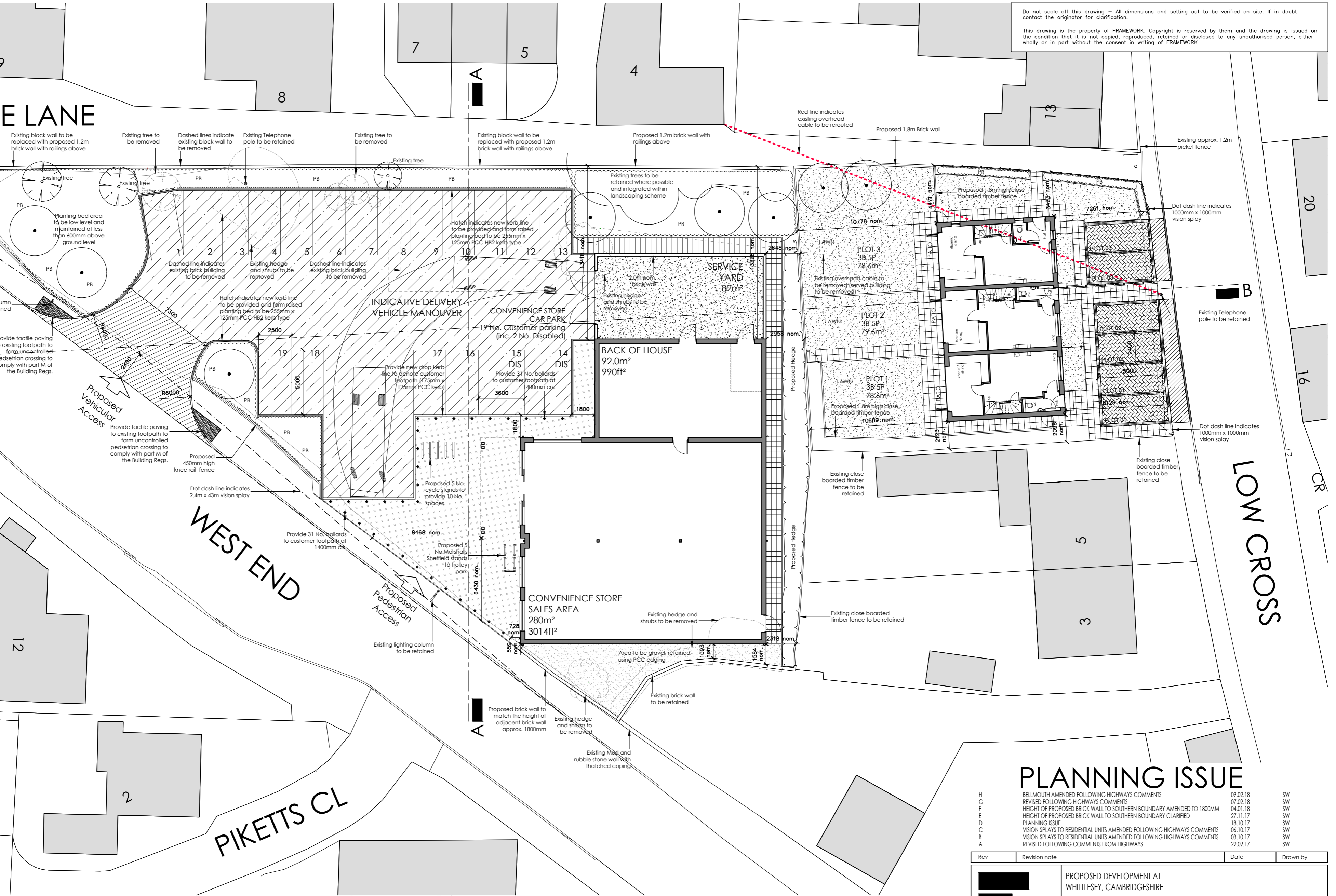


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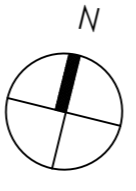
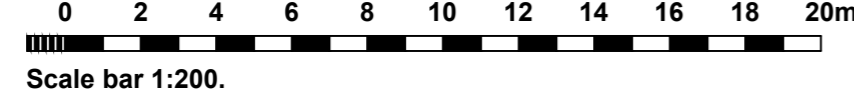
FINKLE LANE

LOW CROSS



- proposed soft landscaping legend**
- planting bed:** Planting beds to be a mixture of Mahonia japonica 3/2m - 195, Ulex europaeus 3/2m - 135, Berberis canadensis 3/2m - 205, Cotoneaster dammeri 3/2m - 205, Hypericum calycinum 3/2m - 205, Eranthis pinnatifida 3/2m - 195. All in prepared ground with compost beds 150mm deep with 100mm bark mulch. All plants to be pot grown 30-40cm.
- proposed hard landscaping legend**
- cycle stands & trolley park:** Provide 3 No. Marshalls Sheffield stands for secure cycle parking fixed with 150mm x 150mm x 6mm base plate & tamper proof bolts. Provide 5 No. Marshalls Sheffield stands to trolley park area fixed with 150mm x 150mm x 6mm base plate & tamper proof bolts.
 - bollards:** To be 178mm dia stainless steel tube bollards set in 450 x 450mm concrete foundation to finish 1200mm above finished ground level.
 - new parking area:** 30mm wearing course DBM (10mm agg), 60mm base course DBM (20mm agg), 75mm road base DBM (20mm agg), 150mm TYPE 1 (hardcore).
 - customer footpath:** 20mm wearing course DBM (10mm agg), 40mm base course DBM (20mm agg), 100mm TYPE 1 (hardcore).
 - service area:** 150mm of entrained concrete jointed RC slab with min. 1% top layer A252 mesh 150mm cover, 150mm TYPE 1 (hardcore).
 - rear of proposed unit:** 19mm gravel on terram anti-weed mat.
 - rear of service yard & terrace:** 450mm x 450mm paving slabs with 450mm x 150mm x 50mm kerb, concrete edging.
 - bellmouth area:** Fenland District Council spec. TBC.
 - public footpath:** Fenland District Council spec. TBC.
 - Residential Parking:** Permeable Paving.
 - proposed picket fencing:** To match existing fence to No.31 Low Cross.

Proposed Site Layout (scale 1:200)



PLANNING ISSUE

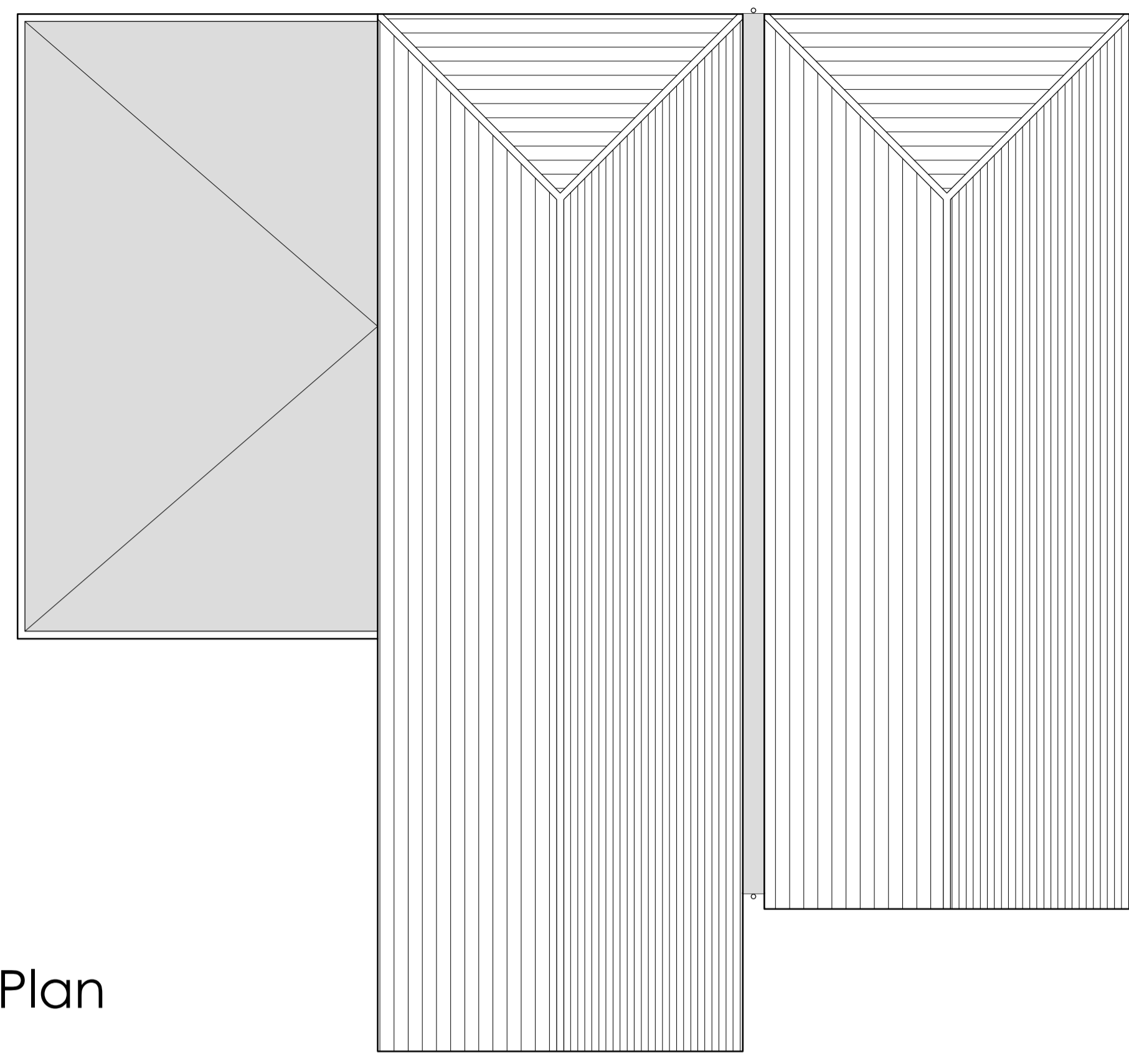
H	BELLMOUTH AMENDED FOLLOWING HIGHWAYS COMMENTS	09.02.18	SW
G	REVISED FOLLOWING HIGHWAYS COMMENTS	07.02.18	SW
F	HEIGHT OF PROPOSED BRICK WALL TO SOUTHERN BOUNDARY AMENDED TO 1800MM	04.01.18	SW
E	HEIGHT OF PROPOSED BRICK WALL TO SOUTHERN BOUNDARY CLARIFIED	27.11.17	SW
D	PLANNING ISSUE	18.10.17	SW
C	VISION PLAYS TO RESIDENTIAL UNITS AMENDED FOLLOWING HIGHWAYS COMMENTS	06.10.17	SW
B	VISION PLAYS TO RESIDENTIAL UNITS AMENDED FOLLOWING HIGHWAYS COMMENTS	03.10.17	SW
A	REVISED FOLLOWING COMMENTS FROM HIGHWAYS	22.09.17	SW

Rev	Revision note	Date	Drawn by
	PROPOSED DEVELOPMENT AT WHITTLESEY, CAMBRIDGESHIRE		
	Drawn by SW	Checked	Date 17 JULY 2017
	Scale 1:200 @ A2		
	PROPOSED SITE LAYOUT	Dwg No J1726 (08) 04	Rev H

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- MATERIALS**
- 1. Roof - Grey interlocking artificial slate tiles
 - 2. Flat Roof - Sedum Green Roof
 - 3. Walls - Buff multi facing brickwork
 - 4. Walls - Black facing brick work
 - 5. Walls - Decorative gable detailing, black facing brick
 - 6. Brick Detailing - Flemish bond with projection headers, colour black facing brick
 - 7. Canopy - Feature Oak truss post and signage support system colour natural
 - 8. Rainwater Goods - Powdered coated aluminium colour Black
 - 9. Eaves to Main Building - UPVC fascia colour black
 - 10. Windows - Powder coated aluminium colour black
 - 11. Recessed Brick Panel - Buff multi facing brickwork
 - 12. Shopfront - Powder coated aluminium colour black
 - 13. Service Door - Steel, colour grey

PLEASE NOTE:
 Signage is indicative only, subject to a subsequent advert consent should this application be approved.



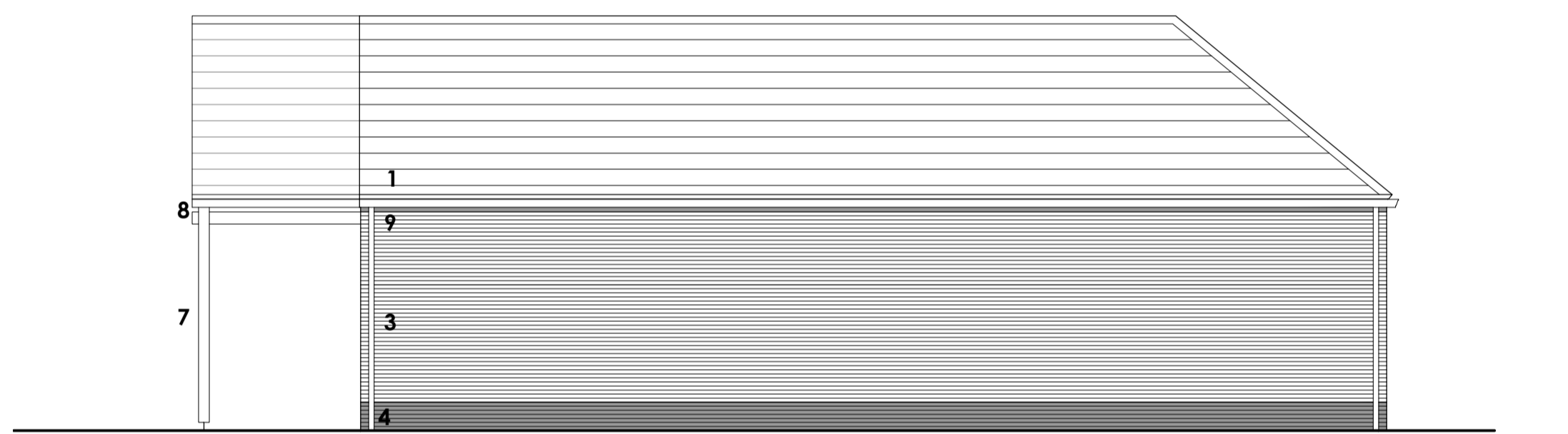
Proposed Roof Plan



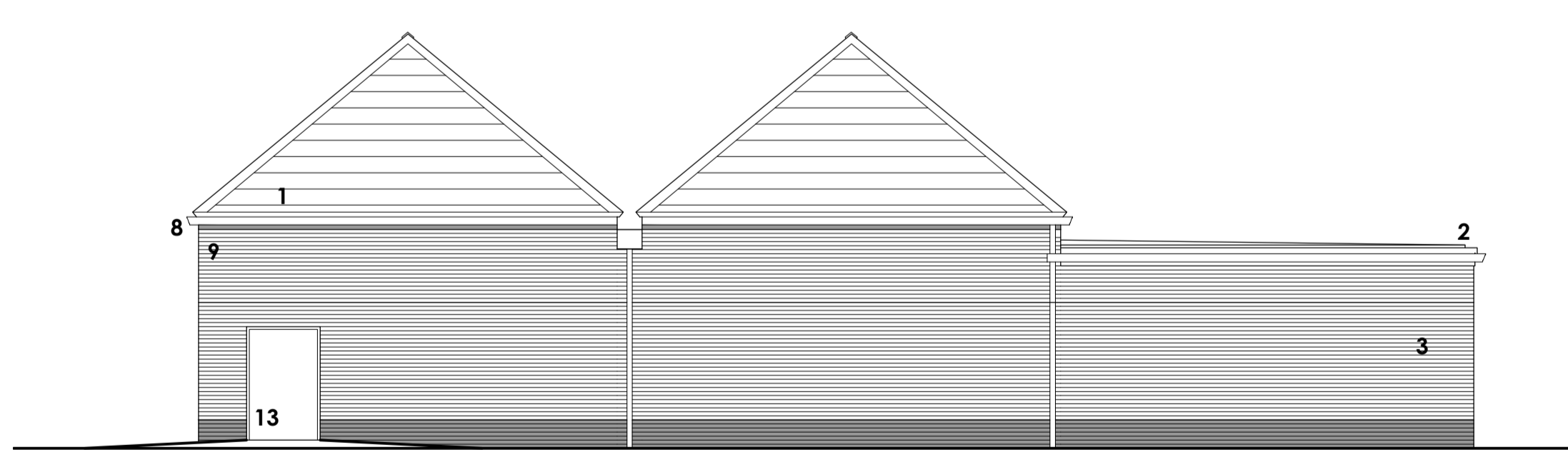
Proposed Front Elevation (scale 1:100)



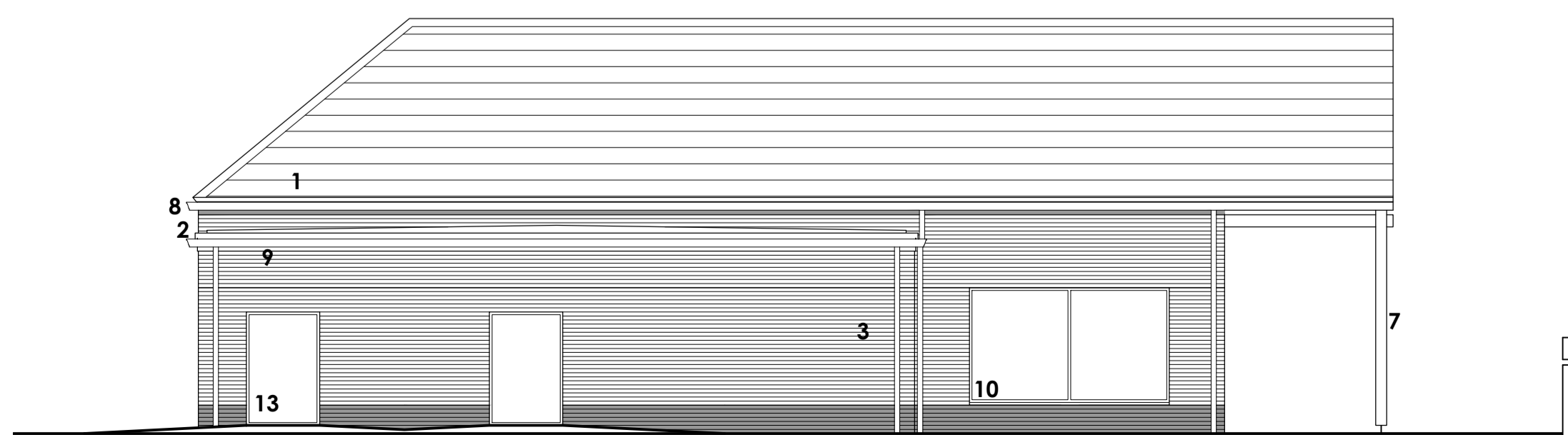
Proposed Front Elevation (canopy removed)



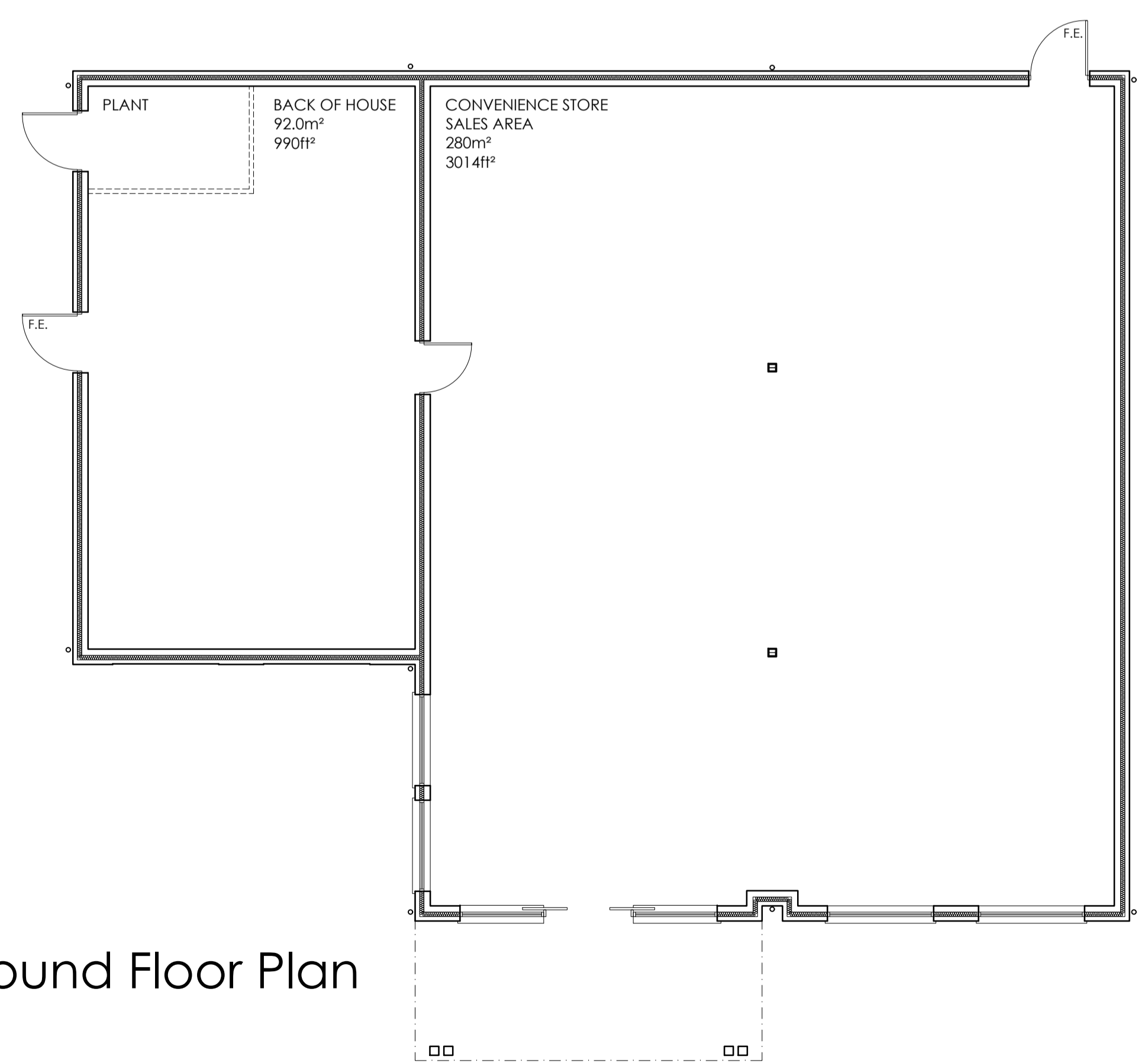
Proposed Side Elevation



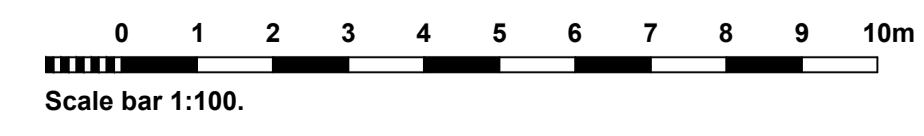
Proposed Rear Elevation



Proposed Side Elevation



Proposed Ground Floor Plan (scale 1:100)



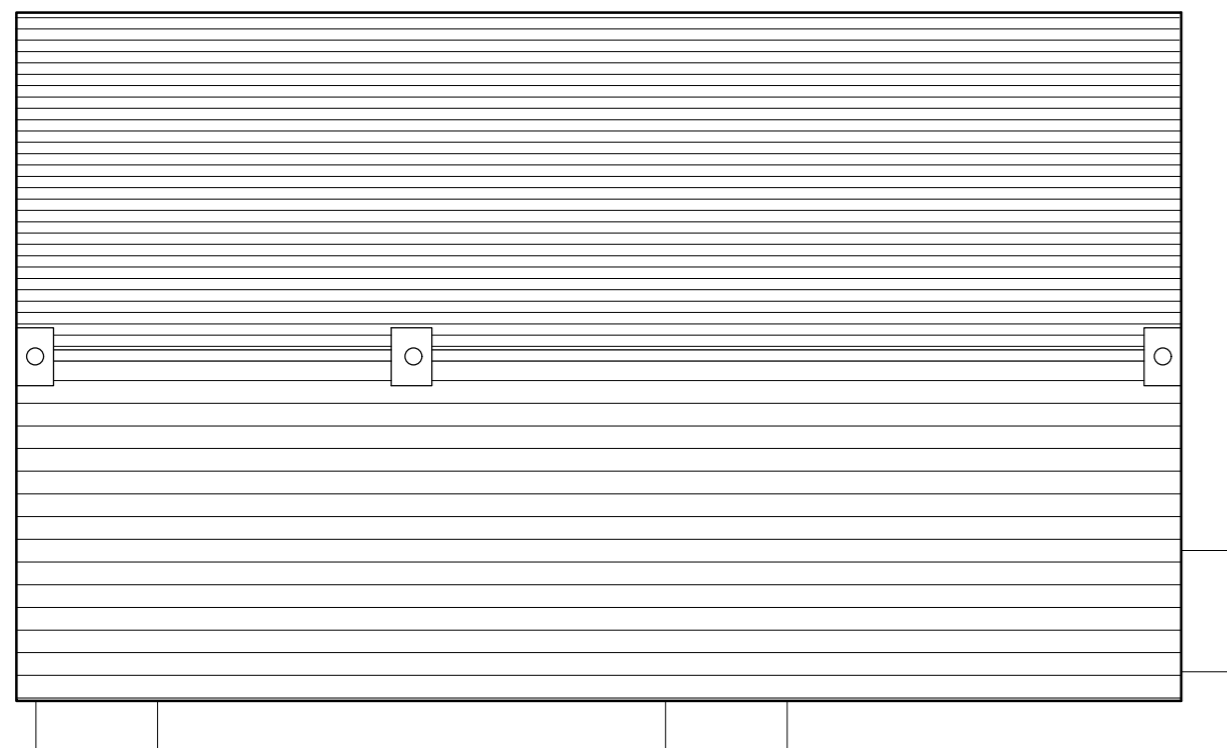
PLANNING ISSUE

Rev	Revision note	Date	Drawn by
8	SIGNAGE NOTE ADDED FOLLOWING PLANNING COMMENTS	27.11.17	SW
A	PLANNING ISSUE	18.10.17	SW

PROPOSED DEVELOPMENT AT WHITTLESEY, CAMBRIDGESHIRE			
Drawn by SW	Checked	Date JULY 17	Scale 1:100@A1
PROPOSED CONVENIENCE STORE - PLANS & ELEVATIONS		Dwg No J1726 (08) 07	Rev B

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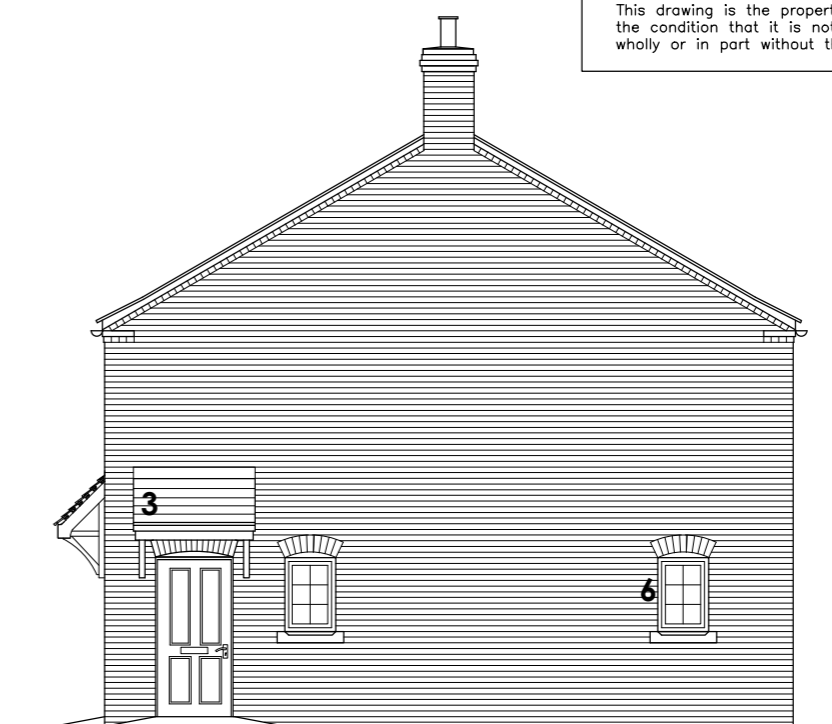
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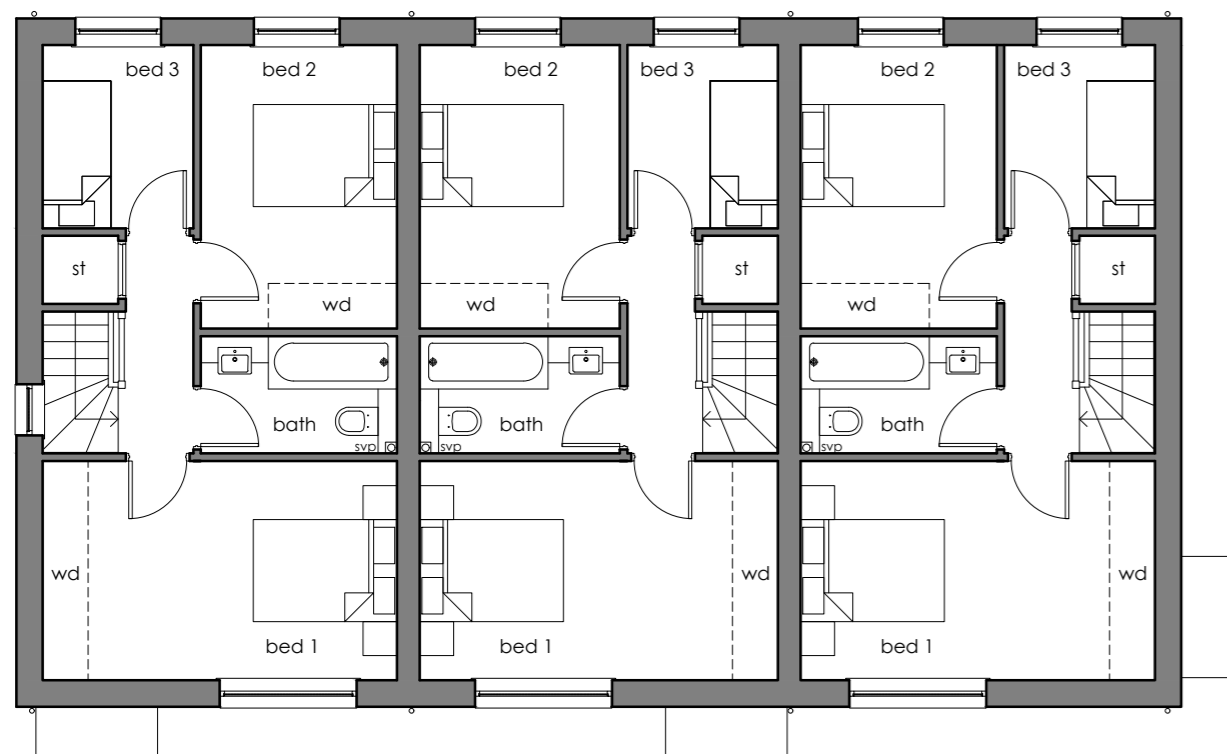
ROOF PLAN



FRONT ELEVATION



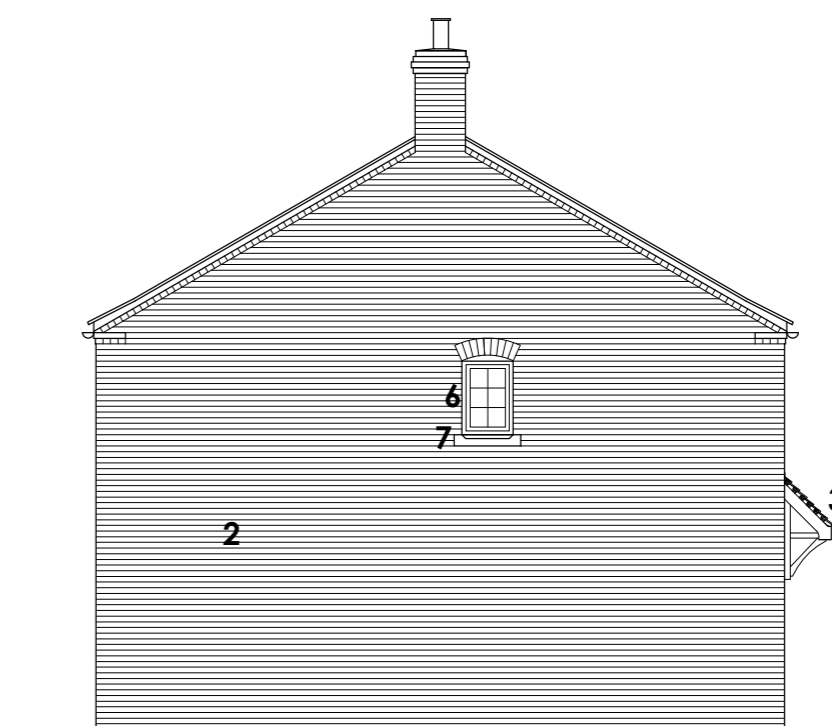
SIDE ELEVATION



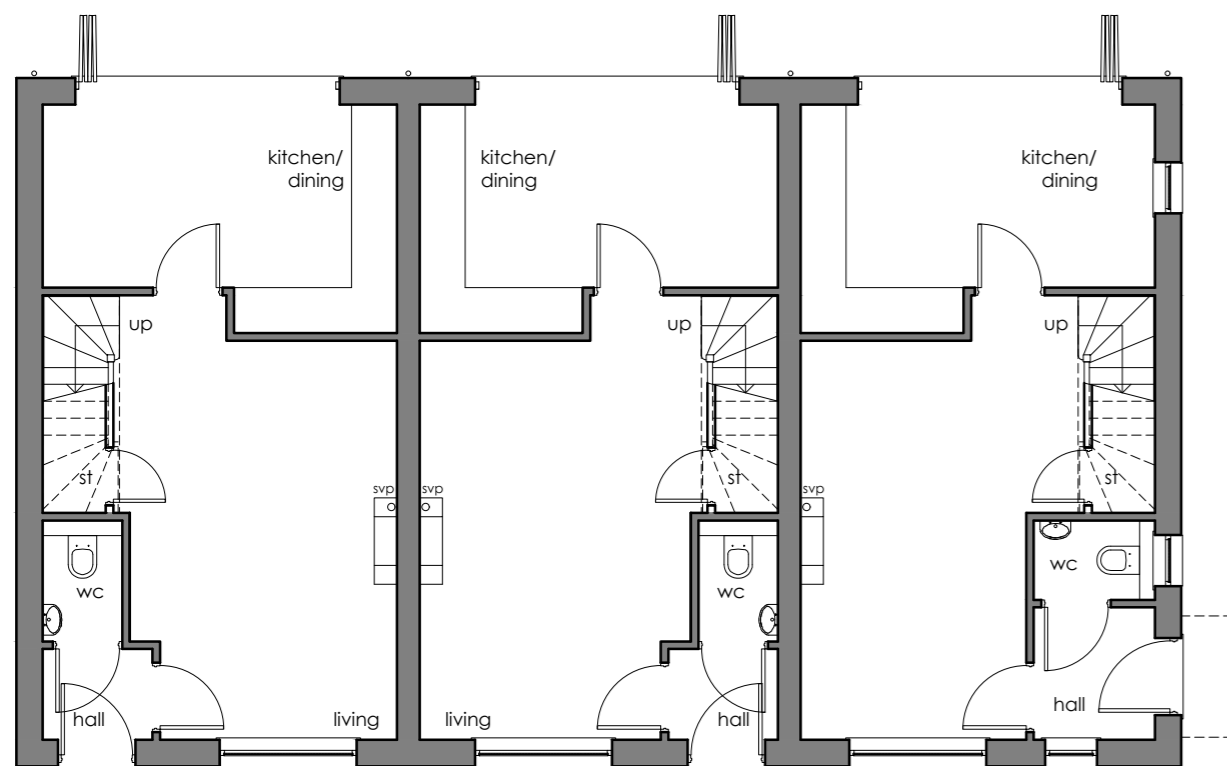
FIRST FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



PLOT 1
3 Bed 5 Persons
78.6m²

PLOT 2
3 Bed 5 Persons
79.6m²

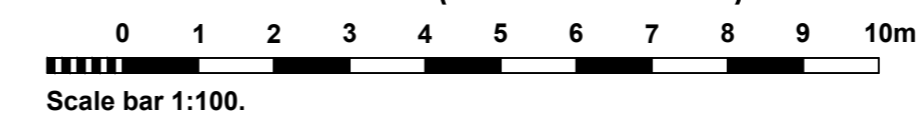
PLOT 3
3 Bed 5 Persons
78.6m²

GROUND FLOOR PLAN

MATERIALS

- 1. Roof - Grey interlocking artificial slate tiles
- 2. Walls - Buff multi facing brickwork
- 3. Canopy - Timber entrance canopy colour white, with interlocking artificial slate tiles
- 4. Rainwater Goods - UPVC, colour Black
- 5. Eaves - UPVC, fascia colour black
- 6. Windows - UPVC, colour cream
- 7. Sill - Artstone cill, colour portland

Plot 1-3 (scale 1:100)



PLANNING ISSUE

B	REVISED FOLLOWING PLANNING CONSULTANTS COMMENTS	15.11.17	SW
A	PLANNING ISSUE	18.10.17	SW
Rev	Revision note	Date	Drawn by
	PROPOSED DEVELOPMENT AT WHITTLESEY, CAMBRIDGESHIRE		
	Drawn by	Checked	Date
	SW		JULY 2017
	Scale		1:100@A2
	PLOTS 1-3- PROPOSED PLANS AND ELEVATIONS	Dwg No	Rev
		J1726 (08) 08	B